

STATE OF IOWA
1939

Journal of the Senate

OF THE

Forty-eighth General Assembly

CONVENED JANUARY 9, 1939

ADJOURNED APRIL 26, 1939

STATE OF IOWA
DES MOINES

GEORGE A. WILSON, Governor
BOURKE B. HICKENLOOPER, President of the Senate
JOHN R. IRWIN, Speaker of the House

Published by
THE STATE OF IOWA
Des Moines

EXCHANGE

FORTY-EIGHTH GENERAL ASSEMBLY

OFFICERS OF THE SENATE

LIEUT. GOVERNOR BOURKE B. HICKENLOOPER, President.....Cedar Rapids
CHARLES B. HOEVEN, President Pro Tempore.....Alton
WALTER H. BEAM, Secretary.....Martensdale
C. H. PITCHFORTH, Assistant Secretary.....Muscatine
W. J. SCARBOROUGH, Reading Clerk.....West Des Moines
MARGARET E. SANTEE, Journal ClerkCedar Falls
RUTH HAUGE, Assistant Journal Clerk.....Boone
WENDEL LOWE, Engrossing Clerk.....Weldon
FLORENCE WATTLES, Enrolling Clerk.....Waukon
MARGARET G. ALLEN, Enrolled Bills Clerk.....Estherville
MABLE M. HOEYE, Special Clerk.....Adel
FRANK D. LOGAN, Sergeant-at-Arms.....Glenwood
HARVEY E. DAINES, Assistant Sergeant-at-Arms.....Buffalo
BEN J. BECK, Chief Doorkeeper.....Marcus
NELSON C. A. BERG, Bill Clerk.....Ellsworth
BURRELL S. MAY, File Clerk.....Manchester
HARRY UPHAM, Assistant File Clerk.....Fredericksburg
HELEN BERRY, Lieutenant Governor's Clerk.....Cedar Rapids
DOROTHY DILLMAN, Secretary's Clerk.....Chariton
JENNIE HYATT, Postmistress.....LaMoille

ELECTIVE STATE OFFICERS
Official Address, Des Moines, Iowa

NAME	OFFICE	RESIDENCE
Geo. A. Wilson	Governor.....	Des Moines
Bourke B. Hickenlooper.....	Lieutenant Governor.....	Cedar Rapids
Earl G. Miller.....	Secretary of State.....	Des Moines
Chet B. Akers.....	Auditor of State.....	Ottumwa
W. G. C. Bagley.....	Treasurer of State.....	Mason City
Mark G. Thornburg.....	Secretary of Agriculture.....	Emmetsburg
Fred D. Everett.....	Attorney General.....	Albia
B. M. Richardson.....	Commerce Commissioner.....	Cedar Rapids
Barr Keshlear.....	Commerce Commissioner.....	Shenandoah
M. P. Conway.....	Commerce Commissioner.....	Atlantic
Jessie M. Parker.....	Superintendent of Public Instruction.....	Lake Mills
Wm. L. Bliss.....	Judge of the Supreme Court.....	Mason City
Oscar Hale.....	Judge of the Supreme Court.....	Wapello
W. H. Hamilton.....	Judge of the Supreme Court.....	Sigourney
Frederic M. Miller.....	Judge of the Supreme Court.....	Des Moines
Richard F. Mitchell.....	Judge of the Supreme Court.....	Fort Dodge
*Ralph A. Oliver.....	Judge of the Supreme Court.....	Sioux City
Paul W. Richards.....	Judge of the Supreme Court.....	Red Oak
E. A. Sager.....	Judge of the Supreme Court.....	Waverly
Carl B. Stiger.....	Judge of the Supreme Court.....	Toledo

*To Fill Vacancy.

SENATORS—FORTY-EIGHTH GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
*Augustine, A. E.	Oskaloosa	48	Real Estate	Dem.	14	Mahaska	46X 47
Baldwin, Howard C.	Cascade	34	Editor and Publisher	Dem.	35	Dubuque	45X 46 46X 47
*Beardsley, Wm. S.	New Virginia	37	Merchant	Rep.	11	Warren, Clarke	45 45X 46 46X 47
Bekman, Elmer K.	Ottumwa	38	Attorney	Rep.	13	Wapello	
Benson, Ralph E.	Jefferson	31	Farm Manager	Rep.	48	Carroll, Greene, Sac	
Berg, John P.	Cedar Falls	50	Merchant	Rep.	38	Black Hawk, Grundy	46 46X 47
*Breen, Edward	Ft. Dodge	39	Attorney	Dem.	27	Calhoun, Webster	47
*Byers, Frank C.	Cedar Rapids	54	Attorney	Rep.	26	Linn	43 44 45 45X 46 46X 47
Corwin, E. P.	Fruitland	55	Farmer	Rep.	20	Muscatine, Louisa	46 46X 47
Cromwell, Fred	Burlington	33	Attorney	Rep.	9	Des Moines	
*Dean, Earl	Mason City	44	Farmer	Dem.	43	Cerro Gordo, Franklin, Hancock	45 45X 47
Dewey, A. Claire	Washington	52	Orchardist	Rep.	10	Washington, Henry	46 46X 47
Donohue, E. P.	New Hampton	39	Attorney	Rep.	44	Chickasaw, Floyd	46 46X 47
*Doran, L. H.	Boone	45	Attorney	Rep.	31	Boone, Story	43 44 47
*Edwards, Howard W.	Tingley	69	Undertaker	Rep.	5	Decatur, Ringgold, Union	46X 47
*Ellis, Frank E.	Maquoketa	59	Real Estate & Insurance	Dem.	23	Jackson	47
*Elthon, Leo	Fertile	40	Farmer	Rep.	41	Worth, Mitchell, Winnebago	45 45X 46 46X 47
*Evans, K. A.	Emerson	40	Farm Manager	Rep.	8	Mills, Montgomery	47
Faul, George M.	Des Moines	39	Attorney	Rep.	30	Polk	
**Forsling, L. B.	Sioux City	47	Attorney	Rep.	32	Woodbury	39 40 40X 41 42 42X 43 44
*Geske, M. X.	McGregor	65	Attorney	Dem.	36	Clayton	45 45X 46 46X 47
*Gillette, Lester S.	Farming		Farming	Dem.	47	Clay, Dickinson, Emmet, Kosuth, Palo Alto	47
*Guernsey, Hugh G.	Centerville	46	Attorney	Dem.	3	Appanoose, Davis	46X 47
Hart, Stanley L.	Keokuk	42	Wholesale Cheese Merchant	Rep.	1	Lee	47
Harvey, Robert W.	Missouri Valley	63	Druggist	Rep.	34	Harrison, Monona, Crawford	
Hill, G. R.	Clarion	51	Attorney	Rep.	37	Hamilton, Hardin, Wright	46X 47
Henningsen, O. H.	Clinton	55	Insurance and Real Estate	Rep.	22	Clinton	
*Hoeven, Charles B.	Alton	43	Attorney	Rep.	49	Lyon, Osceola, O'Brien, Sioux	47
*Hopkins, George M.	Guthrie Center	72	Farmer	Rep.	17	Audubon, Dallas, Guthrie	42 42X 43 44 45 45X 46 46X 47
*Husted, Ora E.	St. Charles	62	Farmer	Rep.	16	Adair, Madison	44 45 45X 46 46X 47
*Kirketeq, O. J.	Bedford	47	Attorney	Rep.	6	Adams, Taylor	47
Leo, Richard V.	Dysart	50	Livestock and Farming	Rep.	45	Tama, Benton	45X
*Levis, H. V.	Chariton	42	Attorney	Rep.	4	Lucas, Wayne	47
*Lundy, Hugh W.	Albia	43	Attorney	Rep.	15	Monroe, Marion	47
Martin, Frank D.	Davenport	54	Former Sheriff	Rep.	21	Scott	
*Mighell, Winfred	Holstein	64	Farmer	Dem.	46	Ida, Cherokee, Plymouth	47
*Miller, Henry D.	Morley	70	Farmer	Dem.	24	Cedar, Jones	45 45X 46 46X 47
*Moore, Morris	Walnut	64	Physician and Surgeon	Dem.	19	Pottawattamie	45 45X 46 46X 47

*Holdover Senators.

**To Fill Vacancy.

SENATORS—FORTY-EIGHTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Mowry, Ross R.	Newton	56	Attorney	Rep.	29	Jasper	
*Parker, George L.	Independence	59	Pharmacist	Rep.	33	Delaware, Buchanan	46 46X 47
Pelzer, Frank	Marne	62	Farmer	Rep.	18	Cass, Shelby	46X 47
*Schadt, Frederick C.	Williamsburg	52	Physician and Surgeon	Rep.	25	Iowa, Johnson	47
Shaw, Albert J.	Pocahontas	62	Attorney	Rep.	50	Buena Vista, Humboldt, Pocahontas	46 46X 47
Sjulin, Carl O.	Hamburg	48	Nurseryman	Rep.	7	Fremont, Page	
*Smith, C. Colfax	Clarksville	70	Physician and Surgeon	Rep.	39	Butler, Bremer	46 46X 47
*Stewart, Paul P.	Maynard	62	Farmer	Rep.	40	Allamakee, Fayette	47
Talbott, John E.	Brooklyn	51	Attorney	Rep.	12	Keokuk, Poweshiek	
Urba, Edward H.	Cresco	30	Farmer	Dem.	42	Howard, Winneshiek	
*Whitehill, B. C.	Marshalltown	63	Real Estate	Rep.	28	Marshall	47
*Zeigler, Sanford, Jr.	Fairfield	47	Farming	Rep.	2	Jefferson, Van Buren	46 46X 47

*Holdover Senators.

MEMBERS OF THE HOUSE FORTY-EIGHTH GENERAL ASSEMBLY

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NAME	Address	Age	Occupation	Politics	District	County	Former Legislative Service
Alesch, Gustave	Marcus	61	Farmer	Dem.	80	Plymouth	45 45X 46 46X 47
Avery, A. H.	Spencer	68	Insurance	Rep.	83	Clay	45 45X 46
Axmead, W. C.	Keokuk	56	Lumberman	Rep.	24	Keokuk	
Beeler, W. J.	Winterset	63	Farmer	Rep.	28	Madison	
Bittner, Grover J.	Bellevue	53	Lumberman	Dem.	46	Jackson	
Blue, Robert D.	Eagle Grove	40	Attorney	Rep.	75	Wright	46 46X 47
Bowers, L. C.	Kent	71	Merchant	Rep.	14	Union	45 45X 46 46X 47
Brodersen, T. H.	Battle Creek	61	Farmer	Rep.	59	Ida	47
Bulow, Harry F.	Clinton	54	Barber Proprietor	Rep.	45	Clinton	47
Burk, I. J.	Ripley	61	Farmer	Rep.	54	Greene	
Burma, Henry W.	Allison	43	Former Sheriff	Rep.	73	Butler	47
Clark, Clarence L.	Corydon	61	Abstracter of Titles	Rep.	5	Wayne	
Claypool, Harold B.	Williamsburg	37	Attorney	Rep.	40	Iowa	
Cooper, Elmer E.	Corning	55	Farmer	Rep.	13	Adams	
Dancer, David A.	Lamoni	42	Farmer	Rep.	6	Decatur	46 46X 47
Davenport, John A.	Sioux City	67	Former Sheriff	Rep.	58	Woodbury	
Dietz, Walter	Walcott	42	Farmer, Dairy	Dem.	43	Scott	47
Dodds, Bert E.	Danville	53	Farmer	Rep.	21	Des Moines	47
Dvorak, Raphael R. R.	Toledo	30	Attorney	Rep.	50	Tama	
Dykhouse, J. T.	Rock Rapids	49	Farm Loans, Ins., Farming	Rep.	99	Lyon	47
Eckerman, Howard P.	Davenport	30	Attorney	Dem.	43	Scott	
Elliott, Mrs. Isabel M.	Bronson	49	Farmer	Dem.	58	Woodbury	47
Fishbaugh, Earl C., Jr.	Shenandoah	29	Attorney	Rep.	9	Page	46 46X 47
Foster, Harlan C.	Mt. Pleasant	52	Farmer	Rep.	20	Henry	47
Gardner, John R.	Lisbon	63	Physician & Surgeon	Rep.	48	Linn	47
Goode, Dewey E.	Bloomfield	40	Produce and Fur Dealer	Rep.	3	Davis	45 45X 46 46X 47
Graham, J. A.	Audubon	64	Attorney	Dem.	34	Audubon	
Greene, A. C.	Denison	57	Former Sheriff	Rep.	56	Crawford	
Gregory, Curtis W.	Adel	41	Attorney	Rep.	36	Dallas	
Guernsey, N. E.	Milton	60	Newspaper Publisher	Rep.	2	Van Buren	
Hall, J. R.	Malvern	58	Lumber	Rep.	11	Mills	
Hallagan, Frank B.	Des Moines	49	Attorney	Rep.	37	Polk	
Hathaway, George	Independence	59	Mail Messenger	Rep.	67	Buchanan	47
Hauge, Herbert H.	Des Moines	32	Attorney	Rep.	37	Polk	
Heffner, John S.	Webster City	55	Farmer and Stockman	Rep.	63	Hamilton	
Hermesen, John B.	Carroll	54	Public Service & Farm Bur.	Dem.	55	Carroll	
Hocum, Frank O.	Newell	58	Retired	Rep.	78	Buena Vista	
Hoegh, Leo A.	Chariton	30	Attorney	Rep.	16	Lucas	47
Hultman, O. N.	Stanton		Retail Lumber Dealer	Rep.	12	Montgomery	45 45X 46 46X 47
Hyett, F. E.	Oskaloosa	71	Lumber Yard and Elevator	Rep.	25	Mahaska	
Irwin, James E.	Boone	58	Insurance	Dem.	53	Boone	
Irwin, John R.	Keokuk		Wholesale Dry Goods	Rep.	1	Lee	43 46 46X 47
Johannes, W. J.	Ashton	48	Banker	Dem.	98	Osceola	46 46X 47

MEMBERS OF THE HOUSE

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

NAME	Address	Age	Occupation	Politics	District	County	Former Legislative Service
Johnson, Carroll	Knoxville.	25	Attorney	Rep.	26	Marion	
Johnson, Elmer A.	Cedar Rapids.	67	Attorney	Rep.	48	Linn	45 45X
Johnson, Oscar E.	Kanawha.	44	Druggist	Dem.	86	Hancock	46 46X 47
Judd, William N.	Clinton	51	Railroad Yardmaster	Rep.	45	Clinton	47
Keeney, George Harvey	Mallard.	58	Physician and Surgeon.	Dem.	84	Palo Alto	47
Kerr, William	Randolph	63	Physician and Surgeon.	Rep.	10	Fremont	47
Knippling, John	Elmo	49	Farmer	Dem.	92	Howard	47
Knowlton, W. P.	Decorah.	53	Salesman	Rep.	91	Winneshiek	
Knudson, Herman M.	Mason City	51	Florist, Printing	Rep.	87	Cerro Gordo	46 46X
Knudson, John	Marshalltown.	33	Farmer and Seedsman.	Rep.	57	Marshall	47
Kohlhaas, Philip J.	Algona	51	Real Estate Broker	Dem.	85	Kossuth	47
Kruse, William	Rockford.	48	Farmer	Rep.	88	Floyd	
Kuester, G. T.	Griswold.	50	Farmer	Rep.	30	Cass	46 46X 47
Lampman, L. O.	Primghar.	44	Attorney	Rep.	82	O'Brien	
Latchaw, F. A.	Wilton Jct.	56	Electrical Contractor	Rep.	42	Muscatine.	47
Lichty, E. M.	Waterloo.	71	Retired Farmer	Rep.	66	Black Hawk	40X 40 41 42 42X 43 44 45 45X
Love, H. S.	Bridgewater.	48	Hardware, Produce	Rep.	29	Adair	46 46X 47
Lucas, James A.	Bedford	42	Attorney	Rep.	8	Taylor	
Lutz, John C.	Council Bluffs.	55	Insurance.	Rep.	31	Pottawattamie.	
Manley, John W.	Dyersville	30	Attorney	Dem.	69	Dubuque	
McFarlane, Arch W.	Waterloo.	53	Wholesale Fuel Dealer	Rep.	66	Black Hawk	36 37 38 39 42 42X 43 44 45 45X 46
Martin, S. A.	Centerville.	67	Manufacturer	Rep.	4	Appanoose	
Miller, J. F.	Humboldt	52	Grain Dealer & Farm Oper.	Rep.	76	Humboldt.	
Moore, E. A.	Harlan	66	Physician	Dem.	33	Shelby	46 46X 47
Morrison, Wm. F.	Iowa City	24	Attorney	Rep.	41	Johnson	
Morrissey, Edward J.	Valeria	50	Farming and Livestock	Rep.	38	Jasper.	
Morrow, H. E.	Hopkinton	56	Minister.	Rep.	68	Delaware	47
Nelson, Charles W.	Packwood	30	Hatchery	Rep.	19	Jefferson	47
Odden, J. G.	Lake Mills	60	Merchant	Rep.	95	Winnebago	47
Paullus, Fred J.	Hampton.	44	Stock Breeder and Dairy	Dem.	74	Franklin	
Peisen, Dean W.	Eldora	50	Attorney	Rep.	64	Hardin	47
Peyton, H. L.	Logan	42	Merchant	Rep.	32	Harrison	
Pieper, Elmer	Waukon	52	Attorney	Rep.	90	Allamakee.	
Pine, F. J.	Columbus Jct.	45	Auto. Dealer and Farmer	Rep.	22	Louisa	47
Prall, S. E.	Indianola	33	Attorney	Rep.	27	Warren	47
Prentis, X. T.	Mt. Ayr	42	Hatchery and Feed Store.	Rep.	7	Ringgold	
Randa, Claus	Manly	56	Farmer	Rep.	94	Worth	47
Risse, H. F.	Mitchell		Minister and Insurance	Rep.	93	Mitchell.	
Ritchie, Fred J.	Marcus.	59	Farmer	Rep.	79	Cherokee	
Reilly, Robert C.	Dubuque	34	Sales Representative.	Dem.	69	Dubuque	
Roan, Philip F.	Ft. Madison		Attorney	Rep.	1	Lee	46 46X 47
Ropes, Wayne M.	Onawa	40	Real Estate and Insurance	Rep.	51	Monona.	
Ross, C. W.	Wellsburg	48	Garage	Dem.	65	Grundy	47

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

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NAME	Address	Age	Occupation	Politics	District	County	Former Legislative Service
Rovn, Lehman C.	Armstrong	32	Farmer, Teacher, Salesman	Rep.	96	Emmet	
Scholz, Charles H.	New Hampton	27	Attorney	Rep.	89	Chickasaw	
Schwendemann, Francis	Duncombe	51	Farmer and Dairyman	Rep.	62	Webster	
Scott, E. W.	Lake View	58	Farmer	Rep.	60	Sac	47
Scott, Geo. L.	West Union	50	Farmer	Rep.	71	Fayette	46 46X 47
Shales, John R.	Tripoli	51	Theater Manager	Rep.	72	Bremer	
Sharp, F. E.	Elkader	44	Attorney	Rep.	70	Clayton	
Shimaneck, C. F.	Monticello	28	Attorney	Rep.	47	Jones	
Siefkas, Henry	Osceola	41	Farmer	Rep.	15	Clarke	
Smith, Gordon	Clarence	35	Minister	Rep.	44	Cedar	
Steinberg, Albert	Ames	48	Attorney	Rep.	52	Story	
Stewart, E. L.	Washington	53	Farmer	Rep.	23	Washington	46 46X 47
Thompson, Jens	Rolle	51	Farmer	Rep.	77	Pocahontas	46 46X 47
Thompson, Stanley M.	Yale	59	Farmer and Stock Feeder	Rep.	35	Guthrie	46 46X 47
Troeger, Paul	Ottumwa	39	Teacher	Rep.	18	Wapello	
Van Oosterhout, M. D.	Orange City	38	Attorney	Rep.	81	Sioux	
Walter, Herman W.	Council Bluffs	27	Attorney	Rep.	31	Pottawattamie	
Weichman, Harry E.	Newhall	46	Farmer	Rep.	49	Benton	47
Wichman, Henry	Malcom	56	Farmer	Rep.	39	Poweshiek	
Wilson, Melvin	Lake City	48	Rendering and Stockman	Rep.	61	Calhoun	
Wood, W. G.	Albia	65	Retired	Rep.	17	Monroe	47
Yager, W. A.	Spirit Lake	50	Salesman	Dem.	97	Dickinson	45 45X 46 46X 47

MEMBERS OF THE HOUSE

JOURNAL OF THE SENATE

SENATE CHAMBER.

DES MOINES, IOWA, JANUARY 9, 1939.

Pursuant to law the Senate of the Forty-eighth General Assembly convened at 10 o'clock a. m., and was called to order by Lieutenant Governor John K. Valentine, President of the Senate.

Prayer was offered by Rev. Carl R. Frankhauser, Pastor of The First Evangelical Church of Des Moines.

TEMPORARY OFFICERS

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

Walter H. Beam of Warren county, temporary secretary.

Margaret E. Santee of Black Hawk county, temporary journal clerk.

Frank D. Logan of Mills 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 Parker moved that a committee of five be appointed as a committee on credentials.

The motion prevailed and the President appointed as such committee, Senators Geske, Hopkins, Whitehill, Augustine and Stewart.

REPORT OF COMMITTEE ON CREDENTIALS

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

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

First District, Stanley L. Hart.

Seventh District, Carl O. Sjulín.

Ninth District, Fred Cromwell.

Tenth District, A. Claire Dewey.
 Twelfth District, John E. Talbott.
 Thirteenth District, E. K. Bekman.
 Eighteenth District, Frank Pelzer.
 Twentieth District, E. H. Corwin.
 Twenty-first District, Frank D. Martin.
 Twenty-second District, O. H. Henningsen.
 Twenty-ninth District, Ross R. Mowry.
 Thirtieth District, George M. Faul.
 Thirty-second District, L. B. Forsling.
 Thirty-fourth District, Robert W. Harvey.
 Thirty-fifth District, Howard C. Baldwin.
 Thirty-seventh District, G. R. Hill.
 Thirty-eighth District, John P. Berg.
 Forty-second District, Edward H. Vrba.
 Forty-fourth District, E. P. Donohue.
 Forty-fifth District, Richard V. Leo.
 Forty-eighth District, Ralph E. Benson.
 Fiftieth District, Albert J. Shaw.

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

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.
 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.
 Thirty-first District, L. H. Doran.
 Thirty-third District, George L. Parker.
 Thirty-sixth District, M. X. Geske.
 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.

M. X. GESKE, *Chairman*.
GEORGE M. HOPKINS.
B. C. WHITEHILL.
A. E. AUGUSTINE.
PAUL P. STEWART.

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:

Howard C. Baldwin	George M. Faul	Frank D. Martin
E. K. Bekman	L. B. Forsling	Ross R. Mowry
Ralph E. Benson	Stanley L. Hart	Frank Pelzer
John P. Berg	Robert W. Harvey	Albert J. Shaw
E. P. Corwin	O. H. Henningsen	Carl O. Sjulín
Fred Cromwell	G. R. Hill	John E. Talbott
A. Claire Dewey	Richard V. Leo	Edward H. Vrba
E. P. Donohue		

SELECTION OF SEATS

Senator Hopkins moved that the hold-over and re-elected Senators be granted the privilege of retaining the seats occupied by them during the Forty-seventh General Assembly, or selecting a new seat, 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 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:

Senator Hopkins requested that Senator Leo be allowed to take seat 37.

Senator Bekman requested that he be allowed to take seat 1.

Senator Moore requested that Senator Faul be allowed to take seat 13.

Senator Corwin requested that he be allowed to take seat 33.

Senator Hoeven requested that he be allowed to take seat 36.

Senator Hart requested that he be allowed to take seat 46.

Augustine	7	Bekman	1
Baldwin	17	Benson	19
Beardsley	23	Berg	26

Breen	45	Hopkins	5
Byers	34	Husted	41
Corwin	33	Kirketeg	16
Cromwell	44	Leo	37
Dean	43	Levis	39
Dewey	35	Lundy	3
Donohue	8	Martin	49
Doran	28	Mighell	2
Edwards	9	Miller	48
Ellis	10	Moore	15
Elthon	18	Mowry	40
Evans	24	Parker	22
Faul	13	Pelzer	30
Forsling	12	Schadt	47
Geske	31	Shaw	27
Gillette	38	Sjulin	11
Guernsey	14	Smith	29
Hart	46	Stewart	21
Harvey	4	Talbott	6
Henningsen	42	Vrba	25
Hill	32	Whitehill	20
Hoeven	36	Zeigler	50

ELECTION OF PERMANENT OFFICERS

Senator Donohue placed in nomination the following persons as permanent officers of the Senate and moved their election:

Secretary—Walter H. Beam, Warren county.

Assistant Secretary—C. H. Pitchforth, Muscatine county.

Reading Clerk—Leo R. Ritchie, Pottawattamie county.

Journal Clerk—Margaret E. Santee, Black Hawk county.

Assistant Journal Clerk—Ruth Hauge, Boone county.

Engrossing Clerk—Wendell Lowe, Clarke county.

Enrolling Clerk—Florence Wattles, Allamakee county.

Assistant Enrolling Clerk and Enrolled Bills Clerk—Margaret G. Allen, Emmet county.

General Clerk—Mabel M. Hoeye, Dallas county.

Clerk to Secretary of Senate—Dorothy Dillman, Lucas county.

Bill Clerk—Nelson C. A. Berg, Hardin county.

File Clerk—Burrell S. May, Delaware county.

Assistant File Clerk—Harry Upham, Chickasaw county.

Postmistress—Jennie Hyatt, Marshall county.

Sergeant-at-Arms—Frank D. Logan, Mills county.

Assistant Sergeant-at-Arms—Harvey E. Daines, Scott county.

Chief Doorkeeper—Ben J. Beck, Cherokee county.

Inner Doorkeepers—C. B. Carr, Taylor county; Clarence Judd, Clinton county; Richard Kruse, Lyon county; Oscar Tedford, Monroe county; E. M. Bryan, Polk county.

Telephone Messenger—Phillip Loving, Jefferson county.

Matron—Sophrina Bates, Polk county.

Cloak Room Attendants—Henry Lewis, Dallas county; Jesse Thompson, Black Hawk county.

Lavatory Attendants—Calvin Casey, Black Hawk county; Richard White, Polk county.

The motion prevailed and the foregoing officers were declared elected, and appeared before the bar of the Senate and were duly sworn.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Baldwin 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 Baldwin, Breen, and Byers.

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, Berg, and Dean.

ASSIGNMENT OF SEATS IN PRESS GALLERY

Senator Zeigler 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 No. 51.
- Cliff Millen, Des Moines Tribune, seat No. 52.
- John Chapman, Associated Press, seat No. 53.
- Monte Davis, United Press, seat No. 54.
- Harold Reed, International News, seat No. 55.
- I. C. Kartack, Iowa Press Association, seat No. 56.
- Otto Weber, Trans Radio Press Service, seat No. 57.
- Minnie Duvall, Unionist and Public Forum, seat No. 58.
- Robert M. Bliss, Iowa Daily Press Association, seat No. 59.
- H. R. Gross, WHO News Editor, seat No. 60.
- Geo. Yates, Register and Tribune, seat No. 61.

RENTAL OF TYPEWRITERS

Senator Shaw 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-eighth General Assembly.

The motion prevailed and the President named Senators Bekman, Forsling, and Baldwin.

COMMITTEE ON CHAPLAINS

Senator Elthon moved that a committee of one be appointed to provide chaplains for the Senate during the Forty-eighth General Assembly, which motion prevailed and Senator Husted was appointed as such committee.

COMMITTEE ON MILEAGE

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

The motion prevailed and the President appointed as such committee, Senators Hoeven, Guernsey, and Benson.

BADGES

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

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Senator Breen reported that the committee assigned to notify the Governor that the Senate was organized and ready for business had performed its duty and that the Governor had received the message and reported that he 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 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.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Donohue placed in nomination the name of Senator Hoeven as a candidate for the office of President pro tempore of the Forty-eighth General Assembly.

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

The result of the roll call was as follows:

Ayes, 49:

Augustine	Doran	Henningsen	Mowry
Baldwin	Edwards	Hill	Parker
Beardsley	Ellis	Hopkins	Pelzer
Bekman	Elthon	Husted	Schadt
Benson	Evans	Kirketeg	Shaw
Berg	Faul	Leo	Sjulin
Breen	Forsling	Levis	Smith
Byers	Geske	Lundy	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler
Donohue			

Nays, none.

Absent or not voting, 1:

Hoeven

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

Senator Hoeven, escorted by Senators Gillette, Byers, and Hill, appeared before the President and took the oath of office.

Senator Hoeven addressed the Senate briefly.

SENATE CONCURRENT RESOLUTION 1

Senator Hoeven offered the following resolution and moved its adoption:

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 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.

The resolution was adopted and the President appointed as such committee on the part of the Senate, Senators Hart, Levis, Whitehill, Martin, Breen, and Augustine.

ADOPTION OF RULES

Senator Donohue moved that the rules of the Forty-seventh General Assembly be made temporary rules of the Forty-eighth General Assembly.

The motion prevailed.

COMMITTEE ON LUNCH ROOM

Senator Dewey moved that a committee of three be appointed to confer with the Executive Council relative to providing facilities for serving light lunches in the basement of the State House, and relative to parking facilities for legislators.

The motion prevailed and the President appointed as such committee, Senators Dewey, Whitehill, and Ellis.

RESOLUTION FOR CLERKS

Senator Doran introduced the following resolution and moved its adoption:

SENATE RESOLUTION

Be It Resolved: That each Senator and the Lieutenant Governor 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.

The motion prevailed and the resolution was adopted, and the President appointed as such committee Senators Doran, Elthon and Vrba.

COMMITTEE ON COMMITTEE ROOMS

Senator Pelzer 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 Pelzer, Corwin, and Smith.

Senator Evans offered the following resolution and moved its adoption:

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-seventh General Assembly and the Journals of the Senate and House of the Forty-seventh General Assembly to the

members of the press assigned seats in the Senate and House press galleries.

The resolution was adopted.

COMMITTEE ON COMMITTEES

Senator Donohue moved that Senators Shaw, Levis, and Byers be named as the Republican members of the Committee on Committees.

Senator Breen moved that Senators Augustine and Gillette be named as the Democratic members of the Committee on Committees.

Senator Hopkins moved that nominations be closed. The motion prevailed and the above named Senators were declared elected as members of the Committee on Committees.

INTRODUCTION OF BILLS

Senate File 1, by Senators Smith, Dewey, and Shaw, a bill for an act to repeal Chapter Two hundred and Thirty-five (235) of the Acts of the Forty-seventh (47) General Assembly, creating a State Planning Board, and providing for the return to the state of Iowa any property and money that said Board now has in its possession.

Read first and second times and passed on file.

Senate File 2, by Senator Hill, a bill for an act to repeal Chapter eighty-nine (89), Acts of the Forty-seventh (47th) General Assembly of Iowa and to repeal Section One Hundred Twenty-five (125), Code, 1935, and to provide for optional examination of the financial condition and transactions of counties, school districts, and municipal corporations including cities acting under special charter and to establish procedure therefor, and to require the approval of examiners' fees and expenses.

Read first and second times and passed on file.

Senate File 3, by Senator Hopkins, a bill for an act to require sales pavilions to keep certain records, at all times open to inspection by peace officers, of all personal property sold thereat.

Read first and second times and passed on file.

Senator Donohue asked unanimous consent to have the three

newly married Senators, Baldwin, Cromwell, and Vrba, and their wives, escorted to the platform.

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

AFTERNOON SESSION

The Senate reconvened at the fall the gavel, President pro tempore Charles B. Hoeven presiding.

MESSAGES 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 of both Houses of the Forty-eighth General Assembly to be held January 10, 1939, for the purpose of receiving the biennial message of the Governor of Iowa and to canvass the vote cast for the office of Governor and Lieutenant Governor in the last general election.

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

House Concurrent Resolution 2, providing for the appointment of a joint committee on extra help, and the Speaker of the House has appointed on such committee on the part of the House, Representatives Thompson of Pocahontas, Hultman of Montgomery, and Hoegh of Lucas.

A. C. GUSTAFSON, *Chief Clerk.*

By unanimous consent, on the request of Senator Donohue, House Concurrent Resolution 1 was considered.

HOUSE CONCURRENT RESOLUTION 1

Be It Resolved by the House, the Senate Concurring: That a joint convention of the two houses of the Forty-eighth General Assembly be held on January 10, 1939, at 2:00 p. m.

Be It Further Resolved: That Governor Kraschel be invited to read his message at this joint meeting of the two houses of the General Assembly and that 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.

On motion of Senator Donohue, the resolution was adopted.

COMMITTEE FROM THE HOUSE

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

TELLERS OF JOINT CONVENTION

Senator Donohue moved that the President pro tempore appoint three tellers to assist in canvassing the vote for Governor and Lieutenant Governor at the joint convention to be held for that purpose.

The motion prevailed and the President pro tempore appointed Senators Parker, Faul, and Geske.

By unanimous consent, on the request of Senator Berg, House Concurrent Resolution 2 was considered:

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 President and three from the House to be appointed by the Speaker, to nominate such additional employees, other than committee clerks as may be necessary for the work of this session and that the committee recommend the position to be filled.

On motion of Senator Berg, the resolution was adopted, and the President pro tempore appointed as members of the committee Senators Berg, Corwin, and Evans.

REPORT OF COMMITTEE ON COMMITTEES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on committees respectfully reports the appointment of the following members of the committee on consolidation and co-ordination of state government:

Forsling, Chairman; Donohue, Evans, Corwin, Hill, Bekman, Gillette.
FRANK C. BYERS, *Chairman.*

Senator Byers moved adoption of the report, which motion prevailed.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 10, 1939.

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

Prayer was offered by Rev. H. E. Morrow, pastor of the Methodist Church of Hopkinton.

The Journal of January 9th was corrected and approved.

INTRODUCTION OF BILLS

Senate File 4, by Senator Mowry, a bill for an act to exempt from taxation lands seeded with or growing certain legumes, and to refund taxes collected thereon.

Read first and second times and passed on file.

Senate File 5, by Senator Hill, a bill for an act to establish a safety zone at all railroad crossings intersecting arterial highways, and to require the erection of warning signs thereat, and to establish a maximum rate of speed within three hundred (300) feet of any such crossing and to provide penalties for violation thereof.

Read first and second times and passed on file.

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	Amt.	Name	Miles	Amt.
Lieutenant Governor	90	\$ 9.00	Dewey	116	11.60
Lieutenant Governor Elect	118	11.80	Donohue	148	14.80
Augustine	60	6.00	Doran	42	4.20
Baldwin	201	20.10	Edwards	75	7.50
Beardsley	42	4.20	Ellis	180	18.00
Bekman	91	9.10	Elthon	135	13.50
Benson	70	7.00	Evans	139	13.90
Berg	123	12.30	Forsling	200	20.00
Breen	90	9.00	Geske	308	30.80
Byers	118	11.80	Gillette	198	19.80
Corwin	152	15.20	Guernsey	90	9.00
Cromwell	168	16.80	Hart	186	18.60
Dean	130	13.00	Harvey	181	18.10

Name	Miles	Amt.	Name	Miles	Amt.
Henningesen	225	22.50	Mowry	38	3.30
Hill	88	8.80	Parker	150	15.00
Hoeven	225	22.50	Pelzer	100	10.00
Hopkins	63	6.30	Schadt	100	10.00
Husted	30	3.00	Shaw	135	13.50
Kirketeg	120	12.00	Sjulin	175	17.50
Leo	98	9.80	Smith	138	13.80
Levis	55	5.50	Stewart	167	16.70
Lundy	68	6.80	Talbott	70	7.00
Martin	182	18.20	Vrba	220	22.00
Mighell	170	17.00	Whitehill	50	5.00
Miller	165	16.50	Zeigler	117	11.70
Moore	102	10.20	Faul of Polk claimed no mileage.		

CHARLES B. HOEVEN.

RALPH E. BENSON.

HUGH G. GUERNSEY.

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

REPORT OF COMMITTEE ON CLERKS

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 Benson—Ruth Dickinson Hunter.
- Senator Berg—Hope Hull.
- Senator Breén—Virginia Howick.
- Senator Byers—Bette Giblin.
- Senator Corwin—Darline Warner.
- Senator Cromwell—Maud Johnson.
- Senator Dean—Gertrude Walsh.
- Senator Dewey—Jeannette McElhinney.
- Senator Donohue—Myla Mae Moetsch.
- Senator Doran—Frances Cody.
- Senator Edwards—Della Harper.
- Senator Ellis—Gertrude Huilman.
- Senator Elthon—Annetta Hjelmeland.
- Senator Evans—Eva Meyer.
- Senator Faul—Norma Margaret Mathis.
- Senator Forsling—Anne Carey.
- Senator Geske—Hazel Ward.
- Senator Gillette—Edna Mae Montgomery.
- Senator Guernsey—Velma Burkhart.
- Senator Hart—Dorothy Jane Rennert.

Senator Harvey—Lois Greene.
 Senator Henningsen—Virginia Vickerstaff.
 Senator Hill—Irma Nell Evans.
 Senator Hoeven—LaVonne Leemkuil.
 Senator Hopkins—Dorothy Hopkins.
 Senator Husted—Susie Kathryn Breeding.
 Senator Kirketeg—Wilma Wilmarth.
 Senator Leo—Lola Lowry.
 Senator Levis—Elizabeth West.
 Senator Lundy—Ann Miletich.
 Senator Martin—Hertha Z. Duncan.
 Senator Mighell—Mildred E. Phipps.
 Senator Moore—Mary Margaret Roarty.
 Senator Mowry—Jeanne Morgan.
 Senator Parker—Jane Niles.
 Senator Pelzer—Fern Wollenhaupt.
 Senator Schadt—Arlene Rivey.
 Senator Shaw—Charles Royer.
 Senator Sjulín—Ruth Patty.
 Senator Smith—Wilma Corrough.
 Senator Stewart—Mabel Bauer.
 Senator Talbott—Louise Boyd.
 Senator Vrba—Evelyn Vrba.
 Senator Whitehill—Sadie M. Lowry.
 Senator Zeigler—June W. Dunn.

L. H. DORAN, *Chairman.*
 LEO ELTHON.
 EDWARD H. VRBA.

PREFERENCE FOR IOWA COAL

Senator Lundy called the attention of the President of the Senate to his request which was granted by the Senate at the 47th General Assembly to have the lump of Iowa coal, which he had at his desk during the 47th General Assembly, and which has been in the care and custody of the custodian of the Capitol Building, again placed at his desk, to remind the Senate of the importance of the Iowa coal industry and emblematic of one of Iowa's principal commodities produced in the state; likewise, in keeping with the custom established in the House of Lords at the time of Edward III, when wool sacks were placed in the House of Lords to remind the peers of the importance of England's staple trade. Senator Lundy explained that the Lord Keeper sat on a wool sack 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.

He, therefore, requested that the Sergeant-at-Arms be instructed to secure the lump of Iowa coal and have it again placed at his desk for the balance of the session.

There being no objections, the President instructed the Sergeant-at-Arms to comply with the request of Senator Lundy.

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

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

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

INTRODUCTION OF BILLS

Senate File 6, by Senators Doran 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 passed on file.

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 law and concurrent resolution duly adopted, the joint convention was called to order, President of the Senate presiding.

The roll was called.

Those present were, 150:

Alesch	Geske	Knudson of	Reilly
Avery	Goode	Marshall	Risse
Axmear	Graham	Kohlhaas	Ritchie
Baldwin	Greene	Kruse	Roan
Beardsley	Gregory	Kuester	Ropes
Beeler	Guernsey of	Lampman	Ross
Bekman	Van Buren	Latchaw	Rovn
Benson	Guernsey of	Leo	Schadt
Berg	Appanoose	Lichty	Scholz
Bittner	Hall	Love	Schwendemann
Blue	Hallagan	Lucas	Scott of Fayette
Bowers	Hart	Lundy	Scott of Sac
Breen	Harvey	Lutz	Shales
Broderson	Hathaway	McFarlane	Sharp
Bulow	Hauge	Manley	Shimanek
Burk	Heffner	Martin of	Siefkas
Burma	Henningsen	Appanoose	Smith of Cedar
Clark	Hermesen	Martin of Scott	Smith of Butler
Claypool	Hill	Mighell	Steinberg
Cooper	Hoeven	Miller of	Stewart of
Corwin	Hocum	Humboldt	Allamakee
Cromwell	Hoegh	Miller of Jones	Stewart of
Dancer	Hopkins	Moore of	Washington
Davenport	Hultman	Pottawattamie	Talbott
Dean	Husted	Moore of Shelby	Thompson of
Dietz	Hyett	Morrisey	Guthrie
Dodds	Irwin of Boone	Morrison	Thompson of
Doran	Johannes	Morrow	Pocahontas
Dvorak	Johnson of	Mowry	Troeger
Dykhousé	Hancock	Nelson	Van Oosterhout
Eckerman	Johnson of Linn	Odden	Vrba
Edwards	Johnson of	Parker	Walter
Elliott	Marion	Paullus	Wichman
Ellis	Judd	Peisen	Wiechman
Elthon	Keeney	Pelzer	Wilson
Evans	Kerr	Peyton	Whitehill
Faul	Kirketeg	Pieper	Wood
Forsling	Knippling	Pine	Yager
Fishbaugh.	Knowlton	Prall	Zeigler
Foster	Knudson of	Prentis	Mr. Speaker
Gardner	Cero Gordo	Randall	

Those absent were, 8:

Augustine	Dewey	Gillette	Shaw
Byers	Donohue	Levis	Sjulin

COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

PROCLAMATION

By virtue of the authority of the power vested in the Council of State Governments by thirty-seven states of the United States, a call is hereby issued announcing the Fourth General Assembly of the Council of State Governments, to be held for three days beginning January eighteenth, nineteen hundred thirty-nine, A. D., at the Mayflower Hotel in Washington, District of Columbia.

Said Fourth General Assembly will consider and discuss problems bearing on cooperative relationships among the various areas of government in the United States of America.

Each of the forty-eight states of the Union will be represented by three official delegates, one chosen from among the members of the State Administrative Services, one from among the members of the State Senate, and one from among the members of the State House of Representatives. In the thirty-seven states equipped with official commissions on interstate cooperation these designations shall be made by the chairman of the Commission on Interstate Cooperation. In the other eleven states designations shall be made by the Governor and by the presiding officers of the Senate and the House of Representatives, respectively.

The Governor of each state is *ex officio* an honorary member of the Fourth General Assembly.

ROBERT L. COCHRAN, *President*,
The Council of State Governments.

HENRY PARKMAN, JR., *President*,
The American Legislators' Association.

(SEAL) G. L. PORTERIE, *President*,
The National Association of Attorney-Generals.

C. JOHN SATTI, *President*,
The National Association of Secretaries of State.

The White House
Washington

December 23, 1938.

My Dear Governor:

Any movement which has for its objective a greater cooperation between the various governments within the United States deserves to be encouraged. The need in government everywhere, whether federal, state, or local, is efficiency. Only through practical demonstration that democracy is the most efficient form of government can we hope to perpetuate the institutions to which we owe all greatness.

I am pleased to know that the Fourth General Assembly of The Council of State Governments will consider the problems of federal-state cooperation in many fields of general activity. The plan to discuss the growing menace of trade barriers between the states is a splendid idea.

I do hope that every state legislature will be represented at the Fourth General Assembly and that the Governors of the several states will appreciate, as I do, the importance of this movement and lend their support.

I trust that as a result of the Council's deliberations in Washington the aims and objectives of good government everywhere may be encouraged and advanced.

Very sincerely yours,
FRANKLIN D. ROOSEVELT.

Honorable Robert L. Cochran,
President, The Council of State Governments,
1313 East 60th Street,
Chicago,
Illinois.

President Valentine announced a quorum present and the joint convention duly organized.

Senator Breen of Webster 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 Breen of Webster on the part of the Senate, and Representatives Moore of Shelby and Claypool of Iowa, on the part of the House.

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

President Valentine then presented Governor Nelson G. Kraschel who delivered the following message:

GOVERNOR KRASCHEL'S MESSAGE

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE FORTY-EIGHTH GENERAL ASSEMBLY:

I congratulate you upon being chosen to discharge the 1939 legislative duties of our Iowa state government. The functions of state government are the most important in a democracy. The United States of America, an association of the states, is no stronger than the states themselves.

The Iowa constitution wisely provides that the people shall choose a general assembly every two years for the purpose of making such changes in the laws of the state as may be necessary. State government is an ever changing set of statutes that requires careful attention, if the best results from the democratic form of government are to be obtained.

The laws of Iowa require the retiring governor to report on the condition of the state, and to make such recommendations as he deems proper. Down through the years these messages of retiring governors have provided much valuable information. They have been based upon their experience. I am mindful that you are more interested in the inaugural address of the incoming governor than you are in my remarks. Governor-elect Wilson's party is in complete control of both branches of your legislature; and his proposals to you will bear great weight. The public having already decided as between the campaign pledges and proposals made by Governor-elect Wilson and myself, my remarks will be confined to factual information developed during my incumbency which I trust may be of value to you in your deliberations.

My active connection with state government includes four years as lieutenant governor from 1933 to 1937 and two years as governor from 1937 to 1939. 1933 was an important year in Iowa government, because it marked a complete change in the trend of legislation, due to the unprecedented depression of 1932. Emergency measures were required to save the businesses and earnings of our people. Much new legislation was enacted during the ensuing four-year period; therefore, I cannot report accurately without some reference to that period, because it exerted tremendous influence upon the two years I have served as governor. During those four years, there was but little difference of opinion between political parties and elected officials as to the need and direction

of legislation. The citizens of the state and their duly elected representatives displayed unusual harmony and courage in the solution of their problems. During my incumbency as governor, there developed more differences of opinion which culminated in a change in state government. I view these facts dispassionately, because I do not consider it vitally important who possesses governmental authority so long as the public will is respected, and the welfare of two and a half million souls adequately protected.

EMERGENCY RELIEF

In the field of emergency relief, Iowa has made remarkable gains. I have been a member of the Iowa Emergency Relief Committee since 1933 and have personally observed the changes in policies necessary to meet the ever changing need. The keystone of the present policy is that state aid for relief should be granted on the basis of need and need only. Where real need exists, red tape should be eliminated, and relief granted promptly, but under no circumstances should it be granted where a satisfactory showing of need cannot be made. Such a policy is satisfactory to the relief clients and pleasing to the taxpayer who provides the money. The second most important policy now in effect is recognition of the rightful authority of local officials to select their own employees in the local relief offices. The only restriction to that policy is the state's insistence that employees be qualified for the work to be done. During the past twelve months, we have reduced the personnel in the state office from 119 to 71 with a saving per month of \$4,500. A contemplated change now under consideration would result in additional savings of \$2,000 per month representing payments to county administrators and an additional reduction of some thirty of the personnel in the state office. This proposal also involves the payment to local authorities of a lump sum and the auditing of their expenditures by the state rather than the payment of all certified claims through the state office. These reforms have been tested in Polk County during the last year and have resulted in a saving of \$50,000 a month in relief costs.

Unfortunately, many counties, particularly in the industrial centers and coal mining regions, will require emergency relief for some time to come, but the unusual opportunities in Iowa for people to earn their own living are being asserted increasingly, and relief costs in Iowa should continue to decrease.

We have had three legislative appropriations for emergency relief, one for the year 1934 in the amount of \$3,000,000, one for the years '35 and '36 of \$4,000,000 each, and one for the years '37 and '38 of \$2,000,000 each.

On January first, of this year, there remained a treasury balance of \$2,233,000 for relief; so if the remaining six months of this biennium require no more than the average of the past two years, there will be approximately a million dollars to turn back to the general fund on July first, 1939.

CONDITION OF THE TREASURY

On January first, 1933, the Iowa treasury contained \$472,000 in available cash. The public sinking fund was \$22,000,000 in the red. Four years later, on January first, 1937, when I assumed the duties of governor, the treasury balance was \$4,590,000, with \$900,000 of obligations outstanding, while on January first of this year, the comparable treasury balance was \$9,560,000. There are about \$3,000,000 in outstanding obligations, which leaves a net balance of approximately \$6,000,000 in the form of available cash in solvent banks. The state sinking fund will by April 1, 1940, have paid all its obligations representing public deposits in closed banks. Unemployment compensation funds in the amount of \$11,508,000 are available for benefit payments. This improved financial condition of state affairs is due primarily to three factors: First, rigid economy in the operation of all departments of government; second, a complete revision of the taxing methods which added the sales and income taxes; and third, the ability of citizens to pay taxes because of improved business conditions. The sales and income tax laws were in effect when I assumed office as governor in 1937, but during my administration, the allocation of receipts from these sources was changed—first, to meet the cost of relief, two million dollars a year has been set aside, secondly, five and one-half million dollars has been provided for the payment of old age pensions, which, when matched by federal funds, has enabled us to pay to all needy aged persons the amount which it was intended they should receive under the Iowa Old Age Assistance Act, and, thirdly, the remaining balance amounting to \$12,000,000 has been applied in refunds on property taxes of home owners who qualify under the Iowa homestead tax preference law.

On January first, 1937, 29,900 persons were receiving old age assistance checks. During the past two years, this number has been increased to more than 50,000, and the average monthly pension check increased to more than \$19.00. The sound financing of Iowa's Old Age Assistance Act and the enactment of the homestead tax preference law have placed Iowa ahead of all other states in the protection of its aged and the encouragement of home ownership.

Take note that with the exception of money spent for relief, old age pensions, and conservation, every dollar of new taxes, including liquor profits, excepting the beer tax, are actual property replacement taxes, either by application upon homestead taxes or by being turned into the general state fund, thereby making possible, a corresponding reduction in the property levy for state purposes. The beer tax has been paid into the sinking fund. The finances of the state, while appearing to be complicated to those who have not given this subject study, are comparatively simple. Revenues that are not specifically ear marked by the legislature for certain purposes are sufficient to meet all obligations. Iowa's budget is not only in complete balance, but there is a substantial surplus.

In six years we have made notable progress. We have emerged from the devastating effects of the depression which closed nearly one-half of our banks and established an all-time low for farm prices. From

financial ruin and despondency we have, in six years, in spite of two near crop failures, emerged solvent and hopeful. We are the envy of most states, and it is now appropriate that we face the future with confidence.

For a while, we were stunned and discouraged, and only the aid of the federal government gave us courage to go forward. Federal aid for direct relief, payment of one-half of our old age pension costs, W. P. A. funds for work relief, P. W. A. grants for public building investments, together with lower interest rates on federal loans on farms and homes, and finally, the farm program with its corn and wheat loans and millions of dollars in benefit payments, resulting in a higher price level for farm products, were given us by a strong centralized and sympathetic federal government. No other government in the world is so genuinely concerned about the welfare of the citizens in the respective states as is the United States of America. No other kind of government is acceptable to the people of America.

The advantages of our budget and financial control act are well known to every student of government. This law went into effect July 1, 1933. During the ensuing fiscal year, it was necessary to stamp in excess of \$17,000,000 of warrants for want of funds, more than five million of which were primary road requirements which included bond retirement. Since that time we have had an effective pre-audit that has enabled the governor, through the comptroller, to have complete control of the state's expenditures. This year's property levy for state purposes is two mills, or a full reduction of \$3,000,000, under 1937. We have repealed the fifty cent head tax, the three dollar road poll tax, and the two dollar head tax for old age assistance. It is the opinion of the comptroller's office that all departments should be fully supported by a direct appropriation made by the legislature, and that all fees, licenses, profits and miscellaneous taxes, even from the departments themselves, should pass directly into the general funds of the state.

BANKING

On September 28, 1938, Iowa had 543 state banking institutions with total deposits of \$378,000,000. During the two years of my administration, we have had but four bank failures. Two were insured by the Federal Deposit Insurance Corporation; hence, depositors were promptly paid one hundred per cent of their deposits and the liquidation of the other two banks promises complete repayment of the amount of deposits. Of the 513 state banking institutions that went into receivership during the depression years, all have been liquidated, and the receivers discharged, excepting ninety-six. There have been 135 of these receiverships closed during the past two years. There are also 142 small loan companies and 208 credit unions operating within Iowa under the jurisdiction of the banking department. The banks of Iowa have never been in a sounder condition, and the majority of the deposits are guaranteed by the Federal Deposit Insurance Corporation. We are indebted to our bankers of Iowa for making Iowa the only state where demand deposits of public funds are producing revenue for the state.

STATE INSTITUTIONS AND CAPITOL IMPROVEMENT

I should point out that the economy program since 1933 has not only delayed necessary capitol improvements, but in the case of the Board of Control and the Board of Education has reduced appropriations to the point where their operations are seriously affected. We have all recognized the necessity of undertaking a program of construction that would modernize and make fireproof the hospital facilities in our state institutions, the office facilities here at the State Capitol, and insure certain necessary improvements at Iowa State University, Iowa State College, and Iowa State Teachers' College. To neglect this program is to invite an unnecessary disaster.

My recommendations to the Forty-seventh General Assembly included an increased budget for the care of our unfortunates in our insane hospitals and juvenile homes. It was my opinion then that our hospitals should be institutions designed for the cure of all curable patients and that the custodial care for those who are incurable should be improved. In order to accomplish these objectives it will be necessary for the state to maintain a highly competent medical staff, well trained nurses and attendants.

The present salaries paid in our insane institutions are a disgrace to our state. Attendants receive from \$32.00 to \$45.00 per month; registered nurses receive from \$60.00 to \$70.00 per month, and doctors receive from \$125.00 to \$208.00 per month. No other person is paid more than the salaries I have quoted, excepting the Superintendents of each institution, and their salaries are wholly inadequate compensation for the services we expect. It must be remembered that these people are engaged in the most disagreeable work that comes within the scope of their profession and their hours of labor each day are much longer than the hours of any other work day in the state.

The Forty-seventh General Assembly failed to adopt my recommendations, so upon the adjournment of the session, I caused a survey of these institutions to be made by the American Mental Hygiene Association. I also asked the Department of Health and State Planning Board to make independent surveys. The Iowa Federation of Women's Clubs made this subject a major program for the year 1938, and they cooperated with these agencies in making the surveys. All of these reports sustain the contention that Iowa has failed to maintain the high standard of efficiency necessary to meet the requirements of modern hospitalization.

In the case of our educational institutions of higher learning, we have for years rightfully boasted of their being the best in the land, and it is far cheaper to maintain that high standard of excellence than to permit the institutions to deteriorate and at some future date pay the cost of rebuilding them. During this period of economy, our institutions have lost many valuable faculty members because of higher salaries paid elsewhere. We cannot expect leaders in the field of education to spend their lives in an institution, even though it be an Iowa institution, at salaries below what they can command elsewhere.

It is cheaper to retain good faculty members than it is to out bid other institutions for them. The only attraction for qualified instructors, excepting salary, is the desire to be identified with a growing, expanding

institution with a high rating; hence, it truthfully can be said that it is sound economy to maintain our high rating and pay the present-day costs.

Approximately, twenty-five thousand Iowa boys and girls graduate from our high schools each year, and it is our duty to provide advanced educational facilities for most of them; therefore, the time has definitely arrived for our state to reverse its trend of destructive and false economy in the maintenance of those two important groups of state owned institutions. We have not only failed to make progress, but we are failing to maintain our former standards. Reasonable budget increases for the maintenance of these institutions will probably require an increase in the levy for state purposes, but it can be accomplished without new forms of revenue or disrupting the present taxing structure.

In fact, if this legislature is willing to take the responsibility of putting the property levy for state purposes back where it was in the first year of my administration, it will make available a total of \$4,000,000 a year above present expenditures without requiring the levying of any new taxes. The \$4,000,000 total will be made up of the \$3,000,000 reduction in the state property levy and the million dollars to be returned from relief surplus July 1, 1939, and of the beer tax of \$1,200,000 after April first, 1940, when all claims against the sinking fund have been paid. I should like to see the time come when it is unnecessary to make a property levy for state purposes at all. But if the necessary increases in the budget and the building program be inaugurated now, the state levy must be increased or some new forms of revenue created. It is not my privilege or desire to make specific recommendations as to expenditures, but I merely point out that if, in your judgment, these expenditures are desirable, they can be financed within the present taxing structure without increasing the property levy for state purposes above what it was at the beginning of my administration.

HIGHWAY COMMISSION AND ROAD BUILDING

The largest spending body in Iowa state government is its Highway Commission. For many years, Iowa's road program lagged behind national progress. Then the legislature set up the present system and provided fixed revenues from the gasoline tax and the motor vehicle fees. It has enabled us to match all federal funds available for road construction, and during the period of its operation Iowa has made the most remarkable progress of any state in the Union. The long continuity of its competent management is the principal reason. Within the year, our chief engineer, Mr. F. R. White, was awarded the highest honor to road builders of the nation. Roads have a local interest in every community, and our system of a commissioner from each twenty counties enables them to be in personal contact with each community. Therefore, our people are better informed about this department of state government than any other. When the state bond issue was declared illegal, a system of cooperation with the counties was worked out whereby primary road funds were used to pay interest on and retire bonds issued by the counties, which resulted in the counties lending their credit to the state for road building purposes. The certainty of primary road receipts and the

careful management have made county primary road bonds among the best investments of the nation. They are today enjoying an interest rate of $2\frac{1}{2}\%$. Practically all the counties of the state have generously used their credit in this manner and there is now outstanding \$80,000,000 of these bonds, all of which will be retired in eleven more years. Within that period, we will complete all of our primary construction requirements, save only the improvements and expansion that changing conditions will demand.

The most pressing need for road construction is found in the field of secondary roads or farm-to-market roads. This type of construction need not be as expensive as the primary system, but the large mileage involved makes it a major state problem. Our satisfactory experience with the primary road system should prompt us to set up similar control over farm-to-market road construction and to provide a permanent source of revenue for its completion. This problem never will be solved until we meet it frankly and deal with it as a major long time program requiring proper financing.

Among my recommendations to the Forty-seventh General Assembly was a plan for secondary road construction and the financing thereof. It was approved by the Federal Bureau of Roads, but the adoption of that and all substitute plans failed, so upon the adjournment of the session, I delegated the question to the State Planning Board. They have made a comprehensive survey of this question, and their report is ready for your consideration. There is approximately \$1,350,000 of federal funds available to Iowa for this purpose, but it will be necessary to take action to match these funds on or before July first, of this year.

The controversy that has developed over this subject causes me to present herewith my personal views. It is my opinion that the cost of any expansion in our surfaced road program beyond the primary system should be borne by those who use our highways, and the cost should be evenly distributed in proportion to the use made of them and special notice be taken of those who use the roads for profit.

The railroads' loss of freight business is responsible for the abandonment of railroad lines and the constant reduction of taxable value of the railroads. This condition results in a reduction of tax receipts of the various counties. The financing of all-weather roads in those counties for local purposes and to supplement the primary system is certainly a responsibility of those interests that have profited by the loss of railroad business. Every industry opposes tax increases, but if the truck taxing laws are revamped in a manner to provide the revenues necessary for this program, the benefits from more all-weather roads accruing to every truck owner will more than compensate for any increased tax. The unfair distribution of truck taxes requires a revision of the law even though there is no attempt to increase the revenue. The per ton mile tax now levied against certificated carriers is so much greater than the tax levied against contract carriers that there is a persistent attempt to evade the per ton mile tax. Thousands of Iowa trucks are registered in adjoining states for the purpose of evading our jurisdiction and taxation. It must naturally follow that an equitable readjustment of truck taxes

would greatly increase our revenues, by bringing all Iowa owned trucks within our registration regulation. Iowa has invested \$360,000,000 in its present primary system which is being used by Iowa owned and profit producing foreign freight carriers. The tax paid for this privilege is proportionately less than the tax paid by the passenger automobile. I can reach no other conclusion than to recommend that the business interests that use our highways for profit should, in great part, finance any new program of expansion beyond the primary system itself.

Iowa properly has refrained from diverting gasoline tax, motor license fees and taxes to any other purpose than road building. Many states have used these sources of income for relief, old age pensions, and other general expenditures. It seems to me that so long as such revenues are used exclusively for the expansion of our present system, and if these revenues are fairly collected from all of the road users, that the users can well afford to pay the total cost of the program.

I am of the opinion and recommend that the primary road funds should, under no circumstances, be diverted in whole or in part to any other purpose than the completion of the primary system, its maintenance, and the payment of all outstanding bonds and interests to which these funds are pledged. As early as 1931, The Honorable Dan W. Turner, Governor-elect of Iowa, in his message to the legislature, stressed this point. Governor Herring took the same position. Every chief executive, in the light of experience, has come to appreciate and protect the permanent and soundly financed programs of government.

SAFETY OF HIGHWAYS

Safety on Iowa highways is an increasing problem which has caused the public to sponsor and organize an educational program of safety. The state is assisting in this educational program by providing the highway patrol and eliminating as many hazards in the construction of highways as possible. 1938 produced tangible results by reducing the death toll by 87 under that of 1937, but this record can be improved upon. We have this month entered into a contract for protecting three hundred of the seven hundred railroad crossings on primary roads with electric signal protection devices, which afford the best protection, other than the more expensive underpass and overhead crossings. To await construction of overhead and underpass crossings would delay any form of protection at some points for many years.

Fifty-six people were killed on Iowa grade crossings in 1938.

In our zeal to surface mileage, we have frequently built our highways too narrow. In our search for a cheaper construction on what we often term the secondary primary roads or less used connections between main highways, we have inaugurated the more general use of bituminous construction at a considerable saving over cement construction. Bituminous roads, in all cases, are built twenty-two feet wide, which is two to four feet wider than our cement roads. We have also developed an eighteen foot type of concrete paving, which in some cases can meet the competition of the 22 ft. bituminous construction, and we are buying it today at

from eight to ten thousand dollars a mile less than we paid a few years ago for standard cement roads of twenty foot width.

This highway safety program, showing tangible results, now should be aided by you and maintained in its non-partisan character, so that the growing problems arising from increased travel on roads may be solved.

THE IOWA LIQUOR CONTROL COMMISSION

During my incumbency as Governor, the liquor monopoly has presented no problems of state. The wisdom of the legislation has proven sound. Temperance is being promoted. Its non-partisan operation has proven successful and efficient, and it is free from criticism by both political parties. The liquor products sold within our borders are of the highest quality, the sale prices are the lowest of any in a like field, and the profits have been greater in proportion to the sales than in any of the other monopoly states. These profits have contributed materially to the present condition of your state treasury.

CONSERVATION

The field of conservation commands more local interest than any other department of state government, excepting those necessary services which have been in operation for many years. In six short years, conservation has moved from comparative obscurity to major importance. The federal government by providing C. C. C. camps and W. P. A. projects has enabled us to make remarkable gains. The number of state owned parks has increased from 42 containing 8200 acres in 1933, to 75 containing 20,000 acres in 1938. Eighteen artificial lakes have been constructed which afford splendid recreational facilities. Most of our streams are being protected from pollution by the installation of sewage disposal plants in the larger cities, and a gigantic sewage protection system is being installed at Spirit and Okoboji Lakes.

In 1935, the legislature inaugurated a plan of appropriating \$250,000 a year additional for sponsoring these federal activities and as a supplement to the Conservation Commission's activities generally. From this fund has been purchased the land necessary to insure camps for federal reforestation projects and park development. It has supported a large state nursery at Iowa State College, and during the last two years has provided the funds for sponsoring a liming program in the more eroded areas of the state. Expenditures for the construction of new lakes cannot be justified if we are to sit idly by and permit them, and our natural lakes to fill up with silt. In many cases, six to twelve feet of silt have been deposited in our lakes because of erosion on their water shed. The restoration of such lakes involves the removal of the silt, which can only be accomplished by an expensive dredging program and the protection of the water shed area from erosion. The planting of trees and the seeding of grass are all included in today's conservation plans. In the near future, I predict that the state conservation department, with the assistance of the federal soil conservation program, will be an extremely important factor in the preserving and increasing fertility of soil in

private ownership. Clear water streams and lakes for fish habitation, and luxuriant growth of grass and bird cover for wild life, can only be had by a wise soil use program. We cannot maintain recreational resources in Iowa on publicly owned land without the cooperation of the private land owners. This is a field of inquiry worthy of your effort and study.

Conservation and education are essential in the training of our youth. Wholesome sports go hand in hand with spiritual and mental education. All of the youths' organizations of the state require these state services, and the state requires well trained youths if the state is to prosper. Iowa's 4-H Clubs, the largest of all youth organizations in the state, is an outstanding example of the importance of proper training. Iowa's great State Fair is great because of the 4-H Club activities, and I should like to recommend to your consideration that the state, when considering capitol improvements, make provision for a proper fireproof 4-H Club dormitory, kitchen, and dining room on the State Fair grounds.

It is to be remembered that it was the Iowa State Fair Board that carried out the direction of the Forty-seventh General Assembly to sponsor a territorial centennial this year. Throughout the years, the Iowa State Fair has been well managed and it stands out today as the greatest annual agricultural fair in America. Permanent improvement on the fair grounds for such worthy purposes as 4-H Club development is a sound investment for the state to make.

LABOR

Iowa has in former years been fortunate in avoiding disputes between employer and employee. The progress of industry within the state brings with it the problem of labor relations which we must meet. Legislation should be enacted that will provide an equitable basis for settling disputes without loss of time occasioned by the delay of courts, strikes or lockouts. These methods belong to the past.

REORGANIZATION

Governmental reorganization is a continuing program. Added duties of government and changes in the service rendered make it necessary to overhaul the machinery of government from time to time if we are to maintain efficiency and economy. The most effective opposition to proposed changes of this nature comes from those who engage partisan politics, and from the pressure of job holders. You of the Forty-eighth General Assembly are clothed with sufficient power to overcome this opposition. The party in power possesses a working majority in both branches of the legislature that is in harmony with the executive department, and since governmental organization is part of your program, I wish to suggest for your consideration certain changes which my experience has proved to be feasible.

Beginning with the governor's office, I would like to suggest a four year term for the governor and sufficient increase in his appropriation to enable the employment of a staff sufficient to maintain a close contact with

each and every department of government. The governor is held responsible for all departments under his appointive control, but since his appointees to each of these boards constitute a minority in a single term, it is highly important that he be enabled to develop a supervision within his own office over the activities of all these departments. The burdens of the governor's office have increased in recent years to such a point that it is physically impossible for him to meet the demands upon his time without delegating part of them, and such delegations should be to his trusted personal appointees.

Each incoming governor has certain obligations to redeem. Integrity in government begins with keeping campaign promises. This fact does not present a problem to the incoming administration, because the governor and a majority of both branches of the legislature belong to the same political party, but when there is a lack of political unity, it is difficult for a governor to follow his mandate as to promises made; hence, the advisability of a four year term for governor and two legislative sessions during his term of office. I also hold to the belief that if the sessions of the legislature could be held at the end of the first and third year of a governor's term, a more orderly procedure would be developed. He would have an opportunity under this plan to test and prepare carefully proposed legislation and to avoid the confusion of making appointments during his first and only session of the legislature as is now the case.

Since the activities of various state departments are definitely a part of a governor's administration, I hold to the belief that he should be permitted to appoint each of the elected state officials and that those appointees should constitute his cabinet. A governor is held responsible by public opinion for the success of these departments over which he has no control. I am of the opinion that such a plan would remove many conflicting personalities from our campaigns and shorten the ballot, thereby permitting the electorate to decide clearly as between the governmental proposals of the respective parties as expressed through a responsible and authoritative head. As a retiring governor, I can also, with good grace, propose that a suitable home supported by the state should be provided for the governor.

I am sure that you will agree with me on the advisability of increasing the salaries of legislators. It is the experience of every former legislator that their salaries are barely sufficient to pay their necessary expenses while attending the sessions. Many members are required to employ someone to do their work at home while attending the session, and, if you add to this the expense and time of a political campaign, I am sure that it cannot be disputed that every legislator renders his service to the state without pay. Certainly, Iowa is able to pay a fair compensation to the men and women who are willing to neglect their business and give of their time to this important state function.

The objective of political campaigns is to afford the people an opportunity to be informed on the respective issues, proposals, and policies of the major parties and candidates. I would, therefore, like to suggest for your consideration a change in our election laws authorizing the state to pay certified publicity claims for major parties in state-wide campaigns up to a limit which, in your judgment, would be sufficient to

thoroughly inform the people about the issues involved. If such legislation were enacted, it would then be proper to outlaw the collection, solicitation or payment of campaign funds from individuals or corporations under penalty of a penitentiary sentence. This method would make available in an ethical manner the information that the public wants, and, at the same time, protect them against the unethical use of campaign funds, which is invited under our present system.

COUNTY OFFICES

State government with its expanding services to every community should be more closely studied by all citizens. Too often the local campaign of county officers commands the major interest of voters, and the state ticket with the important policies of state government involved are given but secondary consideration. There are some counties in the state of Iowa that are certain to deliver a majority to the state candidates of a certain party, regardless of what they stand for or regardless of what they may say.

I, therefore, solicit your consideration of a plan to elect county officials without regard to party label. Our improved facilities of travel permit wider acquaintanceship among neighbors and most county candidates are known personally to every voter. They should be judged by their ability to serve, rather than by party affiliation. If that plan be adopted, it would permit the voters of every community an opportunity to study the issues of the state campaign without influence by the local election. The reorganization in state government leads to efficiency—better control and more orderly procedure. The saving in tax dollars is negligible. The real saving in tax dollars by governmental reorganization will come in the reorganization of county government, but reorganization of county government will never be accomplished in Iowa until it ceases to be a matter of concern to the political parties. Therefore, the two principal benefits from the election of county officers without a party label are to permit a more careful consideration of state government by the electorate and the opening of the way for reorganization in county government.

BI-PARTISAN JUDICIARY

It is undisputed that the operation of a bi-partisan judiciary is the enlightened method of selecting judges. Our courts ought not to be subservient to the will or dependent upon the success of any party. To the end that this plan may become the law of this state, I urge you to investigate and consider the question of a bi-partisan judiciary in Iowa.

PLANNING BOARD

For some years, we have maintained an Iowa State Planning Board, the costs of which, prior to 1937, were borne by the federal government. The National Resources Board of the federal government deemed it advisable for each state to maintain such a research and fact-finding body, and,

until July 1, 1937, it paid all the costs of maintaining such a board in all of the states.

The Forty-seventh General Assembly created the Iowa State Planning Board, and, inasmuch as the federal government was at that time providing the funds appropriated, no state funds were set up for its use. On July 1, 1937, the federal government withdrew its funds, insofar as the personnel of the Board itself was concerned. The federal government is, however, still allocating W. P. A. employment for that purpose. Beginning with July 1, I have allocated conservation funds sufficient to continue the important work of the State Planning Board up to and including February 1, of this year. This non-partisan, fact-finding body has rendered the state a valuable service, and, up to the present time, no better system of state planning has been devised. Its survey on farm tenancy, farm-to-market roads, truck regulation, truck taxes, teachers' annuity, soil conservation, and Iowa industries will be made available to you during this session.

It is in possession of much valuable data, all of which is available to interested parties at all times. If the service of this organization is to continue, it will be necessary for this legislature to provide the necessary finances.

I have assigned many legislative proposals to the State Planning Board for study. Affirmative legislation is desirable on all of these subjects. In addition to the subjects assigned to the Planning Board, there should be added "aid to dependent children", which is an important question that deserves immediate attention. I have refrained from expressing my personal views on these subjects that are being studied by the Planning Board with the exception of the financing of farm-to-market roads.

Among the questions assigned to the State Planning Board is farm tenancy, a report on which is before you now. I wish to urge early and careful consideration on this subject. There is no problem before the state of Iowa that is more alarming than the rapid growth of farm tenancy. I shall not inject my personal views into this question to the point of making specific recommendations other than to say that a uniform relationship between owner and tenant that will tend to lengthen the term of leases and protect the interests of both parties is desirable. Comfortable home life is the greatest asset of farm life, and home life cannot be accomplished by tenant farmers who are constantly on the move. Land owners are not inclined to make the necessary investment in home facilities unless they are assured of more permanent occupancy by the tenant. This question has been given special attention by a farm tenancy committee that has reached into every county of the state, and I respectfully urge this session of the legislature to take some constructive action, looking toward the solution of the problem.

CONCLUSION

In the last analysis, all problems of business and government are social problems. They involve questions of human relations. The normal, human desires, ambitions, and impulses of each individual in America, multiplied

by 130,000,000, is our governmental problem. The ever-changing, ever-increasing complexity of these human tendencies have caused us, in recent years, to establish the old age pension system, social security, and public assistance programs upon a nation-wide scale. They are intended to guarantee social and economic equality. These services have become established, proved, and justified in the minds of our citizens as part of our governmental duty. We cannot and should not turn back. These programs are the obligation of society, and, since government is only the instrument of organized society, government is the means of making effective these new services. The recognition of these new obligations, in addition to giving service to those who are in need, brings us nearer to the fulfillment of the Christian obligation we owe to our neighbor.

The people of Iowa are extremely fortunate, because we live in a state of unlimited resources. These resources are evenly distributed throughout the state, and we have an evenly distributed population of sturdy, dependable stock. During the short ninety-two years of our existence, our governmental problems have been comparatively simple, and they will continue to be less complicated than are the problems of our sister states. The intent of this message is to cut through the temporary, confusing problems of today and deal with the more fundamental problems of state government. It is designed to help protect our people in their independence; to assist in protecting their business and business opportunities; to aid in conserving the vast natural resources of the state, and to urge retention of state government control in the hands of our people so that it can be operated as a practical business and social agency and not fall under the domination of selfish interests or persons.

It is not sufficient for us to maintain and enjoy a democracy for today only. It must be safeguarded and improved and made ready for expansion when the demand arises; it must be made something that the people will prize as a vital part of their life and as the hope of the future; something that they will not turn from in a crisis, as they have done in foreign countries. Democracy must live here. It must live abroad. It will live so long as it protects the people in their liberties and we must remember that means preventing any class of citizens from imposing upon their weaker or less fortunate neighbors.

Geske of Clayton moved that a committee of three be appointed to escort the Governor from the Chamber. Motion prevailed, and the President appointed Geske of Clayton, Johnson of Hancock and Shimanek of Jones.

The committee waited upon the Governor and escorted him from the Chamber.

CANVASS OF VOTES

The President 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 8, 1938, and

announced as teller on the part of the Senate, Parker of Buchanan, and as assistant tellers, Senators Faul of Polk, and Geske of Clayton.

Speaker Irwin announced as teller on the part of the House, Knudson of Cerro Gordo, and as assistant tellers, Representatives Hall of Mills, and Johannes of Osceola.

The President further announced that, in accordance with statute, Tellers Parker of Buchanan and Knudson of Cerro Gordo would constitute the judges of said canvass.

Speaker Irwin in the chair.

The Speaker then opened the returns in the presence of the joint convention, and the tellers proceeded to canvass the vote for Governor and Lieutenant Governor of the state of Iowa, cast at the general election held on November 8, 1938.

Irwin of Boone moved that the joint convention now recess until 1:15 p. m. Thursday, January 12th. Motion prevailed.

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

Senator Husted asked unanimous consent to return to the reading of communications.

COMMUNICATIONS FROM THE GOVERNOR

Nelson G. Kraschel
Governor

State of Iowa, Executive Office,
Des Moines
January 10, 1939.

Honorable John K. Valentine,
President of the Senate,
Building.

My Dear Mr. Valentine:

Subsequent to the sine die adjournment of the Forty-seventh General Assembly, Chapter 151, Acts of the Forty-seventh General Assembly, became a part of the laws of the state.

In accordance with the provisions of Sections Three and Four of said Act, the Honorable Right Reverend Monsignor Martin Cone of Davenport, Scott county, Iowa, a Democrat, was named as a member of the State Board of Social Welfare, for a term expiring on June 30, 1941. The appointment of Monsignor Cone was approved by the Executive Council.

Respectfully yours,
N. G. KRASCHEL.

Nelson G. Kraschel
Governor

State of Iowa, Executive Office,
Des Moines
January 10, 1939.

Honorable John K. Valentine,
President of the Senate,
Building.

My Dear Mr. Valentine:

Subsequent to the sine die adjournment of the Forty-seventh General Assembly, Chapter 151, Acts of the Forty-seventh General Assembly, became a part of the laws of the state.

In accordance with the provisions of Sections Three and Four of said Act, the Honorable Warren F. Miller of Independence, Buchanan county, Iowa, a Democrat, was named as a member of the State Board of Social Welfare, for a term expiring on June 30, 1939. The appointment of Mr. Miller was approved by the Executive Council.

Respectfully yours,
N. G. KRASCHEL.

Nelson G. Kraschel
Governor

State of Iowa, Executive Office,
Des Moines
January 10, 1939.

Honorable John K. Valentine,
President of the Senate,
Building.

My Dear Mr. Valentine:

Subsequent to the sine die adjournment of the Forty-seventh General Assembly, Chapter 151, Acts of the Forty-seventh General Assembly, became a part of the laws of the state.

In accordance with the provisions of Sections Three and Four of said Act, the Honorable E. P. Schoentgen of Council Bluffs, Pottawattamie county, Iowa, a Democrat, was named as a member of the State Board of Social Welfare, for a term expiring on June 30, 1939. The appointment of Mr. Schoentgen was approved by the Executive Council.

Respectfully yours,
N. G. KRASCHEL.

Nelson G. Kraschel
Governor

State of Iowa, Executive Office,
Des Moines
January 10, 1939.

Honorable John K. Valentine,
President of the Senate,
Building.

My Dear Mr. Valentine:

Subsequent to the sine die adjournment of the Forty-seventh General Assembly, Chapter 151, Acts of the Forty-seventh General Assembly, became a part of the laws of the state.

In accordance with the provisions of Sections Three and Four of said Act, the Honorable Mrs. B. C. Hopkins of Des Moines, Polk county, Iowa, a Republican, was named as a member of the State Board of Social

Welfare, for a term expiring on June 30, 1939. The appointment of Mrs. Hopkins was approved by the Executive Council.

Respectfully yours,
N. G. KRASCHEL.

Nelson G. Kraschel
Governor

State of Iowa, Executive Office,
Des Moines
January 10, 1939.

Honorable John K. Valentine,
President of the Senate,
Building.

My Dear Mr. Valentine:

Subsequent to the sine die adjournment of the Forty-seventh General Assembly, Chapter 151, Acts of the Forty-seventh General Assembly, became a part of the laws of the state.

In accordance with the provisions of Sections Three and Four of said Act, the Honorable Ivan O. Hasbrouck of Jefferson, Greene county, Iowa, a Republican, was named as a member of the State Board of Social Welfare, for a term expiring on June 30, 1941. The appointment of Mr. Hasbrouck was approved by the Executive Council.

Respectfully yours,
N. G. KRASCHEL.

On motion of Senator Breen, the Senate adjourned until 10 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 11, 1939.

The Senate met in regular session, President pro tempore Charles B. Hoeven presiding.

Prayer was offered by Rev. Arthur J. Tolo, pastor of the Northwood Lutheran Church of Northwood.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Benson, on request of Senator Dewey; Senators Baldwin and Moore, on request of Senator Breen.

PETITIONS AND MEMORIALS

The following petitions were presented and ordered placed on file:

By Senator Dean, from the Parent-Teachers Association of Mason City, and the American Legion of the fourth district, favoring the enactment of teachers' annuity legislation.

KIMBERLY MEMORIAL RESOLUTION

Whereas, The Honorable D. W. Kimberly, who was a member of this body continuously from the Thirty-eighth until the Forty-seventh General Assembly and who had been a member of the House during the Thirty-sixth and Thirty-seventh General Assemblies, from the Twenty-first District, Scott County, died at Davenport, Iowa, on the eleventh day of November, 1937, therefore,

Be It Resolved by the Senate of the Forty-eighth General Assembly: That a committee of four (4) be appointed to draft suitable resolutions commemorating his life, character and service to the state.

Senator Corwin asked that the rules be suspended and that the resolution be considered immediately.

Senators Corwin and Geske gave commemorative talks. On motion of Senator Corwin, the resolution was adopted.

The chair appointed as members of such committee, Senators Martin, Geske, Corwin and Byers.

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

SENATE CONCURRENT RESOLUTION 3

Resolved by the Senate, the House Concurring: That when adjournment is had on Thursday afternoon, January 12, 1939, it be to reconvene Tuesday afternoon, January 17, 1939, at 2:00 P. M.

The resolution was adopted.

INTRODUCTION OF BILLS

Senate File 7, by Senator Parker, a bill for an act to provide an emergency appropriation for the enforcement of the Iowa Uniform Narcotic Act from February 1, 1939 to July 1, 1939.

Read first and second times and 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 adopted the report of the joint committee on joint legislative employees.

Also: 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 joint committee to arrange for the inauguration of the Governor and the Lieutenant-Governor, and the Speaker of the House has appointed as such committee on the part of the House members: Representatives Pine, Gardner, Risse, Dancer, Thompson of Pocahontas, Roan, Hultman, Burma and Ross.

Also: That the House has amended and passed 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, session laws, and journals to the designated members of the press.

A. C. GUSTAFSON, *Chief Clerk.*

AMENDMENT TO SENATE CONCURRENT RESOLUTION 2

Amend Senate Concurrent Resolution 2 by striking the period at the end and adding the following: ", and four sets each for the use of the desk force of the House and the Senate."

REPORT OF JOINT COMMITTEE ON
JOINT LEGISLATIVE EMPLOYEES

TO THE HONORABLE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE
HOUSE OF REPRESENTATIVES:

Your joint committee appointed to nominate officers and employees for joint legislative duties of the Forty-eighth General Assembly, begs leave to submit the following report and recommendations:

Assistant Law Research—Leonard Nelson, Boone.

Assistant for Economics Department—Ted Larson, Des Moines.

Assistant for General Research—Lysle Linn, Valeria.

Stenographers for Research Department—Pamela Smith, Spirit Lake; Genevieve Wagner, Lake Mills; Helen Ferguson, Russell.

Pages for Research Department—Edward Ontjes, Grundy Center; Robert Barlow, Dumont.

Post Office Assistant—Laura Hicks, Fairfield.

Matron—Artisha Busch, Keokuk.

Janitors—J. O. Winston, Ottumwa; R. D. Claybrooke, Des Moines; Britton Thomas, Albia; William Powlesson, Davenport; Clifford Beggs, Washington; H. R. Woods, St. Charles; John Kross, Keosauqua; Frank Eichman, Readlyn; Frank L. Orr, Sidney; W. Earl Swartz, Creston; L. J. Atwood, Spencer; Louis Ricker, Dewitt.

Elevator Tenders—Zigmund Chwirka, Sioux City; Joe Chochołka, Cedar Rapids; Edwin Laird, Van Meter.

Respectfully submitted,

J. BERG, *Chairman.*

K. A. EVANS.

E. P. CORWIN.

On the part of the Senate.

JENS THOMPSON, *Chairman.*

LEO A. HOEGH.

O. N. HULTMAN.

On the part of the House.

AMENDMENT FILED

Amend Senate File 6 as follows: Strike from line one of the title the words and figures "Two hundred fifty-two (252)" and insert in lieu thereof the words and figures "Five hundred twenty-five (525)". Strike from lines eleven and twelve of the title the word and figures "Two-e2 (12382-e2)" and insert in lieu thereof the word and figures "Three-e2 (12383-e2)". Strike from line fifty-two of Section 1 the word and figures "Two-e2 (12382-e2)" and insert in lieu thereof the word and figures "Three-e2 (12383-e2)".

L. H. DORAN.

J. BERG.

On motion of Senator Ellis, the Senate adjourned until 10:00
A. M. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 12, 1939.

The Senate met in regular session, President pro tem Charles B. Hoeven presiding.

Prayer was offered by Rev. L. D. Stubs of Cedar Rapids.

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 3, providing for the adjournment of the Forty-eighth General Assembly from January 12, 1939 to January 17, 1939.

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

House Concurrent Resolution 3, memorializing congress relative to the interest rate to farmer borrowers of the Federal Land Bank.

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 officers and employees of the Forty-eighth General Assembly.

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

House Joint Resolution 2, fixing the compensation of the chaplains of the Forty-eighth General Assembly, and making an appropriation therefor.
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, Long-term loans and low interest rates help materially to stabilize the agricultural industry; and

Whereas, The emergency farm loan interest rate of 3½%, made possible by special action of the National Congress to the farmer borrowers having Federal Land Bank loans, expires July 1, 1940, and the emergency farm loan interest rate of 4% made possible by a special act of the National Congress to the farmer borrowers having Land Bank Commissioner loans, expires July 1, 1940; and

Whereas, The Land Bank Commissioner loans provide for principal

payments of 5% or 10% per annum in addition to the interest payments; and

Whereas, Thousands of farmers in the state of Iowa have Federal Land Bank and/or Land Bank Commissioner loans, and because of the fact that the interest rates are not definitely fixed at a low rate and because of the fact that principal payments of at least 5% or 10% per annum are required on Land Bank Commissioner loans there is much uncertainty and indefiniteness in the plans of such farmer borrowers; 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 that interest rates on government loans to other industries is considerably less than that fixed for the farmer of the middlewest; and

Whereas, It is our opinion that low interest rates and small principal payments accorded to the farmers of Iowa through the Federal Land Bank system would contribute much to the stabilization of agriculture;

Therefore, Be It Resolved by the House, the Senate Concurring: That the Legislature of Iowa duly assembled in Des Moines, Iowa, respectfully petitions the members of the national Congress to use every possible effort to secure the passage of a law making 3½% interest rate permanent to the farmer borrowers of the Federal Land Bank and the Land Bank Commissioner and that this Legislature urges the members of the national Congress to secure the passage of a law extending all principal payments on Land Bank Commissioner loans over a period of 34 years as provided for Federal Land Bank loans, and that the same be made permanent 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.

INTRODUCTION OF BILLS

Senate File 8, by Senator Hill, a bill for an act to repeal section six thousand nine hundred forty-seven (6947) of the 1935 Code, relating to the limitation of exemption from taxation for military service on homesteads and to enact a substitute therefor and to provide that the exemption may be taken on any personal property or real estate.

Read first and second times and passed on file.

Senate File 9, by Senator Guernsey, a bill for an act to amend section eleven thousand nine hundred thirty-eight (11938) of the Code of Iowa, 1935, relating to the notice required to be given of the sale at public auction of personal property belonging to the estates of deceased persons.

Read first and second times and passed on file.

Senate File 10, by Senator Mowry, a bill for an act to amend Chapter 93-F1 of the Code of Iowa, 1935, relating to intoxicating liquors, and to repeal sections 1921-f6, 1921-f7, 1921-f8, 1921-f9 and 1921-f10 creating the Iowa Liquor Commission, and to enact substitutes therefor, and to create the office of Purchasing Agent for the Iowa Liquor Control Store, and to make further and additional provisions with reference to the purchase and sale of intoxicating liquors, and to repeal section 1921-f18 relating to the establishment of State Liquor Stores and to enact a substitute therefor, and to limit and restrict the establishment of additional State Liquor Stores; and to amend section 1921-f27 so as to permit the sale of intoxicating liquors to certain licensed dispensers of beer, and to make additional provisions for enforcing said act.

Read first and second times and passed on file.

Senate File 11, by Senators Dewey and Shaw, a bill for an act to repeal section six thousand nine hundred and forty-seven (6947) of the Code of 1935, relating to exemptions from taxation of property belonging to veterans of military service and to enact in lieu thereof a section permitting such veterans to select such property to which the said exemption shall apply.

Read first and second times and passed on file.

Senate Joint Resolution 1, by Senators Baldwin and Breen, a 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.

Read first and second times and passed on file.

Senate File 12, by Senator Beardsley, a bill for an act to amend Chapter one hundred eighty-nine (189), Code, 1935, relating to pardoning power of the governor.

Read first and second times and passed on file.

HOUSE MESSAGES CONSIDERED

House Joint Resolution 1, a joint resolution fixing the compensation of officers and employees of the Forty-eighth General Assembly.

Read first and second times and passed on file.

House Joint Resolution 2, a joint resolution fixing the compensation of the chaplains of the Forty-eighth General Assembly, and making an appropriation therefor.

Read first and second times and passed on file.

Senator Levis asked and received unanimous consent to suspend the rules and consider House Concurrent Resolution 3 at this time.

On motion of Senator Levis, the resolution was adopted.

COMMUNICATION FROM RETIRING LIEUTENANT GOVERNOR
JOHN K. VALENTINE

The following communication was received from the Lieutenant Governor:

Centerville, Iowa.
January 11, 1939.

Senator Charles B. Hoeven,
President Pro Tempore of the Senate,
State House,
Des Moines, Iowa.

Dear Senator Hoeven:

I had planned to return to Des Moines tomorrow for the inaugural ceremonies. Unfortunately I seem to be coming down with an attack of the "flu", and the trip is inadvisable.

Because I will be unable to do so personally, I would appreciate your assuring the members of the Senate of my sincere appreciation of their many expressions of good wishes made on Monday and Tuesday of this week.

My service as presiding officer of the Senate during the Forty-seventh General Assembly was most pleasant, and I am particularly grateful for the fine cooperation given me at all times by Senate members. I know that your service and that of Lieutenant Governor Hickenlooper will be just as pleasant, and that the same courtesy will be extended to you as was given Senator Byers and myself. If there ever is any way in which I can be of service to the Senate, please feel free to call upon me.

With kindest personal regards, I am

Very truly yours,
John K. Valentine.

HOUSE AMENDMENT CONSIDERED

Senator Lundy called up for consideration the following House amendment to Senate Concurrent Resolution 2.

Amend by striking the period at the end and adding the following: " , and four sets each for the use of the desk force of the House and the Senate."

The amendment was taken up and considered. On motion of Senator Lundy, the amendment was adopted.

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 of the 48th 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; that said committees shall be and constitute the standing committees of the Senate of the 48th General Assembly of Iowa; 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.

FRANK C. BYERS, *Chairman*.
L. S. GILLETTE.
H. V. LEVIS.
A. E. AUGUSTINE.
A. J. SHAW.

AERONAUTICS

Hart— Chairman	*Schadt	Donohue	Benson
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AGRICULTURE

Husted— Chairman	Elthon	Leo	Stewart
*Dean	Evans	Mighell	Vrba
Benson	Gillette	Pelzer	Zeigler
	Hill	Sjulin	

APPROPRIATIONS

Doran— Chairman	Dewey	Hill	Moore
*Berg	Edwards	Hoeven	Parker
Baldwin	Ellis	Husted	Schadt
Breen	Elthon	Kirketeg	Shaw
Corwin	Forsling	Levis	Sjulin
Cromwell	Guernsey	Lundy	Stewart
Dean	Hart	Miller	Whitehill
	Henningsen		

BANKS AND BANKING

Elthon— Chairman	Cromwell	Harvey	Miller
*Hart	Evans	Henningsen	Schadt
	Geske		

BOARD OF CONTROL

Parker— Chairman	Breen	Hoeven	Miller
*Whitehill	Elthon	Lundy	Sjulin
	Hart	Mighell	Stewart

* Indicates ranking member.

BOUNDARY BRIDGES

Martin— Chairman	*Corwin Baldwin	Cromwell Parker	Smith
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BUILDING AND LOAN

Mowry— Chairman	*Martin Byers	Hopkins	Smith
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CITIES AND TOWNS

Berg— Chairman	Breen Byers	Forsling Hart	Levis Martin
*Augustine Baldwin	Corwin Cromwell	Henningsen Hill	Moore Talbot
Beardsley Bekman	Doran Faul	Hoeven Kirketeg	Whitehill

CLAIMS

Cromwell— Chairman	*Bekman Benson	Leo Mowry	Talbot Vrba
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COMPENSATION OF PUBLIC OFFICERS

Miller— Chairman	*Pelzer Ellis	Elthon Sjulin	Zeigler
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CONSERVATION

Dewey— Chairman	Benson Corwin	Geske Gillette	Schadt Talbot
*Elthon Beardsley Bekman	Dean Ellis Evans	Harvey Hopkins Leo	Vrba Whitehill

CONSTITUTIONAL AMENDMENTS

Guernsey— Chairman	*Hopkins	Smith	
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COUNTY AND TOWNSHIP AFFAIRS

Leo—Chairman *Moore	Bekman Levis	Pelzer Smith	Talbot
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DEPARTMENTAL AFFAIRS

Dean— Chairman	*Mighell Hopkins	Husted Martin	Mowry
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DRAINAGE

Mighell— Chairman	*Harvey Corwin	Cromwell	Dewey
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EDUCATIONAL INSTITUTIONS

Schadt— Chairman *Sjulin	Benson Berg	Hart Leo	Lundy Parker
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ELECTION REFORM

Breen— Chairman	*Ellis Dewey	Donohue	Talbot
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ENROLLED BILLS

Benson— Chairman	*Vrba	Hopkins	
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FARM TENANCY

Gillette— Chairman	*Shaw Augustine	Dean Forsling	Sjulin Zeigler
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FEDERAL COORDINATION

Vrba— Chairman	*Mowry Augustine	Benson	Stewart
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GREATER IOWA

Henningsen— Chairman	*Husted Donohue	Lundy Smith	Vrba Whitehill
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HIGHWAYS

Evans— Chairman	Beardsley Benson	Henningsen Kirketeg	Sjulin Smith
*Miller Augustine	Ellis Geske	Leo Moore	Whitehill Zeigler

HORTICULTURE AND FORESTRY

Sjulin— Chairman	*Dewey Gillette	Harvey Mighell	Zeigler
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INSURANCE

Faul—Chairman	Edwards	Henningsen	Mowry
*Cromwell	Ellis	Hill	Schadt
Baldwin	Guernsey	Hopkins	Shaw
Byers	Harvey	Martin	

INTERSTATE COOPERATION

Geske— Chairman	*Evans Augustine	Beardsley	Byers
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JUDICIARY NO. 1

Shaw— Chairman	Cromwell	Hill	Mowry
*Breen	Doran	Kirketeg	Schadt
	Forsling	Lundy	

JUDICIARY NO. 2

Donohue— Chairman	Baldwin	Faul	Levis
*Geske	Bekman	Guernsey	Talbott
	Byers	Hoeven	

LABOR

Kirketeg— Chairman	Doran	Guernsey	Moore
*Zeigler	Forsling	Martin	Pelzer

LIVESTOCK AND DAIRYING

Stewart— Chairman	*Leo Dean	Evans Gillette	Husted
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MANUFACTURING, COMMERCE AND TRADE

Zeigler— Chairman	Berg	Harvey	Lundy
*Baldwin	Corwin	Kirketeg	Mowry
	Hart		

MILITARY AFFAIRS

Whitehill— Chairman	*Hoeven Benson	Berg Faul	Talbott
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MINES AND MINING

Lundy— Chairman	Beardsley Bekman	Breen Faul	Kirketeg Levis
*Guernsey			

MOTOR VEHICLES

Beardsley— Chairman	Dean Elthon	Husted Levis	Mighell Miller
*Doran Augustine	Faul Hill	Martin	Shaw

PHARMACY

Harvey— Chairman	Beardsley Berg	Doran Moore	Schadt Stewart
*Parker			

POLITICAL AND JUDICIAL DISTRICTS

Ellis—Chairman	*Stewart	Geske	Mighell
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PRINTING

Baldwin— Chairman	*Talbot Dewey	Geske Hoeven	Miller
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PUBLIC HEALTH

Moore— Chairman	Berg Edwards	Harvey Martin	Parker Schadt
*Smith	Elthon	Mighell	

PUBLIC LAND AND BUILDINGS

Augustine— Chairman	*Henningaen Husted	Pelzer	Shaw
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PUBLIC LIBRARIES

Edwards— Chairman	*Benson Ellis	Pelzer	Vrba
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PUBLIC SCHOOLS

Hopkins— Chairman	Beardsley Dean	Husted Leo	Mighell Moore
*Edwards	Doran	Lundy	Pelzer

PUBLIC UTILITIES

Levis— Chairman	Byers Evans	Guernsey Hart	Moore Vrba
*Lundy Baldwin	Forsling	Henningaen	Whitehill

RAILROADS

Corwin— Chairman	Cromwell Donohue	Geske Harvey	Henningaen Parker
*Forsling	Faul		

RULES

Hoeven— Chairman	*Byers Donohue	Geske	Zeigler
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SOCIAL SECURITY

Bekman— Chairman	Baldwin Breen	Edwards Faul	Parker Sjulin
*Kirketeg	Donohue	Mowry	Zeigler

STATE PLANNING

Talbot— Chairman	*Faul Dewey	Edwards Miller	Stewart
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TAX REDUCTION

Pelzer— Chairman	*Beardsley Edwards	Elthon Shaw	Vrba
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TAX REVISION			
Hill—Chairman	Berg	Gillette	Hoeven
*Levis	Breen		
WAYS AND MEANS			
Smith—	Berg	Evans	Hopkins
Chairman	Corwin	Gillette	Husted
*Hill	Dean	Guernsey	Kirketeg
Augustine	Dewey	Hoeven	Mowry
Bekman	Doran		

SENATORS AND THEIR RESPECTIVE COMMITTEES

SENATOR AUGUSTINE		
Public land and build- ings—Chairman	Committee on commit- tees	Highways
*Cities and towns	Farm tenancy	Interstate cooperation
	Federal co-ordination	Motor vehicles
		Ways and means
SENATOR BALDWIN		
Printing—Chairman	Boundary bridges	Judiciary No. 2
*Manufacturing, com- merce and trade	Cities and towns	Public utilities
Appropriations	Insurance	Social security
SENATOR BEARDSLEY		
Motor vehicles— Chairman	Conservation	Mines and mining
*Tax reduction	Highways	Pharmacy
Cities and towns	Interstate cooperation	Public schools
SENATOR BEKMAN		
Social security— Chairman	Consolidation and co- ordination of state government	Judiciary No. 2
*Claims	County and township affairs	Mines and mining
Cities and towns		Ways and means
Conservation		
SENATOR BENSON		
Enrolled bills— Chairman	Claims	Federal co-ordination
*Public libraries	Conservation	Highways
Agriculture	Educational institu- tions	Military affairs
SENATOR BERG		
Cities and towns— Chairman	Manufacturing, com- merce and trade	Public health
*Appropriations	Military affairs	Tax revision
Educational institu- tions	Pharmacy	Ways and means
SENATOR BREEN		
Election Reform— Chairman	Appropriations	Mines and mining
*Judiciary No. 1	Board of control	Social security
	Cities and towns	Tax revision
SENATOR BYERS		
Committee on commit- tees—Chairman	Building and loan	Interstate cooperation
*Rules	Cities and towns	Judiciary No. 2
	Insurance	Public utilities

SENATOR CORWIN

Railroads—Chairman	Conservation	Drainage
*Boundary bridges	Consolidation and co-ordination of state government	Manufacturing, commerce and trade
Appropriations		Ways and means
Cities and towns		

SENATOR CROMWELL

Claims—Chairman	Banks and Banking	Drainage
*Insurance	Boundary bridges	Judiciary No. 1
Appropriations	Cities and towns	Railroads

SENATOR DEAN

Departmental affairs—Chairman	Conservation	Motor vehicles
*Agriculture	Farm tenancy	Public schools
Appropriations	Livestock and dairying	Ways and means

SENATOR DEWEY

Conservation—Chairman	Appropriations	Printing
*Horticulture and forestry	Drainage	State planning
	Election reform	Ways and means

SENATOR DONOHUE

Judiciary No. 2—Chairman	Aeronautics	Railroads
*Consolidation and co-ordination of state government	Election reform	Rules
	Greater Iowa	Social security

SENATOR DORAN

Appropriations—Chairman	Cities and towns	Pharmacy
*Motor vehicles	Judiciary No. 1	Public schools
	Labor	Ways and means

SENATOR EDWARDS

Public libraries—Chairman	Appropriations	Social security
*Public schools	Insurance	State planning
	Public health	Tax reduction

SENATOR ELLIS

Political and judicial districts—Chairman	Compensation of public officers	Highways
*Election reform	Conservation	Insurance
Appropriations		Public libraries

SENATOR ELTHON

Banks and banking—Chairman	Appropriations	Motor vehicles
*Conservation	Board of control	Public health
Agriculture	Compensation of public officers	Tax reduction

SENATOR EVANS

Highways—Chairman	Banks and banking	Livestock and dairying
*Interstate co-operation	Conservation	Public utilities
Agriculture	Consolidation and co-ordination of state government	Ways and means

SENATOR FAUL

Insurance—Chairman	Judiciary No. 2	Motor vehicles
*State planning	Military affairs	Railroads
Cities and towns	Mines and mining	Social security

	SENATOR FORSLING	
Consolidation and co-ordination of state government— *Railroads	Judiciary No. 1 Labor Public utilities	Appropriations Cities and towns Farm tenancy Chairman
	SENATOR GESKE	
Interstate cooperation—Chairman *Judiciary No. 2 Banks and banking	Conservation Highways Political and judicial districts	Printing Railroads Rules
	SENATOR GILLETTE	
Farm tenancy— Chairman *Committee on committees Agriculture	Conservation Consolidation and co-ordination of state government Horticulture and forestry	Livestock and dairying Tax revision Ways and means
	SENATOR GUERNSEY	
Constitutional amendments—Chairman *Mines and mining	Appropriations Insurance Judiciary No. 2	Labor Public utilities Ways and means
	SENATOR HART	
Aeronautics— Chairman *Banks and banking Appropriations	Board of control Cities and towns Educational institutions	Manufacturing, commerce and trade Public utilities
	SENATOR HARVEY	
Pharmacy—Chairman *Drainage Banks and banking Conservation	Horticulture and forestry Insurance	Manufacturing, commerce and trade Public health Railroads
	SENATOR HENNINGSEN	
Greater Iowa— Chairman *Public land and buildings	Appropriations Banks and banking Cities and towns Highways	Insurance Public utilities Railroads
	SENATOR HILL	
Tax revision— Chairman *Ways and means Agriculture	Appropriations Cities and towns Consolidation and co-ordination of state government	Insurance Judiciary No. 1 Motor vehicles
	SENATOR HOEVEN	
Rules—Chairman *Military affairs Appropriations	Board of control Cities and towns Judiciary No. 2	Printing Tax revision Ways and means
	SENATOR HOPKINS	
Public schools— Chairman *Constitutional amendments	Building and loan Conservation Departmental affairs	Enrolled bills Insurance Ways and means

	SENATOR HUSTED	
Agriculture— Chairman *Greater Iowa Appropriations	Departmental affairs Livestock and dairying Motor vehicles	Public land and buildings Public schools Ways and means
	SENATOR KIRKETEG	
Labor—Chairman *Social security Appropriations Cities and towns	Highways Judiciary No. 1 Manufacturing, com- merce and trade	Mines and mining Ways and means
	SENATOR LEO	
County and township affairs—Chairman *Livestock and dairying	Agriculture Claims Conservation	Educational institu- tions Highways Public schools
	SENATOR LEVIS	
Public utilities— Chairman *Tax revision Appropriations	Cities and towns Committee on com- mittees County and township affairs	Judiciary No. 2 Mines and mining Motor vehicles
	SENATOR LUNDY	
Mines and mining— Chairman *Public utilities Appropriations	Board of control Educational institu- tions Greater Iowa	Judiciary No. 1 Manufacturing, com- merce and trade Public schools
	SENATOR MARTIN	
Boundary bridges— Chairman *Building and loan	Cities and towns Departmental affairs Insurance	Labor Motor vehicles Public health
	SENATOR MIGHELL	
Drainage—Chairman *Departmental affairs Agriculture Board of control	Horticulture and forestry Motor vehicles	Political and judicial districts Public health Public schools
	SENATOR MILLER	
Compensation of public officers— Chairman *Highways	Appropriations Banks and banking Board of control	Motor vehicles Printing State planning
	SENATOR MOORE	
Public health— Chairman *County and town- ship affairs	Appropriations Cities and towns Highways Labor	Pharmacy Public schools Public utilities
	SENATOR MOWRY	
Building and loan— Chairman *Federal co-ordination Claims	Departmental affairs Insurance Judiciary No. 1	Manufacturing, com- merce and trade Social security Ways and means
	SENATOR PARKER	
Board of control— Chairman *Pharmacy Appropriations	Boundary bridges Educational institu- tions	Public health Railroads Social security

	SENATOR PELZER	
Tax reduction— Chairman	Agriculture	Public land and build- ings
*Compensation of pub- lic officers	County and township affairs	Public libraries
	Labor	Public schools
	SENATOR SCHADT	
Educational institu- tions—Chairman	Banks and banking	Judiciary No. 1
*Aeronautics	Conservation	Pharmacy
Appropriations	Insurance	Public health
	SENATOR SHAW	
Judiciary No. 1— Chairman	Committee on commit- tees	Public land and build- ings
*Farm tenancy	Insurance	Tax reduction
Appropriations	Motor vehicles	
	SENATOR SJULIN	
Horticulture and fores- try—Chairman	Agriculture	Farm tenancy
*Educational institu- tions	Appropriations	Highways
	Board of control	Social security
	Compensation of pub- lic officers	
	SENATOR SMITH	
Ways and means— Chairman	Building and loan	County and township affairs
*Public health	Constitutional amend- ments	Greater Iowa
Boundary bridges		Highways
	SENATOR STEWART	
Livestock and dairying —Chairman	Agriculture	Federal coordination
*Political and judicial districts	Appropriations	Pharmacy
	Board of control	State planning
	SENATOR TALBOTT	
State planning—Chair- man	Cities and towns	Election reform
*Printing	Conservation	Judiciary No. 2
Claims	County and township affairs	Military affairs
	SENATOR VRBA	
Federal co-ordination— Chairman	Claims	Public libraries
*Enrolled bills	Conservation	Public utilities
Agriculture	Greater Iowa	Tax reduction
	SENATOR WHITEHILL	
Military affairs—Chair- man	Appropriations	Greater Iowa
*Board of control	Cities and towns	Highways
	Conservation	Public utilities
	SENATOR ZEIGLER	
Manufacturing, com- merce and trade— Chairman	Compensation of public officers	Horticulture and fores- try
*Labor	Farm tenancy	Rules
Agriculture	Highways	Social security

On motion of Senator Byers, the report was adopted.

Senator Byers asked and received unanimous consent to have

printed 400 extra copies of the Journal in which the committees are listed.

On motion of Senator Shaw, the Senate recessed until 1:15 p. m.

AFTERNOON SESSION

The Senate reconvened, President pro tem Charles B. Hoeven 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, President Pro Tempore Hoeven of the Senate, presiding.

The roll was called.

Those present were, 148:

Alesch	Eckerman	Hoegh	Lundy
Augustine	Edwards	Hopkins	Lutz
Avery	Elliott	Hultman	McFarlane
Axmear	Ellis	Husted	Manley
Baldwin	Elthon	Hyett	Martin of
Beardsley	Evans	Irwin of Boone	Appanoose
Beeler	Faul	Johannes	Martin of Scott
Benson	Fishbaugh	Johnson of	Miller of
Berg	Foster	Hancock	Humboldt
Bittner	Gardner	Johnson of Linn	Miller of Jones
Blue	Geske	Johnson of	Moore of
Bowers	Gillette	Marion	Pottawattamie
Breen	Goode	Keeney	Morrisey
Brodersen	Greene	Kerr	Morrison
Burk	Gregory	Kirketeg	Morrow
Burma	Guernsey of	Knippling	Mowry
Byers	Van Buren	Knowlton	Nelson
Clark	Guernsey of	Knudson of	Odden
Claypool	Appanoose	Cerro Gordo	Parker
Cooper	Hall	Knudson of	Paullus
Corwin	Hallagan	Marshall	Peisen
Dancer	Hart	Kohlhaas	Pelzer
Davenport	Harvey	Kruse	Peyton
Dean	Hathaway	Kuester	Pieper
Dewey	Hauge	Lampman	Pine
Dietz	Heffner	Latchaw	Prall
Dodds	Henningsen	Leo	Prentis
Donohue	Hermsen	Levis	Randall
Doran	Hill	Lichty	Reilly
Dvorak	Hoeven	Love	Risse
Dykhouse	Hocum	Lucas	Ritchie

Roan	Sharp	Stewart of	Walter
Ropes	Shaw	Washington	Weichman
Ross	Shimanek	Thompson of	Wichman
Rovn	Siefkas	Guthrie	Wilson
Schadt	Sjulin	Thompson of	Whitehill
Scholz	Smith of Cedar	Pocahontas	Wood
Schwendemann	Steinberg	Troeger	Yager
Scott of Fayette	Stewart of	Van Oosterhout	Zeigler
Scott of Sac	Fayette	Vrba	Mr. Speaker
Shales			

Those absent were, 10:

Bulow	Moore of Shelby	Cromwell	Smith of Butler
Graham	Bekman	Mighell	Talbott
Judd	Forsling		

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.

The tellers reported as follows:

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 12, 1939.

MR. PRESIDENT AND GENTLEMEN OF THE JOINT CONVENTION:

Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant Governor, at the election held November 8, 1938, beg leave to make the following report of the total vote cast for Governor:

N. G. Kraschel.....	392156
Geo. A. Wilson.....	470332
Wallace M. Short.....	10248
John F. Wirds.....	2120
J. Alvin Mitchell.....	1116

And the total vote cast for Lieutenant Governor, at the election held November 8, 1938:

John K. Valentine.....	359089
Bourke B. Hickenlooper.....	418214
J. P. Hansen.....	7398
Arthur Houver	1611
W. M. Zimmerman.....	1268
Robert O'Brien	1

All of which is most respectfully submitted.

GEO. L. PARKER.
H. M. KNUDSON.
Judges.

M. X. GESKE.
GEORGE M. FAUL.
M. J. JOHANNES,
J. R. HALL.
Tellers.

Senator Parker of Buchanan moved that the report be adopted.

Motion prevailed and the report was adopted.

President Pro Tempore Hoeven, of the Joint Convention, announced that George A. Wilson, 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 B. B. Hickenlooper 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 present of the Joint Convention:

CERTIFICATE OF ELECTION

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 12, 1939.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Forty-eighth General Assembly of the state of Iowa, of all the votes cast at the general election held November 8, 1938, for the office of Governor of the state of Iowa, it appeared that George A. Wilson received the highest number of all 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 12th day of January A. D., 1939.

JOHN K. VALENTINE,
*President of the Senate and President
of the Joint Convention.*

JOHN R. IRWIN,
Speaker of the House.

GEO. L. PARKER,
Teller of the Senate.

H. M. KNUDSON,
Teller of the House.

A. C. GUSTAFSON,
*Clerk of the House and Clerk of the
Joint Convention.*

CERTIFICATE OF ELECTION

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 12, 1939.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Forty-eighth General Assembly of the state of Iowa, of all the votes cast at the general election held November 8, 1938, for the office of Lieutenant Governor of the state of Iowa, it appeared that Bourke B. Hickenlooper received the highest number of all votes cast for any can-

didate 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 12th day of January A. D., 1939.

JOHN K. VALENTINE,
*President of the Senate and President
of the Joint Convention.*

JOHN R. IRWIN,
Speaker of the House.

GEO. L. PARKER,
Teller of the Senate.

H. M. KNUDSON,
Teller of the House.

A. C. GUSTAFSON,
*Clerk of the House and Clerk of the
Joint Convention.*

President Pro Tempore Hoeven then directed the abstract of votes and certificates of election to be filed with the Secretary of State.

Senator Shaw of Pocahontas moved that a committee of five, consisting of two from the Senate and three from the House, be appointed to notify Governor-elect George A. Wilson and Lieutenant Governor-elect B. B. Hickenlooper of the official result of the canvass of votes.

Motion prevailed and President Pro Tempore Hoeven named as such committee Senators Shaw of Pocahontas and Corwin of Muscatine, and Representatives Hallagan of Polk, Johnson of Linn and Blue of Wright.

Blue of Wright from the Joint committee appointed to notify Honorable George A. Wilson and Honorable Bourke B. Hickenlooper of their election to the offices of Governor and Lieutenant Governor, respectively, submitted the following report and moved its adoption:

REPORT OF COMMITTEE

MR. PRESIDENT: As a committee appointed at the Joint Convention to notify the Honorable George A. Wilson and the Honorable Bourke B. Hickenlooper of their election to the offices of Governor and Lieutenant Governor of Iowa, respectively, we beg leave to report that we have per-

formed the duty assigned to us and that each officer assured us that he stands ready to assume the duties of the office to which he was elected.

Respectfully submitted,

SHAW of Pocahontas,

CORWIN of Muscatine,

On the part of the Senate.

HALLAGAN of Polk,

JOHNSON of Linn,

BLUE of Wright,

On the part of the House.

Motion prevailed and the report was adopted.

Senator Faul of Polk moved that a committee of five be appointed, two from the Senate and three from the House to escort Governor-elect Wilson and Lieutenant Governor-elect Hickenlooper to the House Chamber.

Motion prevailed and the President pro tempore of the Joint Convention appointed Senators Faul of Polk and Byers of Linn and Representatives Hauge of Polk and Gardner of Linn and Kruse of Floyd as such committee.

The Sergeant-at-Arms announced the arrival of Governor-elect George A. Wilson and Lieutenant Governor-elect B. B. Hickenlooper, accompanied by the Governor's staff.

Governor-elect Wilson and Lieutenant Governor-elect Hickenlooper were escorted to the Speaker's station.

Invocation was delivered by the Rev. Dr. E. W. McDade of Des Moines.

The oath of office was administered to Governor-elect George A. Wilson by the Hon. Richard F. Mitchell, Chief Justice of the Supreme Court of Iowa.

The oath of office was administered to Lieutenant Governor-elect B. B. Hickenlooper by the Hon. Richard F. Mitchell, Chief Justice of the Supreme Court of Iowa.

Lieutenant Governor B. B. Hickenlooper, President of the Joint Convention, presiding, then presented Governor George A. Wilson, who delivered the following message:

GOVERNOR'S INAUGURAL ADDRESS

MR. PRESIDENT, MR. SPEAKER, MR. CHIEF JUSTICE, SENATORS, REPRESENTATIVES AND FELLOW CITIZENS:

We are at the threshold of Iowa's second century. It is a good time to take stock of our material and cultural achievements, and to chart

our future course. We will do well, if we can duplicate the triumphs so dear to memory, but if we fulfill the real obligations of our heritage, we will have here a homeland far surpassing the dreams of the pioneers. The anniversary celebration of territorial beginning has been unique. The historical significance of the event evoked a spontaneous response, which clearly shows that Iowa people are delightfully aware of the glory that is ours through the toil and sacrifice of our ancestors. Every line of approach to Iowa's history affords a view filled with inspiration. The story of Iowa is that of the transforming of a wilderness of hidden wealth into a commonwealth of fascinating beauty, teeming with the honorable activities of an industrious people. It is the story of the wisdom and industry of man overcoming the inertia of the ages. It is an epic adorned with all that makes life worth while.

As, with just pride, we view the past, we turn to look upon a panorama of world life which presents strange contrast with our glorious past. The very dangers with which it seems fraught challenge us to give the best that is in us. The forces of evil are clamorous and defiant and put the noble virtues of man on the defensive. In many places in the world, emotion has banished reason and clear thinking; hate has overwhelmed love; and the Divine in man seems to have taken a holiday.

A few citadels of liberty remain, of which our America is the towering figure and encourages us to hope that the Divine plan for human happiness will yet prevail. For the oppressed peoples of the world, our hearts bleed in sympathy and our generosity is limited only by our resources; but we relax not in our vigilance for the protection of liberty at home.

All wars are not now fought with powder and shell. The process of boring from within has become a perfected art. Never in our history has there been such effort to arouse class antagonism. Group organizations appeal for group favoritism—not for the common good. Protestations of humanitarian objectives frequently prove to be mere cloaks for tyranny. Exalted patriotism is pretended as an apology for religious and racial persecution.

However, we cherish an unshaken faith in the capacity of a free people to maintain freedom while governing themselves justly. We believe that all governmental machinery should be used in the service of the people, and that all should have the utmost individual liberty consistent with the common welfare. A century and a half of government, based on those principles, we believe has proved itself. Methods may require revision, but not principles. Just remember this: Radical departure from the American principles of a free people, no matter how cleverly concealed, nor how richly baited, have the final objective of a feudalistic philosophy, which compel obedience to a governing state or a dominating personality.

Detached, as we are in Iowa, from the troubled world, are we not in position to show to our neighbors and to the world an example of honest and efficient government by a free people?

You and I are the servants of the people. Let no one assume otherwise. You are met to interpret the people's will and to shape it into

laws, when necessary. It is my duty to suggest—not to direct. As conditions change, adjustments must be made. Statutes hastily and ill-advisedly adopted should be revised and strengthened, or repealed. New ideas should be scrutinized with great care and adopted only when we are satisfied of their necessity and usefulness. Special interests will suggest special legislation. Consider all such carefully, with relation to its effect on the whole people. We should be firm in the determination to place governmental affairs of Iowa on a sound, honest and economical basis.

May I take you into my confidence and frankly confess that there are so many issues of great importance to the people that I have found it difficult to determine what matters to consider in the short time I am to detain you? Many, many subjects to which I shall not refer require and should have serious consideration. However, we will counsel together and cooperate with each other, to the end that we may bring to the people of the state of Iowa such a government that it can be truly said, "In all that is good, Iowa affords the best."

How wise our forbears planned. How anxious they were that everyone should have a place in the scheme of government. How careful they were to keep government close to the people. That which the state can do better than the Federal Government should be left to the state. That which the towns or county units can best do should be left to them. It follows naturally with the plan of making government simpler, more responsive, more efficient.

We will not agree as to every detail. The right to think differently is sacred and should need no guaranty. Some there are who favor a contrary policy. There are places where the people seem to have agreed not to disagree about anything. We do not crave that for our fair commonwealth. We want for the people of Iowa that they shall be the masters of their own household.

Iowa should have a sufficient number of public servants to attend to public business and no more. The elimination of useless bureaus and commissions, the consolidation of various departments and bureaus, has been delayed too long. You need but to look about you and you will discover that there are duplications of inspection, overlapping of agencies for the collection of taxes, in the control and examination of financial institutions and securities, in auditing and accounting, in social security services, and in many other functions of government.

The consolidation of governmental agencies means improved services, increased efficiency, and much saving to the taxpayers.

May I publicly acknowledge the gratitude of the people of Iowa to the members of the legislature for their promptness in taking action to meet this problem.

Equality of opportunity of education is an Iowa tradition. Robert Lucas, our first territorial governor, emphasized the necessity of providing for a school system. As a result, the history of the one hundred years past is resplendent in the development of our schools and colleges.

There is much to be done if the schools and colleges are to keep up with the demands of modern life and serve our rising generation. And

we want nothing less. All admit that education is the backbone of free government. But it is not enough to say that our state has the least percentage of illiteracy and then blind our eyes to problems needing attention. We want our program of education to advance and to be adequate to meet present day needs. Improvement in the financing of our schools, in the welfare of teachers and pupils and in the complete divorcing of our schools from politics, should no longer be delayed. We would be derelict in our duty did we not pause long enough to pay high tribute to the teachers in our schools and colleges, whose sacrifices and whole-hearted devotion have contributed so much towards the enduring values of education. Mistake it not, they are the sustaining force of free government, the bulwark of democracy.

No one pretends here in Iowa that everything is "rosy" with the farmers. No one pretends that we can solve our problems alone. We realize that the great question is national in scope. I believe that we should hold fast to the good features we now have and that we should, as a state, urge upon the nation that the Iowa farmer should have his fair share of the national income.

I am not sure that any one particular program can bring that about. Perhaps it will take a combination of programs, which must include conservation, industrial use of farm products, expansion of foreign markets, equalization of the tariff and lower interest rates, and the adequate handling of farm surpluses.

But I think we can agree that the farm question is not yet completely solved and still remains acute. There must be a solution, and Iowa, as a state, must ever look forward to, and ever demand, her place of equality with her industrial sister states. It shall be my earnest effort as Governor always to seek for agricultural Iowa the remedies necessary for her economic improvement.

Through no fault of their own, many of our best farmers were compelled by force of circumstance to give up their farms to holders of loans. As a result, corporations have acquired vast holdings. We suggest that your efforts be directed to the end that the laws may be liberalized so that disposition of these lands may be had more readily on contract with a reasonable payment down and equitable annual payments thereafter. Let us use every effort to make possible the transfer of the soil to the man who tills it. Let us encourage farmstead ownership and discourage farm tenancy.

We have built a grand system of arterial highways. Much has been accomplished in building so-called "feeder" primary roads. Our county trunk roads have received attention. But there still remains the strip of mud from the farm to the surfaced road. Provision for this part of the farm-to-market road needs your serious attention.

Whether Iowa shall retain its leadership as an agricultural state is dependent upon the wise husbandry of our natural resources and the administration of sane conservation principles. The wealth of our state is founded on the permanency of the supply of our basic resources. Funds made available for restoration and preservation of these resources should never be made a matter of political partisanship, and should be administered for the benefit of the whole state.

Iowa has an ever-growing stake in industry. In several years the value of our manufactured product has equalled the value of our agricultural output. Agriculture, a raw material producing industry, requires the consumptive power of a healthy manufacturing industry. Each is essential to the other. Both must be afforded opportunity in Iowa. We should encourage the processing of our beef, pork, corn, oats, and other field crops within the borders of our own state. The science departments of our colleges are continually at work developing new products from agricultural wastes and surpluses, which may and soon will be commercially produced in Iowa. We urge the continuation of this splendid work. If we can preserve our existing industries and by our encouragement induce new ones to locate in Iowa, we can go far to solve the surplus problem of agriculture, and to relieve the pressing problem of unemployment.

This result can be accomplished only if we in Iowa maintain fair and equitable relations between employees and employers. Each must recognize that their problems are common. While perhaps old-fashioned, I still hold to the belief that most of the difficulties and differences between labor and industry can be, and with proper encouragement, will be settled at the conference table. The interruption of payrolls—from whatever cause—not alone injures the factory and stops wages to employees, but seriously interferes with all community enterprise.

Industry prospers with contented, well-paid labor.

Labor prospers with steady jobs.

The community prospers when harmony in industry prevails.

"Cooperation" should be the watchword.

We must campaign aggressively to recognize, preserve and advertise to the nation Iowa's resources and opportunities. Such effort is within the proper scope of governmental activity.

Due to a lack of correlation, the many existing agencies not only do not work toward a common goal in development of the resources of our commonwealth, but are actually working at cross purpose, thereby eliminating definite benefits available through the activity of one agency.

Our efforts must be organized and unified so that the maximum efficiency can be obtained.

The strength and power of democracy is founded on individual initiative. Here in Iowa we have developed the most equitable distribution of wealth in the world. Much of our prosperity and happiness is due to the free enterprise of our local merchants along Main Street. We should be alert to prevent any unfair trade practices which will inequitably hamper the continued growth of local business and enterprise.

The law relative to old age assistance should receive your careful consideration to the end that the administration thereof be made sympathetic, more efficient, more prompt in operation and the payments thereunder more equitable and more adequate.

The amount of rental now being paid for quarters within which to house the governmental functions should be closely investigated by you, and in so doing you should give serious consideration as to whether it may be more economical to build state buildings to house these govern-

mental agencies and at the same time confine them to the limits of state property, where they may be closely and conveniently located with respect to other departments.

It has been and is the custom now to permit certain administrative offices and commissions to retain a percentage of the money collected by them for expenses of their administration. This is an unwise procedure, one that should not be continued. Its working oftentimes tends towards extravagance and is a delegation of a power and responsibility that clearly lodges with the legislative branch of government.

If I sense it right, the Iowa taxpayers are willing that their employees in public office be paid fair salaries for useful services. Plain honesty requires that those same public servants return full value for the tax money received.

We must and will enforce the laws of the state, and observe our obligations to better the conditions of the people. We pledge ourselves to set the example, no matter whether as private citizens or public officials. Violations will not be condoned, nor will neglect or indifference to public duty be tolerated. As your Chief Executive, I shall overlook neither malfeasance, nonfeasance, nor neglect, nor shall I countenance graft or corruption, I care not how slight or how inconsequential. I shall always welcome the counsel and advice of the people of the state who are interested in the betterment of government. To those having the desire to misuse the government for their own advancement or financial gain, the doors of the Executive shall not only be closed, but the forces of government shall be ready to make battle.

We pledge ourselves to treat public office as a public trust. We believe that honesty is still a cardinal principle. We assure the people of the state that, insofar as we are capable, public business, whether it be large or small, shall be done in an economical way. Economy means elimination of waste.

It is my firm belief that the three branches of government—legislative, judicial and executive—are as important and essential today as they were when first established by our patriotic forefathers, and I shall do all in my power to see that no one of them encroaches on the duties or prerogatives of any other.

In conclusion, may I say that the need of today is for clear thinking and courageous resolve at the family altar. We need the spirit of the Iowa trail-blazers. We should restore their way of mutual helpfulness. We should have honest administration of just laws, with fair consideration to every interest and every person, sympathetic assistance in times of stress to agriculture, labor and every industry. Government must be truly the servant of the people.

I assume the responsibilities of this high office. I am without rancor or ill-will towards any one. With your help, and the help of all the people, and with Divine guidance, we can make a worth-while contribution to the welfare of our generation.

The minutes of the Joint Convention were read and approved.

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

The Senate returned to the Senate Chamber and resumed regular session, President B. B. Hickenlooper presiding.

APPOINTMENT OF PAGES

In accordance with the rules of the Senate, the following persons are named as pages:

Carl Clemans.	Joe Carney.
Wendell Smith.	Paul Williams.
Fred Pepperle.	Ronnie Miller.
Warren Kingsbury.	Charles Dougherty.

The Lieutenant Governor's page and the page for the Secretary of the Senate will later be designated from the above list.

B. B. HICKENLOOPER, *Lieutenant Governor.*

The Lieutenant Governor also announced the appointment of Miss Helen Berry as his personal secretary.

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

INTRODUCTION OF BILLS

Senate File 13, by Senators Mighell, Shaw, Forsling and Dean, a bill for an act to amend Chapter fifty-three (53) of the Code, 1935, relating to the time of qualifying for certain offices.

Read first and second times and passed on file.

PRESENTATION OF GAVEL TO LIEUTENANT GOVERNOR HICKENLOOPER

Senator Faul made a presentation of a gavel to Lieutenant Governor Hickenlooper at the request of Mr. William Strait, of 2526 Dean Avenue, Des Moines, with the following remarks:

"The wood from which this gavel was turned was taken from a white oak log used as a sleeper in a log house built in 1851 by Uncle Billy Dawson and used as his homestead on a farm one-half mile south of Rising Sun, Polk county.

Mr. Strait and Robert Leasure tore down the house in 1928. At that time Mr. Strait counted the year growth rings in the log, and found 54 rings, which would indicate the log was 54 years old when it was cut in 1851, or some time prior to that date.

These deductions indicate the acorn must have dropped off the parent tree about 1797."

Senator Faul expressed the sincere pleasure and satisfaction of Mr. Strait, an ardent Republican, in presenting this gavel to a Republican Lieutenant Governor, and the wish of Mr. Strait that the accomplishments of Lieutenant Governor Hickenlooper as the presiding officer of the Senate would prove as lasting as the wood from which the gavel was turned.

On motion of Senator Breen, and in accordance with concurrent resolution duly adopted, the Senate adjourned to reconvene January 17th, at 2:00 p. m.

JOURNAL OF THE SENATE

DES MOINES, IOWA, JANUARY 17, 1939.
SENATE CHAMBER,

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. J. E. DeLong, pastor of the First Methodist Church of Charles City.

The Journals of January 10th, 11th, and 12th were corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Henningsen for the day, on request of Senator Kirketeg; Senator Breen for the day, on request of Senator Dean; Senator Baldwin for the day, on request of Senator Moore.

INTRODUCTION OF BILLS

Senate File 14, by Senator Mowry, a bill for an act to repeal Chapter 93-F2 of the Code of Iowa, 1935, relating to beer and malt liquors, and to enact a substitute therefor prohibiting the sale of beer and malt liquors, and providing a penalty for the sale of beer or malt liquors, and providing for the assessment of a mulct tax on any property, the use of which is employed in carrying on the business of such illegal traffic in beer and malt liquors, and providing penalty therefor; and further providing for the barring of the prosecution of any one so engaged in the traffic of beer and malt liquors under certain restrictions and limitations, and limiting the counties and limiting the number of places in cities and towns that may be established for the sale and distribution of beer and malt liquors and intoxicating liquors, and providing for the determination of whether the bar to the prosecution for the illegal traffic in liquors, including beer and malt liquors, shall be enforced; and otherwise providing for the regulation and enforcement of the provisions of the Act, and the assessment and levying of taxes in connection therewith.

Read first and second times and passed on file.

Senate File 15, by Senator Martin, a bill for an act to amend

section sixty-nine hundred forty-four (6944) of the Code of Iowa, 1935, relating to exemptions from taxation, and to provide for the exemption from taxation of certain interstate bridges.

Read first and second times and passed on file.

Senate File 16, by Senator Martin, a bill for an act to provide the procedure under which private property may be taken for public school purposes under condemnation proceedings; to amend sections forty-three hundred sixty-four (4364) and seventy-eight hundred forty-five (7845) of the Code of Iowa, 1935; and to repeal sections forty-three hundred sixty-five (4365) to forty-three hundred sixty-nine (4369) inclusive, of the Code of Iowa, 1935.

Read first and second times and passed on file.

Senate File 17, by Senators Hill, Breen, Doran, Shaw, and Augustine, a bill for an act to repeal Chapter three hundred twenty-nine-G one (329-G1), of the 1935 Code of Iowa known as the "Chain Store Tax Act of 1935" and enact in lieu thereof the following bill, to be entitled "Iowa Community Preservation Act", and to levy an annual license tax on all persons, firms, partnerships, corporations or associations of persons engaged in the business of operating two or more stores or mercantile establishments, one or more of which is located in this State, where goods, wares, merchandise, or commodities of every description whatsoever are sold or offered for sale at retail under the same general management, supervision, ownership or control, commonly known as branch or chain stores, and providing penalties for the violation of this Act; and making an appropriation and distribution of said funds.

Read first and second times and passed on file.

Senate File 18, by Senators Hill and Shaw, a bill for an act to repeal sub-section ten (10) of section five thousand two hundred ninety-six f twelve (5296-f 12) of the 1935 Code of Iowa relating to the lien for Old Age Assistance on homesteads and to amend said section so as to exempt homesteads of Old Age Assistance recipients from the lien for assistance thereon to the value of One Thousand Dollars (\$1000.00) and to provide the procedure to determine such value.

Read first and second times and passed on file.

Senate File 19, by Senator Mighell, a bill for an act to amend section ten thousand two hundred sixty-one (10261), Code 1935, and to repeal section ten thousand two hundred sixty-five (10265), Code 1935, and enact a substitute therefor, both sections relating to landlord's liens.

Read first and second times and passed on file.

Senate File 20, 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 passed on file.

Senate File 21, by Senator Faul, 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 passed on file.

Senate File 22, by Senators Augustine and Gillette, a bill for an act to create a permanent claims committee to hear and consider claims against the state of Iowa and to recommend to the next General Assembly the disposition to be made thereof; to provide for the appointment of said committee, and to prescribe the powers and duties thereof and of the attorney general with respect thereto; to define the policy of this state with respect to the payment of such claims; and to appropriate funds to compensate the members of said committee and its clerk.

Read first and second times and passed on file.

Senate File 23, by Senator Shaw, a bill for an act to amend section 12,376 of the Code of 1935, relating to the foreclosure of mortgages, to provide for the fixing of a minimum or upset price below which the real estate may not be sold in certain cases.

Read first and second times and passed on file.

Senate File 24, by Senator Shaw, a bill for an act to amend section 5296-f34 as the same appears in the Code of 1935 relating to the payment of head tax for Old Age Pension Fund.

Read first and second times and passed on file.

Senate File 25, by Senator Shaw, a bill for an act to amend Chapter one hundred ninety-eight (198) of the Acts of the Forty-

seventh General Assembly relating to use tax by repealing section twenty-three (23) of said Act and enacting in lieu thereof a section appropriating the Revenues arising under the provisions of the said act to the Old Age Pension fund.

Read first and second times and passed on file.

Senate File 26, 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 passed on file.

Senate File 27, by Senators Berg and Corwin, a bill for an act to provide certain physical requirements as a prerequisite to the issuance of a marriage license.

Read first and second times and passed on file.

Senate File 28, by Senators Berg and Corwin, a bill for an act to amend Chapter one hundred nine (109), Code of 1935, relating to venereal diseases, requiring licensed physicians or other authorized persons attending pregnant women to take a blood sample of each woman so attended at the time of first examination, submitting such sample for standard serological tests for syphilis to the State Hygienic Laboratory of the State Department of Health or such other laboratories cooperating with and approved by the State Department of Health.

Read first and second times and passed on file.

Senate File 29, by Senators Berg and Corwin, a bill for an act to amend sections twenty-two hundred eighty-five (2285) twenty-three hundred five (2305) and twenty-two hundred eighty-seven (2287), Code of 1935, relating to reports by the State Department of Health to Local Boards of Health of those persons infected with venereal diseases who have failed to report for treatment, and to repeal Section twenty-three hundred sixteen (2316), Code of 1935, and enacting a substitute therefor relating to penalties for violation of the provisions of Chapter 109 relating to venereal diseases.

Read first and second times and passed on file.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Berg, House Joint Resolution 1, a joint resolution fixing the compensation of officers and employees of the Forty-eighth General Assembly, was taken up and considered.

Senator Berg offered the following amendments and moved their adoption:

Amend Section 1 of House Joint Resolution 1 as follows:

1. Strike out line fourteen (14) and insert in lieu thereof the following: "Special Clerk, 6.30".
2. Strike from line twenty-two (22) the figures "4.50" and insert in lieu thereof the figures "4.00".
3. Strike from line twenty-eight (28) the figures "3.60" and insert in lieu thereof the figures "3.50".
4. Strike from line thirty (30) the figures "2.50" and insert in lieu thereof the figures "3.60".
5. Strike from line fifty-one (51) the figures "3.60" and insert in lieu thereof the figures "3.50".
6. Strike from line fifty-six (56) the figures "2.50" and insert in lieu thereof the figures "3.60".
7. Strike from line fifty-nine (59) the figures "4.00" and insert in lieu thereof the figures "3.50".

The motion prevailed and the amendments were adopted.

Senator Zeigler offered the following amendment and moved its adoption:

Amend Section 1 as follows: Strike from line 33 the figures "10.00" and insert in lieu thereof the figures "9.00".

The motion prevailed and the amendment was adopted.

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 be adopted?" the vote was:

Ayes, 46:

Augustine	Dean	Faul	Hoeven
Beardsley	Dewey	Forsling	Hopkins
Bekman	Donohue	Geske	Husted
Benson	Doran	Gillette	Kirketeg
Berg	Edwards	Guernsey	Leo
Byers	Ellis	Hart	Levis
Corwin	Elthon	Harvey	Martin
Cromwell	Evans	Hill	Mighell

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

Miller	Pelzer	Smith	Vrba
Moore	Schadt	Stewart	Whitehill
Mowry	Shaw	Talbott	Zeigler
Parker	Sjulin		

Nays, none.

Absent or not voting, 4:

Baldwin	Breen	Henningsen	Lundy
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The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

By unanimous consent, on request of Senator Husted, House Joint Resolution 2, a joint resolution fixing the compensation of the chaplains of the Forty-eighth General Assembly, and making an appropriation therefor, was taken up and considered.

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 be adopted?" the vote was:

Ayes, 46:

Augustine	Edwards	Hoeven	Parker
Beardsley	Ellis	Hopkins	Pelzer
Bekman	Elthon	Husted	Schadt
Benson	Evans	Kirketeg	Shaw
Berg	Faul	Leo	Sjulin
Byers	Forsling	Levis	Smith
Corwin	Geske	Martin	Stewart
Cromwell	Gillette	Mighell	Talbott
Dean	Guernsey	Miller	Vrba
Dewey	Hart	Moore	Whitehill
Donohue	Harvey	Mowry	Zeigler
Doran	Hill		

Nays, none.

Absent or not voting, 4:

Baldwin	Breen	Henningsen	Lundy
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The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

REPORT OF COMMITTEE ON COMMITTEE ROOMS

Senator Pelzer submitted the following report:

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

Aeronautics—On call of Chairman.

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

Appropriations—Monday and Wednesday, 1:30 p. m.; Room 22.

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

Board of Control and Public Welfare—Friday, 1:00 p. m.; Room 23.

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

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

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

Committee on Committees—On call of Chairman.

Compensation of Public Officers—On call of Chairman.

Conservation—Friday, 3:00 p. m.; Room 23.

Constitutional Amendments—On call of Chairman.

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

Departmental Affairs—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—On call of Chairman.

Enrolled Bills—Room 26.

Farm Tenancy—Monday, 3:00 p. m.; Room 22.

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

Greater Iowa—On call of Chairman.

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

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

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

Interstate Cooperation—On call of Chairman.

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.; Lt. Governor's Room.

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

Manufacturing, Commerce and Trade—Tuesday, 3:00 p. m.; Room 22.

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.; Lt. Governor's Room.

Pharmacy—Monday, 9:30 a. m.; Lt. Governor's Room.

Political and Judicial Districts—On call of Chairman.

Printing—Wednesday, 9:30 a. m.; Lt. Governor's Room.

Public Health—Friday, 2:30 p. m.; Lt. 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—Friday, 2:00 p. m.; Room 22.

Reorganization—Tuesday and Thursday, 2:30 p. m.; Lt. Governor's Room.

Retrenchment and Reform—

Rules—Press Gallery (On call of Chairman).

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

State Planning—Tuesday, 8:30 p. m.; Lt. Governor's Room.

Tax Reduction—Tuesday, 9:30 a. m.; Lt. Governor's Room.

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

FRANK PELZER, *Chairman.*

E. P. CORWIN.

C. COLFAX SMITH.

Senator Pelzer moved the adoption of the committee report, which motion prevailed.

REPORT OF COMMITTEE ON CLERKS

Senator Doran submitted the following report:

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 Bekman—Marian Wilkinson.

Senator Miller—Barbara Allender.

L. H. DORAN, *Chairman.*

LEO ELTHON.

EDWARD H. VRBA.

Senator Doran moved the adoption of the committee report, which motion prevailed.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 18, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Dr. L. B. Logan, pastor of the First Methodist church of Newton.

The Journal of January 17th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Henningsen for the day, on request of Senator Kirketeg; Senator Donohue until further notice, on request of Senator Parker.

PETITIONS AND MEMORIALS

The following petitions were presented and ordered placed on file:

By Senator Beardsley, from citizens of Norwalk, favoring enactment of House File 1, relating to local option in the sale of liquor.

By Senator Kirketeg, from the Library Board of Bedford and Women's Branch of Taylor County Farm Bureau, favoring legislation extending free library service.

By Senator Breen, from citizens of Calhoun county, requesting legislation relieving agricultural lands within independent school districts from excessive tax burdens.

INTRODUCTION OF BILLS

Senate File 30, by Senator Cromwell, a bill for an act to amend section twenty-one (21) of Chapter one hundred fourteen (114) of the laws of the Forty-seventh General Assembly, relating to penalties for first and subsequent offenses under the narcotic drug act.

Read first and second times and passed on file.

Senate File 31, by Senator Hill, a bill for an act to prohibit the

inclusion of a chattel mortgage or chattel mortgage clause in any real estate mortgage or other instrument affecting real property.

Read first and second times and passed on file.

Senate File 32, by Senator Augustine, a bill for an act to amend section eight thousand seven hundred thirty-six (8736) and eight thousand seven hundred thirty-seven (8737), Code of 1935, relative to the length of time an insurance company may possess real estate and to the disposition thereof.

Read first and second times and passed on file.

Senate File 33, by Senator Whitehill, a bill for an act to amend sections sixty hundred sixty-six-f one (6066-f1), sixty hundred sixty-six-f two (6066-f2), and sixty hundred sixty-six-f six (6066-f6) of Chapter three hundred eight-F one (308-F1), Code, 1935, relating to self liquidating improvements and the financing thereof.

Read first and second times and passed on file.

Senate File 34, by Senators Augustine and Dean, a bill for an act to amend Chapter two hundred sixty-six-F one (266-F1) relative to the liability of dependents of recipients of old age assistance.

Read first and second times and passed on file.

On motion of Senator Breen, the Senate recessed until the fall of the gavel.

The Senate reconvened.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

Senate Files 21 and 33 to committee on cities and towns.

Senator Ellis moved that the Senate recess until 1:30 p. m.

Senator Doran moved as a substitute motion that the Senate adjourn until 10:00 a. m. Thursday.

The substitute motion prevailed.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 19, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. E. A. Biederman of St. Paul's Lutheran Church, Des Moines.

The Journal of January 18th was corrected and approved.

PETITIONS AND MEMORIALS

The following petition was presented and placed on file:

By Senator Whitehill, from Woman's Club of Gilman, favoring legislation for more adequate rural library facilities.

INTRODUCTION OF BILLS

Senate File 35, by Committee on Consolidation and Reorganization, a bill for an act to amend Chapter one hundred eighty-eight (188), Code 1935, relating to paroles; providing that the Board of Control and the Attorney General shall constitute the Board of Parole; and repealing sections thirty-seven hundred eighty-two (3782), thirty-seven hundred eighty-three (3783) and thirty-seven hundred ninety-seven (3797) of the Code 1935; amending section thirty-seven hundred ninety-eight (3798) of Code 1935, and providing for the establishment of a State Parole Relief Fund.

Read first and second times and passed on file.

Senate File 36, by Senator Guernsey, (Martin) a bill for an act to amend section four thousand two hundred thirty-three-e-four (4233-e4) of the Code of Iowa, 1935, relating to transportation of children enrolled in elementary schools other than in consolidated districts.

Read first and second times and passed on file.

Senate File 37, 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 passed on file.

Senate File 38, by Senator Hoeven, a bill for an act to legalize tax rates computed by County Auditors in the years 1934, 1935, 1936 and 1937, and to legalize the method of applying the proceeds derived from taxes, moneys and credits and other moneyed capital taxed at a flat rate, as provided in section 6985 of the Code of Iowa, for the years 1934 to 1938 inclusive.

Read first and second times and passed on file.

Senate File 39, by Senator Forsling, a bill for an act to legalize the election and proceedings relative to the sale and issuance of bonds by the Consolidated School District of Climbing Hill, in the County of Woodbury, State of Iowa, and declaring said bonds enforceable obligations of said School District.

Read first and second times and passed on file.

Senate File 40, by Senator Forsling, a bill for an act to amend section ten thousand sixty-nine (10069) of the Code, 1935, relating to release of corporate liens and providing for certification by the Clerk of the District Court of the relationship to corporation of person executing release.

Read first and second times and passed on file.

Senate File 41, by Senator Augustine, a bill for an act to amend section five thousand one hundred twenty-five (5125) of the 1935 Code of Iowa relating to compensation of supervisors and repealing section five thousand one hundred twenty-six (5126) of the Code relating to maximum session pay.

Read first and second times and passed on file.

Senate File 42, by Senator Hill, a bill for an act to amend section eleven thousand nine hundred thirty-two (11932) and section nine thousand seven hundred fifty-two (9752) of the 1935 Code, and to authorize administrators, executors, or trustees to mortgage or encumber personal property and to obtain the benefits provided under Chapter four hundred twenty-seven (427) of the 1935 Code by sealing grain.

Read first and second times and passed on file.

Senate File 43, by Senator Beardsley, a bill for an act to amend

section forty-three hundred twenty-three (4323), Code, 1985, relating to the distribution of books among school districts.

Read first and second times and passed on file.

Senate Joint Resolution 2, by Senator Dewey, a joint resolution proposing the printing of names, salaries, residence and personnel of all state departments, boards and commissions in pamphlet form.

Read first and second times and passed on file.

Senate File 44, by Senator Faul, (Hauge), a bill for an act to amend the law which appears in section three thousand six hundred twenty-one (3621), Code of Iowa, 1935, relating to the filing of petitions in the juvenile court, and who may file the same, and providing that no petition may be filed without an investigation first having been made by the probation officer or county attorney, except by order of the judge of the juvenile court.

Read first and second times and passed on file.

EXTRA COPIES OF SENATE FILES

Senator Hill asked and received unanimous consent to have 200 additional copies of Senate File 17 printed at the expense of the Independent Business Men's Association of Iowa.

Senator Corwin asked and received unanimous consent to have printed 600 copies each of Senate Files 27, 28, and 29 as corrected.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to House Joint Resolution 1 fixing the compensation of officers and employees of the Forty-eighth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 2 by striking from lines 11 and 12 the words and figures "twenty-five per cent (25%) or more" and insert in lieu thereof, "one hundred (100) or more, or five per cent (5%) or more".

Further to amend Senate File 2 by inserting after the word "district" in line 22, the following, "acting under the provisions of Section 113 of the Code,"

G. R. HILL.

On motion of Senator Lundy, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 20, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Basil S. Daugherty, of the Grace Episcopal Church of Boone.

The Journal of January 19th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hopkins, from the Audubon County Agricultural Society, favoring legislation supporting Iowa fairs.

By Senator Breen, from the Iowa Federation of Women's Clubs, favoring legislation providing aid to dependent children.

INTRODUCTION OF BILLS

Senate File 45, by Senator Shaw, a bill for 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.

Read first and second times and passed on file.

Senate File 46, by Senator Bekman, 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 anticipatory warrants in 1939 against 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

1939 and belonging to the secondary road maintenance fund and the construction fund.

Read first and second times and passed on file.

Senate File 47, by Senator Doran, a bill for an act to amend section three hundred sixty-eight (368) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to the operation of school busses at railroad crossings, and providing for a flagman under certain conditions.

Read first and second times and passed on file.

Senate File 48, by Senators Leo, Corwin, Augustine and Breen, a bill for an act to amend section fifty-one hundred five-c nine (5105-c9), Code, 1935, relating to motor trucks operated upon the highways of Iowa in interstate commerce and providing an exemption therefor.

Read first and second times and passed on file.

Senate File 49, by Senators Smith, and Hoeven, a bill for an act to amend Chapter two hundred and twenty-seven (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 passed on file.

Senate File 50, by Senator Augustine, a bill for an act to repeal that part of section four thousand two hundred seventy-seven (4277), Chapter two hundred fifteen (215), Code of 1935, which prohibits the free transportation of non-resident high school pupils.

Read first and second times and passed on file.

Senate File 51, by Senator Hill, 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 passed on file.

Senate File 52, by Senator Faul (Hauge), a bill for an act to provide for the oiling of county trunk and secondary roads by establishing a benefited district, the method of payment of cost thereof and the assessment of the same to the real estate

benefited thereby; such procedure to be carried out under the authority and direction of the board of supervisors of each county.

Read first and second times and passed on file.

Senate File 53, by Senator Elthon, a bill for an act to repeal sections three hundred forty-seven (347) and four hundred twenty-nine (429) of Chapter one hundred thirty-four, Acts of the Forty-seventh General Assembly and to enact a substitute therefor, relating to signal lamps and signal devices.

Read first and second times and passed on file.

Senate File 54, by Senators Evans, and Husted, (Kuester and Love), a bill for an act to amend section one (1) of Chapter eighty-nine (89), Acts of the Forty-seventh General Assembly, relating to the auditing of financial records of counties, schools, townships, and cities, including cities under special charter, and other municipalities.

Read first and second times and passed on file.

Senator Baldwin asked and received unanimous consent to consider the following resolution, and moved its adoption:

SENATE CONCURRENT RESOLUTION 4

Be It Resolved by the Senate, the House Concurring: That three thousand (3,000) copies of the committee books and five hundred (500) copies of the rule books be ordered printed, all to be bound in paper covers.

The resolution was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 Joint Resolution 1, a joint resolution fixing the compensation of officers and employees of the Forty-eighth General Assembly; and

House Joint Resolution 2, a joint resolution fixing the compensation of the chaplains of the Forty-eighth General Assembly, and making an appropriation therefor.

RALPH E. BENSON,
Chairman, Senate Committee.
ALBERT STEINBERG,
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 Joint Resolution 1 and House Joint Resolution 2.

On motion of Senator Kirketeg, the Senate adjourned until 11:00 a. m., Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 23, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Henry C. Schneider, pastor of the First Presbyterian Church of Boone.

The Journal of January 20th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Shaw, from citizens of Pocahontas county, requesting legislation relieving agricultural lands within independent school districts from excessive tax burden.

By Senator Whitehill, from the Twentieth Century Club of Gilman, favoring legislation providing more adequate rural library facilities.

INTRODUCTION OF BILLS

Senate File 55, by Senator Bekman, a bill for an act to provide an optional form of city government, in any city having a population of five thousand (5000) or more organized under the provisions of Chapter three hundred twenty-six (326), Code 1935, "Government of Cities by Commission," creating a board of control, by a vote of the people with powers to pass on expenditures, bond issues, tax budgets, tax levies, and the duties provided for by Chapter two hundred ninety-four-A one (294-A1), Code, 1935; conferring on such board the powers, responsibilities, and duties 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 the powers and duties 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), Code 1935. This act also provides six year terms of office for mayor and councilmen in cities adopting this form of government, and increased salaries for such officers.

Read first and second times and passed on file.

Senate File 56, by Senator Baldwin, a bill for an act to extend the term of office of Thomas McDermott, member of the board of supervisors of Dubuque county, Iowa, one year so that said term will expire on the second secular day of January, 1942.

Read first and second times and passed on file.

Senate File 57, by Senator Baldwin, a bill for an act to amend subsection six (6) of section eight thousand nine hundred twenty-seven (8927), Code, 1935, relating to investments by insurance companies formed for the purpose of insurance other than life insurance to permit investment of the capital and funds of such insurance companies in the corporate stock of such company in furtherance of a general savings and investment plan for employees.

Read first and second times and passed on file.

Senate File 58, by Senators Harvey and Forsling, a bill for an act to amend section seventy-nine hundred seventy-two (7972), Code, 1935, relating to construction and equipment of cabooses.

Read first and second times and passed on file.

Senate File 59, by Senators Corwin and Smith, a bill for an act to amend section forty-two hundred seventy-five (4275), Code, 1935, relating to public high school facilities for children cared for in a charitable institution.

Read first and second times and passed on file.

Senate File 60, by Senator Evans (Hall), a bill for an act to amend subsection three (3) of section six thousand nine hundred forty-three-f twenty-one (6943-f21), Code, 1935, removing 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 passed on file.

Senate File 61, by Senator Mighell, a bill for an act to repeal section forty-two hundred sixteen-c twenty-six (4216-c26),

amend section forty-two hundred twenty-two (4222), and repeal section forty-two hundred thirty-nine-a three (4239-a3), Code 1935, as amended by Chapter one hundred twenty-two (122), Acts of the 47th General Assembly, and enact a substitute therefor, relative to appointment and compensation of public school officers.

Read first and second times and passed on file.

Senate File 62, by Senator Donohue, a bill for an act to legalize the proceedings relating to the sale and authorization of the issuance of sewer bonds by the incorporated town of Alta Vista, Iowa, and the proceedings establishing a sewer district and for the levying of an annual tax for the payment of bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of the incorporated town of Alta Vista, Iowa.

Read first and second times and passed on file.

Senate File 63, by Senator Donohue, a bill for an act to legalize the election and proceedings relating to the sale and authorizing the issuance of bonds by the Independent School District of New Hampton, in the County of Chickasaw, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of bonds, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times and passed on file.

Senate File 64, by Senators Donohue, Levis and Geske, a bill for an act to provide a system of civil service for employees of the State Highway Commission; to create a State Highway Commission Civil Service Board, and to provide for the appointment of members thereof, and the filling of vacancies; to provide for the payment of expenses of the Civil Service Board; to provide for the examination of applicants for employment with the State Highway Commission, certification of names of applicants passing examinations, and the appointment from such certified lists to vacancies existing in the employment of the State Highway Commission; to provide preference for ex-service men, and for preference to employees for positions of a higher class; to provide method of removal or discharge of employees, and for appeal from removal or suspension; to prohibit campaign contributions by State Highway Commission employees; to amend section four

thousand six hundred twenty-six (4626) of the Code of Iowa, 1935, relating to the duties of the State Highway Commission; and to amend section four thousand seven hundred fifty-five, b-thirty-one (4755-b31) of the Code of Iowa, 1935, relating to the maintenance fund for the State Highway Commission.

Read first and second times and passed on file.

Senate File 65, by Senators Hopkins and Breen, 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 66, by Senator Cromwell, 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 passed on file.

Senate File 67, by Senator Zeigler, a bill for an act to amend section seven thousand four hundred twenty-d one (7420-d1), Code, 1935, relating to deposits.

Read first and second times and passed on file.

WITHDRAWAL OF SENATE FILE 24

Senator Shaw asked and received unanimous consent to withdraw Senate File 24.

SENATOR BENSON ADDED TO COMMITTEE ON AERONAUTICS

Senator Byers asked and received unanimous consent to add the name of Senator Benson to the Committee on Aeronautics.

MESSAGE 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, providing for the printing of the Committee Books and Rule Books of the Forty-eighth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

Committee

S. J. R. 1	Constitutional Amendments
S. F. 1	Co-ordination and Consolidation
S. F. 2	Judiciary 1
S. F. 3	Judiciary 1
S. F. 4	Agriculture; then re-referred to Appropriations
S. F. 5	Highways
S. F. 6	Judiciary 2
S. F. 7	Public Health; re-referred to Appropriations
S. F. 8	Judiciary 2
S. F. 9	Judiciary 2
S. F. 10	Judiciary 2
S. F. 11	Judiciary 2
S. F. 12	Judiciary 1
S. F. 13	Election Reform
S. F. 14	Judiciary 2
S. F. 15	Boundary Bridges
S. F. 16	Judiciary 1
S. F. 17	Manufacturing, Commerce and Trade
S. F. 18	Judiciary 2
S. F. 19	Judiciary 2
S. F. 20	Judiciary 1
S. F. 21	Cities and Towns
S. F. 22	Judiciary 2; re-referred to Appropriations
S. F. 23	Judiciary 2
S. F. 25	Tax Revision
S. F. 26	Public Schools
S. F. 27	Public Health
S. F. 28	Public Health
S. F. 29	Public Health
S. F. 30	Public Health
S. F. 31	Judiciary 2
S. F. 32	Insurance
S. F. 33	Cities and Towns
S. F. 34	Tax Revision
S. J. R. 2	Printing
S. F. 36	Public Schools
S. F. 37	Tax Revision
S. F. 38	Judiciary 2
S. F. 39	Judiciary 1
S. F. 40	Judiciary 1
S. F. 41	Compensation of Public Officers
S. F. 42	Judiciary 1
S. F. 43	Public Schools
S. F. 44	Judiciary 1

S. F. 45.....	Judiciary 2
S. F. 46.....	Judiciary 1
S. F. 47.....	Public Schools
S. F. 48.....	Motor Vehicles
S. F. 49.....	Cities and Towns
S. F. 50.....	Public Schools
S. F. 51.....	Cities and Towns
S. F. 52.....	Highways
S. F. 53.....	Motor Vehicles
S. F. 54.....	Judiciary 1

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate Joint Resolution 2 by striking all after the enacting clause and substituting the following: "The Comptroller shall immediately prepare in printed pamphlet form a report showing the names, permanent residence, department, salary and kind of employment of all employees of the state, or departments thereof, as of December 31, 1938; also the names of all employees receiving salary or fees from more than one department or from any other source."

A. CLAIRE DEWEY.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 24, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Harry M. Burns, pastor of the Methodist Church of Humboldt.

The Journal of January 23rd was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dean, from Woodrow Wilson P. T. A., Mason City, favoring teachers' annuity legislation.

By Senator Dean, from the assessors of Hancock county, opposing tax refund on account of erroneous levies, and favoring legislation legalizing said levies.

By Senator Harvey, from The Pleasant Valley Kensington Club, and the Leisure Hour Club of Woodbine, favoring enactment of the rural library extension bill.

INTRODUCTION OF BILLS

Senate File 68, by Senator Mowry, a bill for an act to amend Chapter five hundred and eight (508) of the Code, 1935, by providing for a decree of descent and distribution in estates of deceased persons, and providing for the method and procedure relative thereto, and making provisions for hearing and notice on application for such decree.

Read first and second times and passed on file.

Senate File 69, by Senator Gillette (Avery), a bill for an act to provide for the clearing of checks drawn on state banks at par.

Read first and second times and passed on file.

Senate File 70, by Senator Vrba, a bill for an act to limit the

civil liability of members of volunteer fire companies in cities of five thousand population or less while acting in the line of duty.

Read first and second times and passed on file.

Senate File 71, by Senators Augustine and Hopkins, a bill for an act to amend Chapter ninety-three-F-one (93-F1), section nineteen hundred twenty-one-fifty (1921-f50), by allocating twenty-five per cent of the profits derived from intoxicating liquors to be used for the purpose of educating the public in regard to the ill effects of the use of alcoholic beverages.

Read first and second times and passed on file.

Senate File 72, by Senators Breen and Bekman, a bill for an act to make the office of superintendent of public instruction appointive.

Read first and second times and passed on file.

Senate File 73, by Senators Breen, and Bekman, a bill for an act to make the office of secretary of agriculture appointive, and to provide certain educational qualifications for said office.

Read first and second times and passed on file.

Senate File 74, by Senators Breen and Bekman, a bill for an act to make the office of commerce commissioner appointive and to provide certain additional educational qualifications.

Read first and second times and passed on file.

Senate File 75, by Senator Faul, a bill for an act to amend Chapters 269 and 269 A-1 of the Code, 1935, and all amendments thereto, and to provide for the financing of the erection of the hospital buildings and additions thereto, by the issuance of county public hospital bonds, and to provide for an increase in the tax rate for the improvement and maintenance of county public hospitals, in counties having a population of one hundred thirty-five thousand inhabitants or over.

Read first and second times and passed on file.

Senate File 76, by Senator Elthon, a bill for an act to amend section two thousand nine hundred thirty-one (2931) of Chapter one hundred thirty-eight (138) Code, 1935, relating to farm improvement associations.

Read first and second times and passed on file.

Senate File 77, by Senator Byers, a bill for an act to repeal sections fifty-five hundred seventy-c one (5570-c1), fifty-five hundred seventy-c two (5570-c2), and fifty-five hundred seventy-c three (5570-c3), Code, 1935, and to enact a substitute therefor, authorizing township trustees to purchase, own, or rent and maintain fire apparatus and equipment and provide housing therefor, independently or jointly with another township or townships or with any city or town; and providing for levy of taxes therefor, and authorizing anticipation of the collection of said taxes by the issuance of bonds.

Read first and second times and passed on file.

Senate File 78, by Senator Beardsley, a bill for an act to provide a program of safety education in the common schools, to provide funds therefor, and to amend section thirty-eight hundred thirty-two (3832), Code, 1935, and section two hundred twenty-three (223) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly.

Read first and second times and passed on file.

Senate Joint Resolution 3, by Senators Breen and Bekman, a joint resolution Proposing an amendment to the Constitution of the State of Iowa repealing Section Twenty-two (22) of Article Four (4), Executive Department, which provides for the election of a Secretary of State, an Auditor of State, and a Treasurer of State, and substituting in lieu thereof a provision directing the governor to appoint a Secretary of State, an Auditor of State, and a Treasurer of State.

Read first and second times and passed on file.

WITHDRAWAL OF SENATE FILE 26

By unanimous consent, on request of Senator Corwin, Senate File 26 was withdrawn.

FULTON MEMORIAL RESOLUTION

Whereas, The Honorable C. J. Fulton, who was a member of this body continuously from the Thirty-ninth until the Forty-second General Assembly from the Second District, Jefferson and Van Buren counties, and who had been a member of the House during the Thirty-third and Thirty-

fourth General Assemblies from Jefferson county, died at Fairfield, Iowa, on the sixth day of December, 1937, therefore,

Be It Resolved by the Senate of the Forty-eighth General Assembly: That a committee of three (3) be appointed to draft suitable resolutions commemorating his life, character, and service to the state.

By unanimous consent, on request of Senator Zeigler, the resolution was taken up and considered.

On motion of Senator Zeigler, the resolution was adopted.

The chair appointed as members of such committee, Senators Zeigler, Hart, and Corwin.

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 4, instructing the superintendent of printing to mail copies of legislative journals and bills to the county auditors.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 4

Be It Resolved by the House, the Senate Concurring: That the superintendent of printing be instructed to mail to each county auditor in the state of Iowa, one copy of the daily Senate and House Journals and one copy of each House and Senate bill of the 48th General Assembly on date of introduction and printing thereof, and that same be furnished to such officers free of charge.

RESIGNATION OF COMMITTEE CLERK

January 24, 1939.

I hereby tender my resignation as secretary to Senator Winfred Mighell, to be effective January 24, 1939.

MILDRED E. PHIPPS.

The resignation was accepted.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

Committee

S. F. 55.....	Cities and Towns
S. F. 56.....	County and Township Affairs
S. F. 57.....	Insurance
S. F. 58.....	Railroads

S. F. 59.....	Public Schools
S. F. 60.....	Ways and Means
S. F. 61.....	Public Schools
S. F. 62.....	Judiciary 1
S. F. 63.....	Judiciary 1
S. F. 65.....	Election Reform
S. F. 66.....	Judiciary 1
S. F. 67.....	Judiciary 1

REPORT OF COMMITTEE

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 33, a bill for an act to amend sections sixty hundred sixty-six-f one (6066-f1), sixty hundred sixty-six-f two (6066-f2), and sixty hundred sixty-six-f six (6066-f6) of Chapter three hundred eight-F one (308-F1), Code, 1935, relating to self-liquidating improvements and the financing 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:

Strike all after the enacting clause and insert in lieu thereof the following:

Section 1. That section sixty hundred sixty-six-f one (6066-f1), Code, 1935, is amended by striking all of said section following the word "pay" in line 16 thereof and substituting therefor "all or any part of the costs of such improvement."

Sec. 2. That section sixty hundred sixty-six-f two (6066-f2), Code, 1935, is amended by striking all of said section following the word "pay" in line 19 thereof and substituting therefor "all or any part of the costs of such improvement."

Sec. 3. That section sixty hundred sixty-six-f six (6066-f6), Code, 1935, is amended by striking the first sentence thereof and also by striking the period following the word "chapter" in line 10 thereof and adding the following; "or such cities and towns may borrow money by issuing revenue bonds, payable as hereinafter provided, and to deliver such bonds to the contractor or contractors in payment for the construction of any improvements referred to in this chapter; or such cities and towns may sell such bonds at a public sale upon the same conditions provided by Chapter sixty-three (63), Code, 1935, and may use the proceeds from the sale of such bonds to pay all or any part of the cost of construction of said improvements."

Sec. 4. That the provisions of Chapter three hundred eight-F one (308-F1), Code, 1935, as hereinbefore amended, shall be deemed to apply to all proceedings heretofore taken by cities and towns for the construction of any improvement provided for herein, notwithstanding that a portion of the funds for the construction of any such improvement shall have been derived from sources other than the issuance of bonds hereunder.

Sec. 5. This act being deemed of immediate importance shall be in full

force and effect from and after its publication in the Times Republican, a newspaper published at Marshalltown, Iowa, and in the State Center Enterprise, a newspaper published at State Center, Iowa.

J. BERG, *Chairman.*

Ordered passed on file.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 25, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. C. W. Samuelson, pastor of the Lutheran Church of Marcus.

The Journal of January 24th was corrected and approved.

LEAVE OF ABSENCE

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

INTRODUCTION OF BILLS

Senate File 79, by Senator Gillette (Keeney), a bill for an act to amend section fifty-one hundred five-a fifty-four (5105-a54) and fifty-one hundred five-a fifty-six (5105-a56), Code, 1935, relating to the distribution and use of funds derived from taxation of motor vehicle carriers.

Read first and second times and passed on file.

Senate File 80, by Senator Hart, a bill for an act making appropriation to defray the expense of the inaugural ceremonies.

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

Senate File 81, by Senator Shaw (Alesch), a bill for an act to appropriate the sum of one thousand dollars (\$1000.00) to the State Historical, Memorial and Art Department for the payment of salaries for the two additional persons in the Archives Division of said department.

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

Senate File 82, by Senator Mowry, a bill for an act to protect the safety of the traveling public in the use of the primary roads

of this state, to provide necessary restrictions to prevent traffic congestion upon the primary roads of this state affecting the safety of the public and the interest of the public in the primary roads, and making it a misdemeanor for any person, firm, co-partnership, association or corporation to operate or to permit the operation of certain commercial motor vehicles upon the primary roads of this state within certain hours on all Sundays and holidays, providing certain exemptions and exceptions, prescribing penalties for the violation thereof, making it the duty of the highway safety patrol and all peace officers to enforce the provisions of this act, and repealing all other inconsistent acts and parts of acts.

Read first and second times and passed on file.

Senate File 83, by Senators Gillette, Byers and Doran (Avery, Lutz, and Peisen), a bill for an act to amend section one (1) of Chapter one hundred ninety-eight (198), Acts of the 47th General Assembly, relating to the use tax.

Read first and second times and passed on file.

Senate File 84, by Senator Corwin, a bill for an act to legalize the corporate acts and the renewal of The Farmers Elevator and Exchange, Wapello, Iowa.

Read first and second times and passed on file.

Senate File 85, by Senators Augustine, Elthon, Hopkins, Breen, Hill, 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 commerce commissioners and prescribing the procedure for securing the consent therefor and providing a penalty for the violation thereof.

Read first and second times and passed on file.

Senate File 86, by Senator Breen, a bill for an act to provide for the dredging of North Twin Lake in Calhoun County, Iowa, 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 appropriations.

Senate File 87, by Senator Hill, a bill for an act to provide that petitions for initiation of elections on any proposition shall be verified under oath, and providing for the contents of such affidavit.

Read first and second times and passed on file.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 46, a proposed bill to legalize the action of the county board of supervisors of Wapello county, Iowa.

WALTER H. BEAM, *Secretary*.

HOUSE CONCURRENT RESOLUTION 4 CONSIDERED

Senator Dean called up for consideration the following House concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 4

Be It Resolved by the House, the Senate Concurring: That the superintendent of printing be instructed to mail to each county auditor in the state of Iowa, one copy of the daily Senate and House Journals and one copy of each House and Senate bill of the 48th General Assembly on date of introduction and printing thereof, and that same be furnished to such officers free of charge.

The resolution was adopted.

EXTRA COPIES SENATE FILE 6

By unanimous consent, on request of Senator Doran, 300 additional copies of S. F. 6 were ordered printed.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

Committee

S. F. 64.....	Consolidation and Coordination
S. F. 68.....	Judiciary 1
S. F. 69.....	Banks and Banking
S. F. 70.....	Judiciary 2
S. F. 71.....	Judiciary 1
S. F. 75.....	Cities and Towns
S. F. 76.....	Agriculture
S. F. 77.....	County and Township Affairs
S. F. 78.....	Motor Vehicles

REPORT OF RULES COMMITTEE

MR. PRESIDENT: The committee on rules begs leave to report that they have had the same under consideration and recommend that the rules for the Senate of the 48th General Assembly be as follows:

That the rules of the Senate of the 47th General Assembly be adopted, as the rules of the 48th General Assembly except as hereinafter altered, amended, or substituted:

Amend rule 2 by adding after the period in the last line thereof, the following: "He shall appoint all special and conference committees."

That rule 4 be amended by striking the word "shall" in line one and inserting in lieu thereof the word "may". Further, insert after the comma (,) in line six the following: "not to exceed".

That rule 22 be amended by striking the words "eighth day of March" in line two and inserting in lieu thereof, the words and figures "the 20th day of February". Further, by inserting after the comma (,) following the word "committee" in line four, the following: "provided, however, that no committee bill shall be introduced after the 20th day of February, except by a two-thirds vote of the members of the committee which has the bill in charge, and no bill shall be introduced by a sifting committee".

That rule 23 be amended by striking the words and figures "March 1st" in line one and inserting in lieu thereof the words and figures "February 20th".

That rule 29 be amended by inserting after the word "all" in line one thereof, the word "standing". Further, by adding after the period (.) in line two the following: "Special committees and conference committees shall be appointed by the President of the Senate".

Strike rule 35 and substitute the following:

TIME OF MAKING COMMITTEE REPORTS

"The Secretary of the Senate shall note on each bill the date of its reference to committee. It shall be the duty of each committee to report back to the Senate all bills referred to it. No bill shall be withdrawn from any committee within fifteen (15) legislative days after the bill has been referred to the committee and thereafter only upon motion of the author and upon affirmative vote of not less than thirty members of the Senate.

Strike rule 39 and substitute in lieu thereof, the following:

BILLS RECOMMENDED FOR INDEFINITE POSTPONEMENT

When a question is postponed indefinitely, it shall not be again acted upon during the Session. Upon any bill being reported back from a committee recommending indefinite postponement the report shall be disposed of in three legislative days, otherwise the committee recommendation shall be considered adopted. No bill recommended for indefinite postponement shall be considered in the absence of the author of the bill, if a Senate bill, or in the absence of the Senator representing the district from which the author comes, if the bill so reported be a House bill. If a committee report recommending indefinite postponement is taken up within three legislative days after the report has been filed, it shall require an

affirmative vote of thirty members of the Senate to overrule the report of the committee.

Strike rule 40 and substitute the following:

SIFTING COMMITTEE

A sifting committee shall be appointed by the President of the Senate on the first legislative day of March.

Respectfully submitted,

CHARLES B. HOEVEN, *Chairman.*

FRANK C. BYERS.

SANFORD ZEIGLER, JR.

E. P. DONOHUE.

M. X. GESKE.

RESIGNATION OF COMMITTEE CLERK

January 24, 1939.

This will advise you that I am resigning as secretary to Senator Gillette effective Monday evening, January 23rd.

EDNA MAE MONTGOMERY.

The resignation was accepted.

REPORT OF COMMITTEE ON CLERKS

MR. PRESIDENT: The following assignment of clerks has been made to fill vacancies caused by resignations:

Senator Gillette—Mildred Mooney.

Senator Mighell—Mary Jean Colwell.

L. H. DORAN, *Chairman.*

LEO ELTHON.

EDWARD H. VRBA.

AMENDMENTS FILED

MR. PRESIDENT: 1. Amend the title of Senate File 32 by striking the words "and eight thousand seven hundred thirty-seven (8737)" and inserting after the comma in line three (3) following "1935" the words "Chapter two hundred thirteen (213), Acts of the 47th General Assembly.

2. Amend section 2 by striking all of section 2 and inserting in lieu thereof:

"Sec. 2. Amend Chapter two hundred thirteen (213), Acts of the 47th General Assembly, sub-section twelve (12) line 198 by striking the word 'ten' therefrom and substituting therefor the word 'two'."

A. E. AUGUSTINE.

MR. PRESIDENT: Amend Senate File 34 by inserting after the comma following the word "ten" in line three (3) thereof the following:

(Renumbered sub-section 7, Acts of the 47th General Assembly.)

A. E. AUGUSTINE.

MR. PRESIDENT: 1. Amend Senate File 5, section 2, by striking out the figure "2" in line 2 and substituting in lieu thereof the figure "1".

2. Further amend Senate File 5 by striking the word "the" from line 1 of section 4.

G. R. HILL.

MR. PRESIDENT: 1. Amend Senate File 18 by striking from line 4 of the title, the word "said" and by adding after the word "section" in line 4 of the title, the following: "five thousand two hundred ninety-six-fifteen (5296-f16) of the 1935 Code,".

2. Further amend Senate File 18 by striking from line 2 of section 2 the word "twelve" and substituting in lieu thereof the word "sixteen".

3. Further amend said section 2 by striking from line 2 the figures "12" and substituting in lieu thereof the figures "16".

4. Further amend Senate File 18 by adding a new section following section 2. "Sec. 3. Amend section five thousand two hundred ninety-six-fifteen (5296-f16) of the 1935 Code by striking the period at the end of line 36 and substituting a comma therefor and adding 'except the homestead.'".

5. Renumber the remaining sections.

G. R. HILL.

On motion of Senator Evans, the Senate recessed until the fall of the gavel.

The Senate reconvened.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 26, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Magnus Nodtvedt, pastor of St. Olaf Lutheran Church of Fort Dodge.

The Journal of January 25th was corrected and approved.

PETITIONS AND MEMORIALS

The following petition was presented and placed on file:

By Senator Vrba, from citizens of Decorah, favoring tax on chain stores.

INTRODUCTION OF BILLS

Senate File 88, by Senator Berg, a bill for an act to amend section fifty-seven hundred ninety-two (5792), Code, 1935, to authorize the levy of an additional tax not to exceed three-eighths of a mill by certain cities for general park purposes.

Read first and second times and passed on file.

Senate File 89, by Senator Talbott, a bill for an act to amend section fifty-five hundred sixty-one (5561), Code, 1935, relating to power and control of township trustees over township cemeteries, and to provide authority to township trustees to establish a perpetual maintenance fund for township cemeteries.

Read first and second times and passed on file.

Senate File 90, by Senators Byers, Breen, and Faul, a bill for an act to provide for the minimum monthly wage to firemen and policemen for their services to cities having a population of ten thousand (10,000) or more, including those acting under special charter, maintaining paid fire departments and/or a paid police force.

Read first and second times and passed on file.

Senate File 91, by Senator Evans, a bill for an act to amend Chapter one hundred thirty-three (133), section twenty-eight hundred twenty-four (2824), Code, 1935, requiring suitable head covering to be worn by those engaged in the preparation of food.

Read first and second times and passed on file.

Senate File 92, by Senators Benson, Berg, and Breen, a bill for an act to amend section fifty-seven hundred thirty-nine, (5739), Code, 1935, providing for the punishment by cities and towns of any public or private nuisance.

Read first and second times and passed on file.

Senate File 93, by Senators Donohue and Forsling, a bill for an act to amend section forty-two hundred thirty-three e-4 (4233 e-4), Code, 1935, relating to transportation of school children.

Read first and second times and passed on file.

Senate File 94, by Senator Henningsen, a bill for an act to amend Chapter forty-four (44), Code, 1935, relating to the absent voters' law; providing for the appointment of absent voters' ballot commissioners and prescribing their powers and duties; providing for absent voters' ballot registers; and providing penalty for violation of said Chapter.

Read first and second times and passed on file.

Senate File 95, by Senator Pelzer, a bill for an act to repeal section eight hundred fifty-five (855) Chapter forty-one (41) of the 1935 Code of Iowa, relating to the returns of the primary elections.

Read first and second times and passed on file.

Senate File 96, by Senator Leo (Dvorak), a bill for an act to repeal paragraph four (4) of section ten thousand four hundred thirty-six (10436), Code, 1935, relating to the solemnizing of marriages.

Read first and second times and passed on file.

Senate File 97, by Senator Benson, a bill for an act to authorize counties to expend any balance remaining from primary road bond issues authorized or sold for road purposes.

Read first and second times and passed on file.

Senate File 98, by committee on consolidation and co-ordination of state government, a bill for an act to repeal sections four thousand five hundred and twelve (4512) to section four thousand five hundred forty-one (4541) inclusive, Code of 1935, all relating to the State Library and the Historical Memorial and Art Department and the Iowa Library Commission; and to enact a substitute therefor providing for a Board of Trustees of the Libraries and Museums, a State Law Library, a State Traveling Library, a State Medical Library, and a Memorial Museum of Art and History; and to provide for the extension of library service throughout the state and for the establishment of regional libraries.

Read first and second times and passed on file.

Senate File 99, by Senators Bekman and Kirketeg, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-Seventh General Assembly of Iowa, relating to unemployment compensation; to fix the amount of unemployment benefits, and the period during which same shall be paid; to simplify the methods for calculating such benefits; to provide for the settlement of benefit claims; to define partial unemployment, base period, and seasonal, irregular, or part-time employees; and to repeal all Acts, or parts of Acts, in conflict herewith.

Read first and second times and passed on file.

Senate File 100, by Senators Bekman and Kirketeg, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-Seventh General Assembly of Iowa, relating to unemployment compensation; to fix and determine eligibility conditions for such unemployment benefits; and to repeal section four (e) and all other Acts, or parts of Acts, in conflict herewith.

Read first and second times and passed on file.

Senate File 101, by Senators Bekman and Kirketeg, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-Seventh General Assembly of Iowa, relating to unemployment compensation; to specify and define certain disqualifications for unemployment benefits; to designate and describe employees engaged in their respective customary

self-employments; and to repeal all Acts, or parts of Acts, in conflict herewith.

Read first and second times and passed on file.

Senate File 102, by Senators Bekman and Kirketeg, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-Seventh General Assembly of Iowa, relating to unemployment compensation; to provide for voluntary contributions to the Unemployment Compensation Fund, construing such payments so made as having been required under said Chapter one hundred two (102); to provide that unfavorable benefit experiences due to certain specified causes shall not increase future rates; to repeal paragraph (5) of section seven (c) of said Chapter one hundred two (102), and to enact a substitute therefor, and to repeal all other Acts or parts of Acts in conflict herewith.

Read first and second times and passed on file.

Senate File 103, by Senators Bekman and Kirketeg, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to modify the law providing for appeal and judicial review of disputed claims; to clarify the definition of the term "employer" as used herein; to change the classes of employments included within the provisions hereof; and to repeal any Acts, or parts of Acts, in conflict herewith.

Read first and second times and passed on file.

ETHELL MEMORIAL RESOLUTION

Senator Guernsey offered the following resolution:

Whereas, The Honorable John J. Ethell, who was a member of the Senate in the Thirty-ninth, Fortieth, and Fortieth Extra Sessions of the General Assembly of the state of Iowa, from the Third District composed of Davis and Appanoose counties, died at Bloomfield, Iowa, on the 31st day of October, 1935, therefore,

Be It Resolved by the Senate of the Forty-eighth General Assembly: That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the state.

By unanimous consent, on request of Senator Guernsey, the resolution was taken up and considered.

On motion of Senator Guernsey, the resolution was adopted.

The chair appointed as members of such committee, Senators Guernsey, Levis, and Zeigler.

EXTRA COPIES

By unanimous consent on request of Senator Hill, 100 additional copies of Senate File 2 were ordered printed.

By unanimous consent, on request of Senator Bekman, 300 additional copies of Senate Files 99, 100, 102, and 103 were ordered printed.

CONSIDERATION OF REPORT ON RULES

On request of Senator Hoeven, the report of the committee on rules, as found on page 96 of the Senate Journal of January 25th, was taken up and considered.

Senator Hoeven moved that report of the committee on rules be adopted.

Senator Breen offered, as a substitute motion, that the rules of the Forty-seventh General Assembly be adopted as the rules of the Forty-eighth General Assembly.

Roll call was requested.

On the question "Shall the motion by Senator Breen be substituted?" the vote was:

Ayes, 10:

Augustine
Breen
Dean

Ellis
Gillette
Guernsey

Mighell
Miller

Moore
Vrba

Nays, 34:

Bekman
Berg
Byers
Corwin
Cromwell
Donohue
Doran
Edwards
Elthon

Evans
Faul
Forsling
Hart
Harvey
Henningsen
Hill
Hoeven
Hopkins

Husted
Kirketeg
Leo
Levis
Lundy
Martin
Mowry
Parker

Pelzer
Schadt
Sjulin
Smith
Stewart
Talbot
Whitehill
Zeigler

Passed, 8:

Benson

Dewey

Geake

Absent or not voting, 3:

Baldwin Beardsley Shaw

The motion by Senator Breen was lost.

The motion by Senator Hoeven prevailed.

THIRD READING OF BILLS

On motion of Senator Berg, Senate File 33, a bill for an act to amend sections sixty hundred sixty-six-f one (6066-f1), sixty hundred sixty-six-f two (6066-f2), and sixty hundred sixty-six-f six (6066-f6) of Chapter three hundred eight-F one (308-F1), Code, 1935, relating to self liquidating improvements and the financing thereof, 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 all after the enacting clause and insert in lieu thereof the following:

Section 1. That section sixty hundred sixty-six-f one (6066-f1), Code, 1935, is amended by striking all of said section following the word "pay" in line 16 thereof and substituting therefor "all or any part of the costs of such improvement."

Sec. 2. That section sixty hundred sixty-six-f two (6066-f2), Code, 1935, is amended by striking all of said section following the word "pay" in line 19 thereof and substituting therefor "all or any part of the costs of such improvement."

Sec. 3. That section sixty hundred sixty-six-f six (6066-f6), Code, 1935, is amended by striking the first sentence thereof and also by striking the period following the word "chapter" in line 10 thereof and adding the following; "or such cities and towns may borrow money by issuing revenue bonds, payable as hereinafter provided, and to deliver such bonds to the contractor or contractors in payment for the construction of any improvements referred to in this chapter; or such cities and towns may sell such bonds at a public sale upon the same conditions provided by Chapter sixty-three (63), Code, 1935, and may use the proceeds from the sale of such bonds to pay all or any part of the cost of construction of said improvements."

Sec. 4. That the provisions of Chapter three hundred eight-F one (308-F1), Code, 1935, as hereinbefore amended, shall be deemed to apply to all proceedings heretofore taken by cities and towns for the construction of any improvement provided for herein, notwithstanding that a portion of the funds for the construction of any such improvement shall have been derived from sources other than the issuance of bonds hereunder.

Sec. 5. This act being deemed of immediate importance shall be in full

force and effect from and after its publication in the Times Republican, a newspaper published at Marshalltown, Iowa, and in the State Center Enterprise, a newspaper published at State Center, Iowa.

The bill was read for information.

Senator Whitehill 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	Donohue	Harvey	Miller
Beardsley	Doran	Henningsen	Moore
Bekman	Edwards	Hill	Mowry
Benson	Ellis	Hoeven	Parker
Berg	Elthon	Hopkins	Pelzer
Breen	Evans	Husted	Schadt
Byers	Faul	Kirketeg	Smith
Corwin	Forsling	Leo	Stewart
Cromwell	Geske	Levis	Talbott
Dean	Guernsey	Lundy	Whitehill
Dewey	Hart	Mighell	Zeigler

Nays, none.

Absent or not voting, 6:

Baldwin	Martin	Sjulin	Vrba
Gillette	Shaw		

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.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

S. F. 72.....	Election Reform
S. F. 73.....	Election Reform
S. F. 74.....	Election Reform
S. F. 79.....	Highways
S. F. 82.....	Motor Vehicles
S. F. 83.....	Tax Revision
S. F. 84.....	Judiciary 1
S. F. 85.....	Railroads
S. F. 87.....	Election Reform
S. J. R. 3.....	Constitutional Amendments

AMENDMENTS FILED

MR. PRESIDENT: 1. Amend Senate File 53 section one (1) line one (1) by striking the words and figures: "three hundred forty-seven (347)" and inserting in lieu thereof the words and figures: "three hundred forty-six (346)".

2. Further amend Senate File 53 by striking from line one (1) of the title the words and figures "three hundred forty-seven (347)" and inserting in lieu thereof the words and figures: "three hundred forty-six (346)".

LEO ELTHON.

MR. PRESIDENT: 1. Amend Senate File 46, by striking from lines four (4) and five (5), section one (1), the following words and figures: "In excess of nineteen thousand (\$19,000.00) dollars and".

2. Amend by striking from lines six (6) and seven (7), section one (1) the words and figures: "In excess of thirteen thousand (\$13,000.00) dollars and".

E. K. BEKMAN.

REPORTS OF COMMITTEE

Senator Hopkins submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 43, a bill for an act to amend section forty-three hundred twenty-three (4323), Code, 1935, relating to the distribution of books among school districts, 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 all of section one (1) after the colon (:), in line three (3) and inserting in lieu thereof the following:

"Directors of said school districts shall upon approval by the county superintendent be permitted to make temporary and permanent exchanges of books between such school districts." GEO. M. HOPKINS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 47, a bill for an act to amend section three hundred sixty-eight (368) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to the operation of school busses at railroad crossings, and providing for a flagman under certain conditions, 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.

On motion of Senator Elthon, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 27, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Dr. Jesse C. Caldwell, Drake College of the Bible, Drake University of Des Moines.

The Journal of January 26th was corrected and approved.

LEAVE OF ABSENCE

By unanimous consent on request of Senator Elthon, Senators Dean, Geske, Husted, Moore, Pelzer and Sjulín, from the sub-committee on appropriations, were excused for the day, to make an inspection trip to state institutions at Glenwood and Clarinda.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hopkins, from citizens of Dallas county, favoring enactment of House File 1, providing for local option.

By Senator Kirketeg, from V. V. C. Club S. W., of Bedford, favoring extension of rural library service, providing no additional tax is levied.

INTRODUCTION OF BILLS

Senate File 104, by Senators Bekman and Kirketeg, a bill for an act to amend the law as it appears in Chapter 102 of the Acts of the Forty-seventh General Assembly of Iowa, relating to Unemployment Compensation, and the methods of administration of such Act.

Read first and second times and passed on file.

Senate File 105, by Senators Breen, Donohue, and Doran, a bill for an act giving the Supreme Court of the State of Iowa power to prescribe, by general rules, for the Supreme Court of the State of Iowa, the district courts and the municipal courts of the State of Iowa and the superior courts of the State of Iowa,

a general system of court practice in all civil actions at law and in equity and to provide that the court may at any time unite the general rules prescribed by it for cases in equity with those in actions at law, the new rules and/or the united rules to take effect six months after their submission and adoption by the state legislature at its next special or regular session following their promulgation by the Supreme Court.

Read first and second times and passed on file.

Senate File 106, by Senators Shaw and Smith, a bill for an act to amend Chapter three hundred sixty-eight (368) of the Code by adding a new section following section seven thousand eight hundred seventy-four (7874), giving to the Iowa State Commerce Commission authority to require the removal or alteration of lights used for the illuminating of advertising signs when such lights interfere with observation of railroad signals.

Read first and second times and passed on file.

Senate File 107, by Senator Hopkins (Morrow), a bill for an act to amend section forty-two hundred sixty-eight (4268), Code, 1935, relating to school age.

Read first and second times and passed on file.

Senate File 108, by Senator Hopkins (Morrow), a bill for an act to repeal section forty-two hundred seventy-seven (4277), Code, 1935, and to enact a substitute therefor, and to amend section forty-two hundred seventy-eight (4278), Code, 1935, all relating to tuition and transportation of nonresident pupils to public high schools.

Read first and second times and passed on file.

Senate File 109, by Senators Shaw and Sjulín, a bill for an act to amend section six thousand nine hundred forty-four (6944) of the Code by adding thereto a new paragraph exempting horses and mules from taxation.

Read first and second times and passed on file.

Senate File 110, by Senators Shaw and Smith, a bill for an act to amend section four thousand six hundred twenty-six (4626) of the Code by adding two new paragraphs thereto giving to the State Highway Commission power to require removal or altera-

tion of lights within three hundred (300) feet of grade railway crossings or within three hundred (300) feet of primary road intersections, on or adjacent to primary roads.

Read first and second times and passed on file.

Senate File 111, by Senators Faul, Bekman, Baldwin, Kirketeg, Mowry, and Edwards, a bill for an act to create a state department of public welfare, to create a state board of public welfare, and fix the manner of appointment, term and the amount of compensation of the five members thereof; to fix the powers, functions and duties of the state department of public welfare and the state board of public welfare; to create county departments of public welfare and county boards of public welfare and fix their powers, functions and duties; to fix the manner of appointment, term and amount and method of compensation of said county board members; to regulate and fix the manner of employing the officers and employees of the state department and various county departments; to prescribe the source of compensation for the members of the state board, the various county boards and the employees of the state and county departments; to authorize the creation of divisions within the state department to administer Old Age Assistance, Emergency Relief, Aid to the Blind, Child Welfare and Aid to Dependent Children and any other divisions deemed necessary; to regulate the manner, method, terms and conditions providing the protection, welfare services and assistance to the said aged, needy, blind, and dependent children; to provide the penalty for the violation of any provision of this act; to provide for the appointment of a legal guardian for any recipient who shall be found incompetent; to provide for coordinated administration of emergency relief in the State of Iowa and to provide for the reallocation of the balance of funds in the emergency relief administration; to provide for unified supervision of aid to all persons covered by any of the parts of this act; to promote and establish such aid; to provide for county appropriations; to provide for the creation in the state treasury of necessary funds; to provide for reimbursement to the state by the counties of the counties' share of the assistance benefits and services herein provided; to provide for cooperation with and payments to the United States as required by the Federal Social Security Act and to repeal chapters one hundred eighteen (118), one hundred thirty-seven (137), one hundred forty-four (144),

and one hundred fifty-one (151), Acts of the Forty-seventh General Assembly, Chapter two hundred sixty-six F-one (266 F1), as amended, Code of Iowa, 1935; to repeal sections three thousand six hundred forty-one (3641), three thousand six hundred forty-one b-one (3641 b-1), three thousand six hundred forty-two (3642) and three thousand six hundred forty-three (3643), Code of Iowa, 1935, effective January 1, 1940; and to repeal all other acts or parts of acts in conflict with this act.

Read first and second times and passed on file.

Senate File 112, by Senator Hill, a bill for an act to designate the rights and remedies of the owner and holder of security on real estate and to prohibit the commencement of any proceeding for the satisfaction of the debt secured thereby prior to the foreclosure of the security on the real estate.

Read first and second times and passed on file.

Senate File 113, by Senators Forsling, Gillette, Hart, Zeigler and Corwin, a bill for an act to amend the law as it appears in Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly of Iowa, relating to the imposition of a tax on the gross receipts from retail sales as therein defined; to modify the definition of retail sale or sale at retail, as set forth therein; and to repeal any Acts, or parts of Acts, in conflict herewith.

Read first and second times and passed on file.

Senate File 114, by committee on consolidation and co-ordination, a bill for an act to repeal Chapter two hundred thirty-six (236), and section two hundred thirty-four (234); and to amend sections two hundred forty-seven (247), thirty-nine hundred forty-eight (3948), and three hundred two (302), Code, 1935, relating to the geological survey.

Read first and second times and passed on file.

Senate File 115, by Senator Dean, a bill for an act to amend section sixty-two hundred forty-four (6244), Code, 1935, relating to publication of notice of election to authorize cities and towns to incur indebtedness.

Read first and second times and passed on file.

EXTRA COPIES

By unanimous consent, on request of Senator Faul, 500 additional copies of Senate File 111 were ordered printed.

By unanimous consent, on request of Senator Elthon, 600 additional copies of Senate File 76 were ordered printed.

AMENDMENT WITHDRAWN

By unanimous consent, on request of Senator Hill, his amendment to Senate File 2, found on page 75 of the Journal, was withdrawn.

THIRD READING OF BILLS

On motion of Senator Beardsley, Senate File 43, a bill for an act to amend section forty-three hundred twenty-three (4323), Code, 1935, relating to the distribution of books among school districts, 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 all of section one (1) after the colon (:), in line three (3) and inserting in lieu thereof the following:

“Directors of said school districts shall upon approval by the county superintendent be permitted to make temporary and permanent exchanges of books between such school districts.”

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, 40:

Augustine	Edwards	Hill	Mowry
Beardsley	Ellis	Hoeven	Parker
Bekman	Elthon	Hopkins	Schadt
Benson	Evans	Kirketeg	Shaw
Berg	Faul	Leo	Smith
Breen	Forsling	Levis	Stewart
Corwin	Gillette	Lundy	Talbott
Cromwell	Hart	Martin	Vrba
Dewey	Harvey	Mighell	Whitehill
Doran	Henningsen	Miller	Zeigler

Nays, none.

Absent or not voting, 10:

Baldwin	Donohue	Husted	Pelzer
Byers	Geske	Moore	Sjulin
Dean	Guernsey		

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 47, a bill for an act to amend section three hundred sixty-eight (368) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to the operation of school busses at railroad crossings, and providing for a flagman under certain conditions, 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, 39:

Augustine	Ellis	Hoeven	Parker
Beardsley	Elthon	Hopkins	Schadt
Bekman	Evans	Kirketeg	Shaw
Benson	Faul	Leo	Smith
Berg	Forsling	Levis	Stewart
Corwin	Guernsey	Lundy	Talbott
Cromwell	Hart	Martin	Vrba
Dewey	Harvey	Mighell	Whitehill
Doran	Henningsen	Miller	Zeigler
Edwards	Hill	Mowry	

Nays, none.

Absent or not voting, 11:

Baldwin	Dean	Gillette	Pelzer
Breen	Donohue	Husted	Sjulin
Byers	Geske	Moore	

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.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

S. F. 88.....	Cities and Towns
S. F. 89.....	County and Township Affairs
S. F. 90.....	Cities and Towns
S. F. 91.....	Public Health
S. F. 92.....	Judiciary 1
S. F. 93.....	Public Schools
S. F. 94.....	Election Reform
S. F. 95.....	Election Reform
S. F. 96.....	Judiciary 1
S. F. 97.....	Highways
S. F. 99.....	Social Security
S. F. 100.....	Social Security
S. F. 101.....	Social Security
S. F. 102.....	Social Security
S. F. 103.....	Social Security

APPOINTMENT OF PAGE

President Hickenlooper announced the appointment of Frank Miles, Jr., as page.

REPORTS OF COMMITTEES

Senator Guernsey submitted the following report:

MR. PRESIDENT: Your committee on constitutional amendments, to which was referred Senate Joint Resolution 1, a 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, begs leave to report that it has had the same under consideration and recommends that the same do pass.

HUGH G. GUERNSEY, *Chairman.*

Ordered passed on file.

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred Senate File 96, a bill for an act to repeal paragraph four (4) of section ten thousand four hundred thirty-six (10436) Code, 1935, relating to the solemnizing of marriages, 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 84, a bill for an act to legalize the corporate acts and the renewal of The Farmers Elevator and Exchange, Wapello, 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 by inserting after the word "Exchange" in line two (2) of Section One (1) the words "Wapello, Iowa,". A. J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred Senate File 46, 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, 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 42, a bill for an act to amend section 11932 and Sec. 9752 of the 1935 Code, and to authorize administrators, executors, or trustees to mortgage or encumber personal property and to obtain the benefits provided under Chapter 427 of the 1935 Code by sealing grain, 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 one (1) of section one (1) the word "That".

2. Amend by striking all of section two (2) and inserting in lieu thereof the following: Sec. 2. Amend section nine thousand seven hundred fifty-two (9752) Code, 1935, by inserting after the word "trustee" the following: "administrator or executor". A. J. SHAW, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: 1. Amend Senate File 71 by adding after the comma in line three (3) the words "Code, 1935,".

2. Further amend by adding after the words "One Thousand Nine Hundred Twenty-one-F Fifty (1921-F50)" in line 2 of Section 1 the words "Code, 1935,".

3. Further amend by striking all after the period following the word "instruction" in line eight (8) and inserting the following:

"Said fund to be divided equally among the several counties of the state and used solely for the education of the public in regard to the ill effects of the use of alcoholic beverages and used for both school and adult education through the use of textbooks, pamphlets and newspaper advertising."

A. E. AUGUSTINE

MR. PRESIDENT: Amend Senate File ninety-one (91) by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section twenty-eight hundred twenty-four (2824), Code, 1935, is amended by adding thereto a new paragraph as follows:

"Those engaged in the preparation of food for sale in hotels, restaurants, and in all public eating places shall wear a hat, cap or suitable head covering while in the performance of their duties." K. A. EVANS.

On motion of Senator Guernsey, the Senate adjourned until 11:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 30, 1939.

The Senate met in regular session, President pro tem Charles B. Hoeven presiding.

Prayer was offered by Rev. L. A. Stangle, pastor of the United Brethren Church of Gladbrook.

The Journal of January 27th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hart for the day, on request of Senator Hill; Senator Zeigler for the day, on request of Senator Hill; Senator Benson for the day, on request of Senator Geske; Senator Breen for the day, on request of Senator Dean; Senator Lundy for the day, on request of Senator Bekman.

PETITIONS AND MEMORIALS

The following petition was presented and placed on file:

By Senator Schadt, from students of engineering at University of Iowa, opposing consolidation of schools of engineering.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

Senate File 62, a proposed bill legalizing the election and proceedings of the incorporated town of Alta Vista.

Senate File 63, a proposed bill legalizing the election and proceedings of the independent school district of New Hampton.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 116, by Senator Breen (Pieper), a bill for an act to abolish the death penalty in Iowa and to amend section 12890, Code of Iowa for 1935, sections 12911, 12914, 12983 and to repeal Chapter 657.

Read first and second times and passed on file.

Senate File 117, by Senator Vrba, a bill for an act to amend

section one thousand one hundred and fifty-five (1155), Code, 1935, relating to tenure of vacancy appointee, and to provide that the vacancy appointee shall serve until the expiration of the regular term.

Read first and second times and passed on file.

Senate File 118, by Senator Donohue, a bill for an act to amend Chapter four hundred eighty-eight (488), Code, 1935, providing for place for bringing actions for injuries to a person or damage to property, caused by motor vehicles.

Read first and second times and passed on file.

• Senate File 119, by Senator Mowry, a bill for an act to repeal section five thousand three hundred thirty-seven (5337), of the Code of Iowa, 1935, and to enact a substitute therefor, relating to poor tax.

Read first and second times and passed on file.

Senate File 120, by Senators Cromwell, Forsling, Henningsen, Breen, Baldwin and Guernsey, 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 its 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 its 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, garnish-

ment, 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 passed on file.

Senate File 121, by Senator Shaw (Thompson), a bill for an act to amend section four thousand six hundred fifty-nine (4659) of the Code of Iowa, 1935, relating to gravel beds owned by counties to permit use of gravel therefrom for surfacing of lanes and drive-ways leading to surfaced public roads.

Read first and second times and passed on file.

Senate File 122, by Senator Faul (Hallagan and Hauge), a bill for an act to amend section sixty-three hundred ten (6310), Code, 1935, relating to pension funds and providing that same apply to deputy clerks of the municipal court in cities having a population of one hundred twenty-five thousand (125,000) or more; also to amend section sixty-three hundred fourteen (6314), Code, 1935, relating to assessments and making the same applicable to deputy clerks in municipal courts in cities having a population of one hundred twenty-five thousand (125,000) or more.

Read first and second times and passed on file.

Senate File 123, by Senator Faul (Hallagan and Hauge), a bill for an act to amend section sixty-three hundred ten (6310), Code, 1935, relating to pension funds and providing that same apply to deputy bailiffs of municipal courts in cities having a population of one hundred twenty-five thousand (125,000) or more; also, to amend section sixty-three hundred fourteen (6314), Code, 1935, relating to assessments and making the same applicable to deputy bailiffs of municipal courts in cities having a population of one hundred twenty-five thousand (125,000) or more.

Read first and second times and passed on file.

Senate File 124, by Senator Faul (Hauge), a bill for an act to amend section seven thousand one hundred ninety-three (7193), Code of Iowa, 1935, as to the lien of taxes when the tax sale is held under section seven thousand two hundred fifty-nine (7259) or section seven thousand two hundred sixty-two (7262), both of

the Code of Iowa, 1935, and to amend section seven thousand two hundred ninety-five (7295), Code of Iowa, 1935, as to the time in which certain actions can be brought as to tax sales and deeds.

Read first and second times and passed on file.

Senate File 125, by Senator Faul (Hauge), a bill for an act to legalize certain tax sales held and conducted in accordance with section seven thousand two hundred fifty-nine (7259) or section seven thousand two hundred sixty-two (7262), Code of Iowa, 1935, and corresponding sections of earlier Codes and all laws pertaining thereto as to the matter of bringing forward of delinquent taxes under section seven thousand one hundred ninety-three (7193), Code of Iowa, 1935, and all laws pertaining thereto.

Read first and second times and passed on file.

Senate File 126, by Senator Faul, a bill for an act to amend paragraph fourteen (14) of section six thousand two hundred eleven (6211), Code, 1935, relating to the levying of taxes for cemetery care and restricting the expenditure of such tax to cemeteries not operated for profit.

Read first and second times and passed on file.

Senate File 127, by Senator Faul, a bill for an act to amend section five thousand eight hundred thirteen-d six (5813-d6), Code, 1935, relating to the powers and duties of permanent park boards in cities having a population of more than one hundred twenty-five thousand population, and vesting in such permanent park boards control of the rivers in such cities.

Read first and second times and passed on file.

Senate File 128, by Senators Berg and Levis (Scott, Kohlhaas, and Johnson of Hancock), a bill for an act to repeal all of Chapter seventy-eight (78), Code, 1935, except sections one thousand five hundred fifty-three (1553) 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, 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 and provide for the collection of the tax by the affixation of stamps or impressing

of indicia by means of a stamping machine upon individual packages of cigarettes, cigarette papers and tubes; to provide for the purchase of stamping machines; to require permits and bonds for dealers in cigarettes, cigarette papers and tubes; to provide for the enforcement and administration of said tax; to define certain unlawful acts relating to the manner of sale, distribution, and solicitation for the sale of cigarettes, cigarette papers and tubes; and to provide penalties for the violation of the provisions of this act.

Read first and second times and passed on file.

Senate File 129, by Senator Martin, a bill for an act to amend section sixty-eight hundred twenty-three (6823) of the Code, 1935, relating to powers of cities acting under special charter which are bounded in part or divided by a river, and to grant such cities power to acquire, by purchase or gift, lands, and interests, and riparian rights therein, which lands lie along or near any such river, and to condemn the same, and to manage and lease any such lands, and to sell and convey the same.

Read first and second times and passed on file.

Senate File 130, by Senator Evans (Martin), a bill for an act to provide for the defining and licensing of refrigerated locker plants and to provide a lien upon the food stored therein in favor of the lessor.

Read first and second times and passed on file.

HOUR OF COMMITTEE MEETING CHANGED

By unanimous consent, on request of Senator Pelzer, the hour of meeting for the committee on county and township affairs was changed from 4:00 p. m. to 2:00 p. m. on Mondays.

President Hickenlooper took the chair at 11:35.

REPORT OF JOINT COMMITTEE ON RULES

Senator Hoeven submitted the following report:

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

Gentlemen: The committees on rules of the Senate and House, having met jointly, beg leave to report that they have had the same under consideration and recommend that the joint rules of the Senate and House

of the 46th General Assembly be adopted as the joint rules of the Senate and House of the 48th General Assembly.

Respectfully submitted,

On the part of the Senate:

CHARLES B. HOEVEN, *Chairman*.
FRANK C. BYERS.
E. P. DONOHUE.
M. X. GESKE
SANFORD ZEIGLER, JR.

On the part of the House:

DEWEY GOODE, *Chairman*.
ARCH W. MCFARLANE.
ROBERT D. BLUE.
J. T. DYKHOUSE.
HERBERT HAUGE.
ROBERT C. REILLY.
PHIL F. ROAN.
F. E. SHARP.

By unanimous consent, on request of Senator Hoeven, the report of the joint committee on rules was taken up and considered.

Senator Hoeven moved the adoption of the committee report, which motion prevailed.

On motion of Senator Hoeven the joint rules of the Forty-sixth General Assembly were adopted as the joint rules of the Forty-eighth General Assembly.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

	Committee
S. F. 104.....	Social Security
S. F. 105.....	Judiciary 1 and 2 for joint consideration
S. F. 106.....	Railroads
S. F. 107.....	Public Schools
S. F. 108.....	Public Schools
S. F. 109.....	Judiciary 1
S. F. 110.....	Railroads
S. F. 111.....	Social Security
S. F. 112.....	Judiciary 2
S. F. 113.....	Manufacturing, Commerce and Trade
S. F. 115.....	Cities and Towns

REPORTS OF COMMITTEES

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred Senate File 16, a bill for an act to provide the procedure under which private property may be taken for public school purposes under condemnation proceedings; to amend sections 4864 and 7845 of the Code of

Iowa, 1935; and to repeal sections 4365 to 4369 inclusive, of the Code of Iowa, 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 Baldwin submitted the following report:

MR. PRESIDENT: Your committee on printing, to which was referred Senate Joint Resolution 2, a joint resolution proposing the printing of salaries, residence and personnel of all state departments, boards and commissions in pamphlet form, begs leave to report it has had the same under consideration and recommends the same do pass.

HOWARD C. BALDWIN, *Chairman.*

Ordered passed on file.

Senator Leo submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 56, a bill for an act to extend the term of office of Thomas McDermott, member of the board of supervisors of Dubuque county, Iowa, one year so that said term will expire on the second secular day of January, 1942, 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 the second paragraph beginning with "Whereas" in line two (2) of said paragraph, by inserting after the word "vote" the word "was."

R. V. LEO, *Chairman.*

Ordered passed on file.

Senator Smith submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 60, a bill for an act to amend subsection three (3) of section six thousand nine hundred forty-three-f twenty-one (6943-f21), Code, 1935, removing the penalties and changing the interest charged for failure to report income in the income tax return in certain cases, 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 (1) by striking from line twelve (12) the words "good faith".

C. COLFAX SMITH, *Chairman.*

Ordered passed on file.

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 9, a bill for an act to amend section eleven thousand nine hundred thirty-eight (11938) of the Code of Iowa, 1935, relating to the notice required to be given of the sale at public auction of personal property belonging to the estates of deceased persons, 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 four (4) of the title the word "personal".

E. P. DONOHUE, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 17 by inserting after the word "stores" in section one (1), line eight (8), the following: "hotels, restaurants, theatres, or newspapers", and by striking the word "stores" wherever it appears and inserting the word "establishments" in section one (1), line twelve (12), and in section three (3), lines two (2), nine (9), thirteen (13), eighteen (18), twenty-three (23), twenty-eight (28), twenty-nine (29), thirty-three (33), thirty-four (34), thirty-eight (38), thirty-nine (39), forty-three (43), forty-four (44), forty-nine (49), fifty (50), fifty-four (54), fifty-five (55), fifty-nine (59), sixty (60), sixty-four (64), sixty-five (65), seventy (70), seventy-one (71), seventy-five (75), seventy-six (76), eighty (80), eighty-one (81), and eighty-five (85).

Further amend Senate File 17 by striking the word "store" wherever it appears and inserting the word "establishment" in its stead in section three (3), lines ten (10), fifteen (15), twenty (20), twenty-five (25), thirty (30), thirty-five (35), forty (40), forty-five (45), fifty-one (51), fifty-six (56), sixty-one (61), sixty-six (66), seventy-two (72), seventy-seven (77), eighty-two (82), and eighty-six (86), and by striking the word "mercantile" wherever it appears in the following lines: section two (2), lines eight (8) and eleven (11), section three (3), lines three (3), seven (7), eleven (11), sixteen (16), twenty-one (21), twenty-six (26), thirty-one (31), thirty-six (36), forty-one (41), forty-seven (47), fifty-two (52), fifty-seven (57), sixty-two (62), sixty-eight (68), seventy-three (73), seventy-eight (78), and eighty-three (83). H. C. BALDWIN.

MR. PRESIDENT: Amend Senate File 48 by striking all of section 1 and inserting in lieu thereof the following:

"Section 1. Section fifty-one hundred five-c nine (5105-c9), Code, 1935, is amended by adding thereto the following: 'The Iowa State Commerce Commission shall be empowered to waive the fee provided for in this section, provided said motor truck is owned by a nonresident of this state and is operated upon the highways thereof only in the conduct of business in interstate commerce and provided further that the owner of said motor truck has complied with the registration requirements of the state of his or its residence, and said Commission shall do all things necessary or required to negotiate and perfect reciprocal agreements between the various states and the state of Iowa, waiving the fee provided for in this section for the purpose of securing exemptions and privileges for citizens in other states.'"

R. V. LEO.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 31, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. H. F. Risse, pastor of the Church of Christ of Charles City, a member of the House of Representatives.

The Journal of January 30th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Lundy for the day, on request of Senator Bekman; Senator Benson for the day, on request of Senator Stewart.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 135, a proposed bill legalizing a special election held in the town of Thornton. *WALTER H. BEAM, Secretary.*

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Zeigler, from citizens of Van Buren County, favoring itinerant merchants' bill.

By Senator Ellis, from teachers in Maquoketa schools, favoring the teachers' annuity bill.

By Senator Bekman, from citizens of Wapello County, opposing increase in cost of hunting, fishing and trappers' licenses.

By Senator Edwards, from Massena Library Club and other citizens of Massena, favoring enactment of the library extension bill.

By Senator Breen, from citizens of Calhoun County, requesting legislation relieving agricultural lands in the independent school district of Rockwell City from excessive tax burden.

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:

Substitute for House Concurrent Resolution 5 memorializing Congress relative to the levy and collection of a tax on incomes from state or municipal securities and salaries of Federal employees.

Also: I am directed to inform your honorable body that the House has adopted the report of the joint committee on rules, providing for the joint rules of the Senate and House for the 48th General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION 5

Whereas, There has appeared in the newspapers and press reports which have not been either corrected or denied that the President of the United States has sent a message to the Congress directing that body to enact legislation which will permit the United States government to levy and collect a tax on all incomes derived from state or municipal securities hereafter issued and upon salaries paid to officers elected or appointed under state law and which securities are issued and which salaries are paid in the performance and execution of the governmental functions of or within the state; therefore

Be It Resolved by the House, the Senate Concurring: That the people of the state of Iowa are unalterably opposed and object to any such law being enacted by the Congress of the United States, for the reason that the inevitable effect of such a law would be to undermine and destroy the independence and sovereignty of the individual states, but nothing in this resolution shall be construed, directly or indirectly, as relating or referring to any right of the federal government to tax any securities issued or salaries paid by it, under federal law, neither shall it be construed, directly or indirectly, as relating or referring to any right of any state to tax any securities issued or salaries paid by it under any state law.

Be It Further Resolved: That the people of the state of Iowa heartily endorse and approve the taxing of the salaries of federal employees and request the Congress of the United States to take appropriate action to see that the salaries of employees of the federal government are taxed at the same rate as the salaries of other citizens of the United States.

Be It Further Resolved: That a copy of this resolution be mailed to each of the Senators and Representatives from the state of Iowa in the United States Congress.

INTRODUCTION OF BILLS

Senate File 131, by committee on judiciary 1, a bill for an act to repeal Chapter one hundred ninety-eight (198) of the Code of

Iowa of 1935, relating to the Federal Maternity and Infancy Act.

Read first and second times and passed on file.

Senate File 132, by committee on judiciary 2, a bill for an act to amend Chapter five hundred nine (509) of the Code of Iowa, 1935, authorizing executors, administrators and trustees, under order of court to pay legacies, bequests, distributive shares or interest 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 passed on file.

Senate File 133, by Senator Cromwell, a bill for an act to amend section seven thousand two hundred seventy-nine (7279) and section seven thousand two hundred eighty (7280), Code of Iowa, 1935, relating to notice of expiration of right of redemption from tax sale and providing for service of such notice on mortgagees and record holders of mortgages.

Read first and second times and passed on file.

Senate File 134, by Senator Hart (Roan), a bill for an act to amend section thirty-nine (39) of Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, relating to open season on quail.

Read first and second times and passed on file.

Senate File 135, by Senator Dean, a bill for an act to legalize a special election held in the incorporated town of Thornton, Cerro Gordo County, Iowa, on the 27th day of October, 1938, relating to the issuance of bonds of said town and declaring bonds issued pursuant to said election to be enforceable obligations of said town.

Read first and second times and passed on file.

Senate File 136, by Senators Shaw and Forsling, a bill for an act to amend section thirteen thousand one hundred forty (13140) of the Code, 1935, relating to the uttering and publishing of false, altered, forged, or counterfeited instruments and fixing punishment therefor.

Read first and second times and passed on file.

Senate File 137, by Senator Baldwin, a bill for an act to amend section forty-nine (49) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh (47th) General Assembly, by adding thereto an additional exemption to certain types of vehicles.

Read first and second times and passed on file.

Senate File 138, by Senators Mowry, Shaw, Dewey, Forsling, and Faul, a bill for an act creating a bureau of civil service for the State of Iowa; prescribing the powers, duties, and procedure of the civil service board and the director of the state civil service in said bureau; providing for and regulating the civil service in said state; prescribing penalties for the violation of the provisions of this act; repealing certain acts and parts of acts inconsistent with the provisions of this act; and making appropriation for the support of the said department.

Read first and second times and passed on file.

Senate File 139, by committee on consolidation and coordination, a bill for an act to amend Chapter one hundred fifty-one (151), Acts of the Forty-seventh General Assembly, relating to membership, salary, and terms of the members of the Board of Social Welfare.

Read first and second times and passed on file.

Senate File 140, by Senators Doran, Miller, and Whitehill, a bill for an act to repeal sections one hundred forty-one (141) and one hundred forty-two (142) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly of the State of Iowa, and to enact a substitute therefor relating to motor vehicle registration fees and fixing the amount thereof, and providing for reduction of said fees under certain conditions.

Read first and second times and passed on file.

Senate File 141, by Senators Berg and Levis (Scott, Kohlhaas, and Johnson of Hancock), a bill for an act to amend Chapter seventy-eight (78), Code, 1935, to provide that all cigarette permits in force and effect on July 1, 1939, are extended to July 5, 1939.

Read first and second times and passed on file.

Senate File 142, by committee on consolidation and coordina-

tion, a bill for an act to amend Chapter one hundred ninety-five (195) Acts of the Forty-seventh General Assembly, relating to the Iowa Emergency Relief Administration, transferring its functions, funds, and property to the State Board of Social Welfare.

Read first and second times and passed on file.

Senate File 143, by Senators Dean and Dewey, a bill for an act to amend section three hundred twenty-one (321) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, pertaining to speed limits in cities and towns.

Read first and second times and passed on file.

Senate File 144, by committee on consolidation and coordination, a bill for an act to provide for state purchasing agent and prescribing his duties and authority.

Read first and second times and passed on file.

Senate File 145, by Senator Forsling, a bill for an act to legalize the election and proceedings relating to the sale and authorizing the issuance of bonds by the Consolidated School District of Climbing Hill, in the County of Woodbury, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Donohue Senate File 9, a bill for an act to amend section eleven thousand nine hundred thirty-eight (11938) of the Code of Iowa, 1935, relating to the notice required to be given of the sale at public auction of personal property belonging to the estates of deceased persons, with report of committee recommending passage, was taken up, and the report of the committee adopted.

Further action was deferred.

On motion of Senator Hill, Senate File 42, a bill for an act to amend section eleven thousand nine hundred thirty-two (11932) and section nine thousand seven hundred fifty-two (9752) of the 1935 Code, and to authorize administrators, executors, or trustees

to mortgage or encumber personal property and to obtain the benefits provided under Chapter four hundred twenty-seven (427) of the 1935 Code, by sealing grain, 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. Amend by striking from line one (1) of section one (1) the word "That".

2. Amend by striking all of section two (2) and inserting in lieu thereof the following: Sec. 2. Amend section nine thousand seven hundred fifty-two (9752) Code, 1935, by inserting after the word "trustee" the following: "administrator or executor".

The amendments were not adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend by adding as section 1a the following:

1. Sec. 1a. Section eleven thousand nine hundred thirty-two (11932), Code, 1935, is amended by inserting after the word "administrator" and before the comma in line three (3) the words "or trustee", and by striking the word "or" before the word "administrator" in line two (2) and inserting in lieu thereof a comma (,).

The amendment was adopted.

By unanimous consent, on request of Senator Hill, further action on Senate File 42 was deferred.

On motion of Senator Bekman, Senate File 46, 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 anticipatory warrants in 1939 against 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 1939 and belonging to the secondary road maintenance fund and the construction fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman moved that the bill be read a third 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	Doran	Hill	Parker
Baldwin	Edwards	Hoeven	Pelzer
Beardsley	Ellis	Hopkins	Schadt
Bekman	Elthon	Husted	Shaw
Berg	Faul	Kirketeg	Sjulin
Breen	Forsling	Leo	Smith
Byers	Geske	Levis	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler
Donohue	Henningsen	Mowry	

Nays, none.

Absent or not voting, 3:

Benson	Evans	Lundy
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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 Bekman 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 Corwin, Senate File 84, a bill for an act to legalize the corporate acts and the renewal of The Farmers Elevator and Exchange, Wapello, Iowa, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

On request of Senator Shaw, by unanimous consent the committee amendment was withdrawn.

Senator Corwin offered the following amendment and moved its adoption:

Amend Senate File 84 by striking all of section one (1) and inserting in lieu thereof the following:

Section 1. All proceedings had with respect to the renewal of the corporate existence of The Farmers Elevator and Exchange of Wapello, Iowa, and all corporate acts of said corporation, its officers and directors, since the expiration of the corporate existence of said corporation, are hereby legalized and are hereby declared of the same force and effect as though the said proceedings had been adopted pursuant to law and within the period prescribed by the statute, and all corporate acts and proceedings of the said corporation and its officers and directors, including the proceedings in connection with the renewal articles of incorporation, are hereby declared to be valid and legal.

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, 46:

Baldwin	Edwards	Hill	Mowry
Beardsley	Ellis	Hoeven	Parker
Bekman	Elthon	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Breen	Faul	Kirketeg	Sjulin
Byers	Forsling	Leo	Smith
Corwin	Geske	Levis	Stewart
Cromwell	Gillette	Martin	Talbott
Dean	Guernsey	Mighell	Vrba
Dewey	Hart	Miller	Whitehill
Donohue	Harvey	Moore	Zeigler
Doran	Henningsen		

Nays, none.

Absent or not voting, 4:

Augustine	Benson	Lundy	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 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.

By unanimous consent on request of Senator Hill Senate File 42 was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 42 by striking all of section one (1) and inserting in lieu thereof the following:

Section eleven thousand nine hundred thirty-two (11932) of the Code of 1935, is hereby amended by adding thereto the following:

"Upon application by the administrator, executor or trustee the court or judge may, on such notice as shall be prescribed by the court to be given to all heirs in the estate, authorize the administrator, executor or trustee to mortgage or encumber the personal property of the estate as would be to the best interests thereof, either to pay debts or to preserve assets or enhance the value thereof."

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	Edwards	Hill	Parker
Beardsley	Ellis	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Breen	Faul	Kirketeg	Sjulin
Byers	Forsling	Leo	Smith
Corwin	Geske	Levis	Stewart
Cromwell	Gillette	Mighell	Talbott
Dean	Guernsey	Miller	Vrba
Dewey	Hart	Moore	Whitehill
Donohue	Harvey	Mowry	Zeigler
Doran	Henningsen		

Nays, none.**Absent or not voting, 4:**

Augustine	Benson	Lundy	Martin
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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.

By unanimous consent, on request of Senator Hill, Senate File 42 was messaged to the House immediately.

On motion of Senator Leo, Senate File 96, a bill for an act to repeal paragraph four (4) of section ten thousand four hundred thirty-six (10436), Code, 1935, relating to the solemnizing of marriages, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Leo moved that the bill be read a third 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:

Baldwin	Edwards	Hill	Parker
Beardsley	Ellis	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Breen	Faul	Kirketeg	Sjulin
Byers	Forsling	Leo	Smith
Corwin	Geske	Levis	Stewart
Cromwell	Gillette	Martin	Talbott
Dean	Guernsey	Mighell	Vrba
Dewey	Hart	Miller	Whitehill
Donohue	Harvey	Moore	Zeigler
Doran	Henningsen	Mowry	

Nays, none.

Absent or not voting, 3:

Augustine

Benson

Lundy

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

Senator Leo 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 Dewey, Senate Joint Resolution 2, a joint resolution proposing the printing of names, salaries, residence and personnel of all state departments, boards and commissions in pamphlet form, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following amendment by Senator Dewey was taken up and considered:

Amend Senate Joint Resolution 2 by striking all after the enacting clause and substituting the following: "The comptroller shall immediately prepare in printed pamphlet form a report showing the names, permanent residence, department, salary and kind of employment of all employees of the state, or departments thereof, as of December 31, 1938; also the names of all employees receiving salary or fees from more than one department or from any other source."

Senator Dewey offered the following amendments to the amendment and moved their adoption:

Amend the amendment to Senate Joint Resolution 2 by adding after the word "immediately" the words "and each year thereafter".

Further amend the amendment to Senate Joint Resolution 2 by substituting "the year previous and up to October 15, 1938" in place of "December 31, 1938".

The amendments to the amendment were adopted.

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking "other source" in the last line thereof, and inserting in lieu thereof "governmental source."

The amendment to the amendment was adopted.

Senator Breen offered the following amendment to the amendment and moved its adoption.

Amend the amendment by adding "Two (2) copies of said printed pamphlet shall be mailed to each Senator and Representative within thirty (30) days after publication thereof."

The amendment to the amendment was adopted.

By unanimous consent, on request of Senator Dewey, action on Senate Joint Resolution 2 was deferred.

WITHDRAWAL OF SENATE FILE 39

By unanimous consent, on request of Senator Forsling, Senate File 39 was withdrawn.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

Committees

S. F. 116.....	Judiciary 1
S. F. 117.....	Judiciary 1
S. F. 118.....	Judiciary 2
S. F. 119.....	Tax Revision
S. F. 120.....	Social Security
S. F. 121.....	Highways
S. F. 122.....	Cities and Towns
S. F. 123.....	Cities and Towns
S. F. 124.....	Judiciary 2
S. F. 125.....	Judiciary 2
S. F. 126.....	Cities and Towns
S. F. 127.....	Cities and Towns
S. F. 128.....	Tax Revision
S. F. 129.....	Cities and Towns
S. F. 130.....	Judiciary 2

RESIGNATION OF COMMITTEE CLERK

MR. PRESIDENT: I hereby tender my resignation as committee clerk to Senator Howard C. Baldwin, effective January thirty-first, 1939.

NAOMI CHRISTENSEN.

The resignation was accepted.

REPORTS OF COMMITTEES

Senator Hill submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred Senate File 37, 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.

G. R. HILL, *Chairman.*

Ordered passed on file.

Senator Beardsley submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File 48, a bill for an act to amend section fifty-one hundred five-c nine (5105-c9), Code, 1935, relating to motor trucks operated upon the highways of Iowa in interstate commerce and providing an exemption 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:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section fifty-one hundred five-c nine (5105-c9), Code, 1935, is amended by adding thereto the following: "The Iowa State Commerce Commission shall be empowered to waive the fee provided for in this section, provided said motor truck is owned by a nonresident of this state and is operated upon the highways thereof only in the conduct of business in interstate commerce and provided further that the owner of said motor truck has complied with the registration requirements of the state of his or its residence, and said Commission shall do all things necessary or required to negotiate and perfect reciprocal agreements between the various states and the state of Iowa, waiving the fee provided for in this section for the purpose of securing exemptions and privileges for citizens of this state operating motor vehicles in other states."

WM. S. BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator Forsling submitted the following report:

MR. PRESIDENT: Your committee on consolidation and coordination to which was referred Senate File 1, a bill for an act to repeal Chapter 235, Acts of the 47th General Assembly creating state planning board, begs leave to report it has had the same under consideration and recommends the same do pass.

L. B. FORSLING, *Chairman.*

Ordered passed on file.

By unanimous consent, on request of Senator Donohue, Senate File 1 was rereferred to the committee on consolidation and coordination.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 34 by inserting after the figures "(266-F1)" in the title, the words "Code, 1935, as amended by the 47th General Assembly,".

A. E. AUGUSTINE.

MR. PRESIDENT: Amend the amendment to Senate File 17, section 1, line 8, by inserting after the word "theaters," the following: "telegraph companies, telephone companies, insurance companies, radio stations, farming,".

H. C. BALDWIN.

MR. PRESIDENT: Amend Senate Joint Resolution two (2), as amended, by striking all after the enacting clause and substituting therefor the following:

"The state comptroller shall forthwith cause to be published in printed pamphlet form, under proper departmental headings, a list of all extra and regular employees of all state departments or any subdivision thereof, showing the names, permanent addresses, department or subdivision where employed, nature of employment, salary, fees and expenses paid such employees for or during the year immediately preceding October 15, 1938. Items of salary and/or fees shall be listed separately from expense allowances. All employees who have drawn salaries, fees, or expense allowances from more than one department or subdivision shall be listed separately under the proper departmental heading. It shall be the duty of the state comptroller, within thirty (30) days after the printing of said report, to furnish each member of the Senate and House of the Forty-eighth General Assembly with two (2) copies thereof."

A. CLAIRE DEWEY.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 1, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Anthony E. Slothower, of Des Moines, pastor of the Methodist Church of Commerce.

The Journal of January 31st was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Donohue for the day, on request of Senator Byers; Senator Elthon for the day, on request of Senator Beardsley, on account of illness; Senator Benson for the day, on request of Senator Baldwin.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Husted, from citizens of Madison county, favoring enactment of House File 1, providing for local option.

By Senator Guernsey, from citizens of Appanoose county, favoring enactment of House File 1, providing for local option.

By Senator Moore, from the county superintendents of southwest Iowa, favoring enactment of Senate File 120, providing for teachers' annuity.

By Senator Husted, from the county superintendents of southwest Iowa, favoring enactment of Senate File 120.

By Senator Kirketeg, from the county superintendents of southwest Iowa, favoring enactment of Senate File 120.

By Senator Hopkins, from the county superintendents of southwest Iowa, favoring enactment of Senate File 120.

By Senator Moore, from merchants of Neola, favoring enactment of itinerant merchants' bill.

By Senator Hoeven, from residents of O'Brien county, favoring rural library extension.

By Senator Baldwin, from the Dubuque County Conservation Society, favoring present statutory compensation provision for members of Conservation Commission, with a maximum of \$500.00 per year; also favoring legislation making all conservation officers responsible to the State Conservation Commission alone.

INTRODUCTION OF BILLS

Senate File 146, by Senators Cromwell, Baldwin, Breen and Faul, 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 5783, 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 5782, Code, 1935, relating to reports and to provide certain rules and regulations therefor; to amend section 2192, Code, 1935; to amend section 2193, Code, 1935; to repeal section 2194, Code, 1935; to amend section 5775, Code, 1935, relating to inspection fees for cities and towns and the appointment of plumbing inspectors; to repeal section 5781, Code, 1935, and provide 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 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 passed on file.

Senate File 147, by committee on building and loan, a bill for an act to repeal sections ninety-three hundred six (9306), ninety-three hundred thirty (9330) as amended by Chapter two hundred twenty-one (221), Acts of the Forty-seventh General Assembly, ninety-three hundred fifty-four (9354), ninety-three hundred fifty-four-f one (9354-f1), ninety-three hundred sixty (9360), and ninety-three hundred sixty-two (9362), Code, 1935, and to enact substitutes therefor; to amend sections ninety-three hundred eleven (9311), ninety-three hundred fifteen (9315) as amended by section ten (10) of Chapter two hundred twenty (220), Acts of the Forty-seventh General Assembly, ninety-three hundred forty-b one (9340-b1), ninety-three hundred fifty (9350) as amended by section eleven (11) of Chapter two hundred twenty (220), Acts of the Forty-seventh General Assembly, ninety-three hundred fifty-seven (9357), ninety-three hundred sixty-three (9363), ninety-three hundred thirty-e one (9330-e1), ninety-three hundred forty-four (9344), and ninety-three hundred nineteen (9319) as amended by section six (6) of Chapter two hundred twenty (220), Acts of the Forty-seventh General Assembly, and Chapter four hundred seventeen (417), Code, 1935; and to repeal sections ninety-three hundred fifty-five (9355), ninety-three hundred fifty-six (9356), and ninety-three hundred sixty-one (9361), Code, 1935, all relating to building and loan associations; and to amend sections eighty-three hundred eighty-four (8384), eighty-three hundred eighty-five (8385), and eighty-three hundred ninety-four (8394) Code, 1935, relating to corporations for pecuniary profit.

Read first and second times and placed on the calendar.

Senate File 148, by Senator Hopkins (Morrow), a bill for an act to amend section thirty-eight hundred eighty-four (3884), Code, 1935, relating to the normal training required for entrance to examinations for uniform county certificates.

Read first and second times and passed on file.

Senate File 149, by Senator Hopkins (Morrow), a bill for an

act to amend sections thirty-eight hundred ninety-nine (3899) and thirty-nine hundred two (3902), Code, 1935, relating to the training of teachers in the approved high schools of the state.

Read first and second times and passed on file.

Senate File 150, by Senators Henningsen and Faul, a bill for an act to amend section five thousand six hundred ninety-four (5694), Code, 1935, as amended by Chapter one hundred fifty-six (156), section five (5), Acts of the Forty-seventh General Assembly and to amend section five thousand six hundred ninety-five (5695), Code, 1935, as amended by Chapter one hundred fifty-six (156), section six (6), Acts of the Forty-seventh General Assembly and to amend section five thousand six hundred ninety-six (5696), Code, 1935, as amended by Chapter one hundred fifty-six (156), section seven (7), Acts of the Forty-seventh General Assembly, relating to civil service employees of cities and towns.

Read first and second times and passed on file.

Senate File 151, by Senator Shaw, a bill for an act to amend sections one hundred fifty-six (156) and one hundred seventy-seven (177), Code 1935, relating to certain legal publications.

Read first and second times and passed on file.

Senate File 152, by committee on consolidation and coordination, a bill for act repealing standing-appropriation provisions in Code sections of the Code, 1935, and for the respective state departments as follows: Sections ninety-one hundred thirty-six (9136), ninety-one hundred thirty-seven (9137), ninety-one hundred forty-three (9143), ninety-one hundred forty-four (9144), ninety-one hundred forty-five (9145), ninety-one hundred forty-nine (9149), ninety-one hundred fifty (9150) and ninety-one hundred fifty-four-a five (9154-a5), relating to banking and the banking department; section sixty-nine hundred forty-three-f sixty-five (6943-f65), relating to the board of assessment and review; sections forty-seven hundred fifty-five-b thirty-one (4755-b31), and forty-six hundred thirty-c one (4630-c1), relating to motor vehicle fees and the state highway commission; section one hundred seventy-seven (177), relating to the reporter of the supreme court and the code editor; sections forty-nine hundred ninety-nine (4999), five thousand (5000), and five thousand two (5002), relat-

ing to maintenance funds of the motor vehicle department and the state highway commission; and section five thousand one hundred five-a fifty-four (5105-a54), relating to fees from motor vehicle carriers.

Read first and second times and placed on the calendar.

Senate File 153, by Senator Elthon, a bill for an act to amend section forty-two hundred seventy-five (4275), relating to public high school attendance, Code, 1935.

Read first and second times and 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 Senate is asked:

House File 32, a bill for an act relating to the showing of prize-fight pictures.

Also: That the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

House Joint Resolution 4, making an appropriation to cover the expenses of the delegate to the Assembly of the Council of State Government.

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 to provide an emergency appropriation for the rental of accounting equipment and for personnel to operate same in connection with the Iowa unemployment compensation.

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

House File 54, a bill for an act providing for the enforcement of the uniform narcotic drug act.

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

House File 116, a bill for an act providing additional grounds for the withholding of registration of motor vehicles by the county treasurer.

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

Senate File 42, a bill for an act authorizing administrators, executors, or trustees to mortgage or encumber personal property.

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

House File 156, a bill for an act relating to the geological survey.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House Joint Resolution 4, a joint resolution making an appropriation to cover the expenses of the delegate to the Fourth General Assembly of the Council of State Government.

Read first and second times and passed on file.

House File 32, a bill for an act to repeal sections thirteen thousand one hundred eighty-six (13186), thirteen thousand one hundred eighty-seven (13187), and thirteen thousand one hundred eighty-eight (13188), Code, 1935, relating to the showing of prize-fight pictures.

Read first and second times and passed on file.

House File 49, a bill for an act to provide an emergency appropriation for the rental of accounting equipment, and for personnel to operate same in connection with the Iowa unemployment compensation commission, and benefit payments to the unemployed from February 1, 1939, to June 30, 1939.

Read first and second times and passed on file.

House File 54, a bill for an act to provide an emergency appropriation for the enforcement of the uniform narcotic drug act from February 1st, 1939, to July 1st, 1939.

Read first and second times and passed on file.

House File 116, a bill for an act to amend Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, providing additional ground for the withholding of registration of motor vehicles by the county treasurer and for the withholding by the department of motor vehicles of licenses from certain persons.

Read first and second times and passed on file.

House File 156, a bill for an act to repeal Chapter two hundred thirty-six (236), repeal section two hundred thirty-four (234), amend sections two hundred forty-seven (247), thirty-nine hundred forty-eight (3948), and three hundred two (302), Code, 1935, relating to the geological survey.

Read first and second times and passed on file.

CONSIDERATION OF JOINT RESOLUTION 2 RESUMED

Senator Dewey offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

"The state comptroller shall forthwith cause to be published in printed pamphlet form, under proper departmental headings, a list of all extra and regular employees of all state departments or any subdivision thereof, showing the names, permanent addresses, department or subdivision where employed, nature of employment, salary, fees and expenses paid such employees for or during the year immediately preceding October 15, 1938. Items of salary and/or fees shall be listed separately from expense allowances. All employees who have drawn salaries, fees, or expense allowances from more than one department or subdivision shall be listed separately under the proper departmental heading. It shall be the duty of the state comptroller, within thirty (30) days after the printing of said report, to furnish each member of the Senate and House of the Forty-eighth General Assembly with two (2) copies thereof."

The amendment was adopted.

Senator Dewey offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 2, by adding as section two (2), the following:

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 Boone News-Republican, a newspaper published in Boone, Iowa, and in the Washington Evening Journal, a newspaper published in Washington, Iowa.

The amendment was adopted.

Senator Moore offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 2 by adding the following:

"The number of employees in the Iowa liquor commission shall be stipulated and an explanation made that the salary paid any employee or member of the liquor commission is not paid by the taxpayer unless he purchases liquor in Iowa liquor stores."

Senator Levis moved the previous question on the amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 11:

Augustine	Corwin	Geske	Moore
Baldwin	Dean	Gillette	Vrba
Breen	Ellis	Guernsey	

Nays, 35:

Beardsley	Byers	Doran	Faul
Bekman	Cromwell	Edwards	Forsling
Berg	Dewey	Evans	Hart

Harvey	Kirketeg	Mowry	Smith
Henningsen	Leo	Parker	Stewart
Hill	Levis	Pelzer	Talbott
Hoeven	Lundy	Schadt	Whitehill
Hopkins	Martin	Shaw	Zeigler
Husted	Mighell	Sjulin	

Absent or not voting, 4:

Benson	Donohue	Elthon	Miller
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The amendment was lost.

Senator Moore offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 2 by adding the following:

"The printing of these pamphlets shall not exceed five hundred (500) in number."

The amendment was lost.

Senator Hill moved the previous question on the adoption of the joint resolution as amended, which motion prevailed.

Senator Dewey 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 joint resolution be adopted?" the vote was:

Ayes, 39:

Baldwin	Edwards	Husted	Schadt
Beardsley	Ellis	Kirketeg	Shaw
Bekman	Faul	Leo	Sjulin
Berg	Forsling	Levis	Smith
Byers	Hart	Lundy	Stewart
Corwin	Harvey	Martin	Talbott
Cromwell	Henningsen	Miller	Vrba
Dean	Hill	Mowry	Whitehill
Dewey	Hoeven	Parker	Zeigler
Doran	Hopkins	Pelzer	

Nays, 3:

Breen	Geske	Moore
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Absent or not voting, 8:

Augustine	Donohue	Evans	Guernsey
Benson	Elthon	Gillette	Mighell

The joint resolution 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 joint resolution was adopted by 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 Dewey, Senate Joint Resolution 2 was messaged to the House immediately.

President pro tem Hoeven took the chair at 11:35.

THIRD READING OF BILLS

On motion of Senator Baldwin, Senate Joint Resolution 1 was taken up and considered.

SENATE JOINT RESOLUTION 1

A 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.

On motion of Senator Baldwin, the report of the committee was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 1 by striking from line four (4) the words "license fees," after the word "vehicle" and the word "and" following the word "fees" and all of line five (5), of section 1.

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 1 by inserting after the word "highways" in line nine (9) of section 1 the words "exclusively within the state".

The amendment was adopted.

Senator Baldwin moved that the joint resolution be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 25:

Augustine	Dewey	Guernsey	Parker
Baldwin	Doran	Harvey	Schadt
Beardsley	Edwards	Hill	Shaw
Berg	Ellis	Martin	Stewart
Breen	Faul	Miller	Talbott
Cromwell	Gillette	Moore	Vrba
Dean			

Nays, 20:

Bekman	Geske	Kirketeg	Pelzer
Byers	Henningsen	Leo	Sjulin
Corwin	Hoeven	Levis	Smith
Evans	Hopkins	Lundy	Whitehill
Forsling	Husted	Mowry	Zeigler

Absent or not voting, 5:

Benson	Elthon	Hart	Mighell
Donohue			

The joint resolution having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Martin, Senate File 16, a bill for an act to provide the procedure under which private property may be taken for public school purposes under condemnation proceedings; to amend sections forty-three hundred sixty-four (4364) and seventy-eight hundred forty-five (7845) of the Code of Iowa, 1935; and to repeal sections forty-three hundred sixty-five (4365) to forty-three hundred sixty-nine (4369) inclusive, of the Code of

Iowa, 1935, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Martin moved that the bill be read a third 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	Edwards	Hoeven	Parker
Baldwin	Ellis	Hopkins	Pelzer
Beardsley	Evans	Husted	Schadt
Bekman	Faul	Kirketeg	Shaw
Berg	Forsling	Leo	Sjulin
Breen	Geske	Levis	Smith
Byers	Gillette	Lundy	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Dewey	Henningsen	Moore	Zeigler
Doran	Hill	Mowry	

Nays, none.

Absent or not voting, 3:

Benson	Donohue	Elthon
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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 Martin 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 ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

S. F. 133.....	Judiciary 2
S. F. 134.....	Conservation
S. F. 135.....	Judiciary 1
S. F. 136.....	Judiciary 1
S. F. 137.....	Motor Vehicles
S. F. 138.....	Consolidation and Coordination
S. F. 140.....	Judiciary 1
S. F. 141.....	Tax Revision
S. F. 143.....	Cities and Towns
S. F. 145.....	Judiciary 2

REPORTS OF COMMITTEES

Senator Zeigler submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce, and trade, to which was referred Senate File 113, a bill for an act to amend the law as it appears in Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly of Iowa, relating to the imposition of a tax on the gross receipts from retail sales as therein defined; to modify the definition of retail sale or sale at retail, as set forth therein; and to repeal any 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:

Amend by adding a new section:

"Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Waterloo Courier, a newspaper published at Waterloo, Iowa, and in the Daily Tribune, a newspaper published at Dubuque, Iowa."

SANFORD ZEIGLER, JR., *Chairman.*

Ordered passed on file.

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 62, a bill for an act to legalize the proceedings as to the issuance of sewer bonds of the incorporated town of Alta Vista, Iowa and to legalize the levying of a tax for the payment of the said bonds, 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 63, a bill for an act to legalize the election proceedings relating to the sale and the issuance of bonds of the independent school district of New Hampton and the levying of a tax for the payment of the bonds of the independent school district of New Hampton, Chickasaw county, 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.

Senator Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 80, a bill for an act making an appropriation to defray the expense of the inaugural ceremonies, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *Chairman.*

Ordered passed on file.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate Joint Resolution 1 failed to pass the Senate. **K. A. EVANS.**

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 2, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. J. A. Kettle, pastor of the Methodist Episcopal Church of Rock Valley.

The Journal of February 1st was corrected and approved.

LEAVE OF ABSENCE

By unanimous consent, on request of Senator Berg, Senators Kirketeg, Cromwell, Levis, Sjulín, Smith, Ellis, Husted and Dean, members of the sub-committee on appropriations, were excused for the day to make an inspection trip to Ames.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hoeven, from women of the Congregational Church of Doon, favoring enactment of House File 1, providing for local option.

By Senator Hopkins, from the board of Methodist Episcopal Sunday School at Bayard, favoring enactment of House File 1.

By Senator Whitehill, from farmers of Marshall county, opposing the enactment of a state fair labor standards act.

INTRODUCTION OF BILLS

Senate File 154, by Senators Harvey and Shaw, a bill for an act to legalize a special school election held in the Independent School District of Arion, Crawford County, Iowa, on the first day of October, 1938, relating to the issuance of bonds of said school district and declaring bonds issued pursuant to said election to be enforceable obligations of said school district.

Read first and second times and passed on file.

Senate File 155, by committee on public libraries, a bill for an act to create a library certification committee; to prescribe its duties, and the qualification of the members thereof; and to regulate the appointment and certification of librarians.

Read first and second times and placed on the calendar.

Senate File 156, by committee on public libraries, a bill for an act to amend section six thousand two hundred eleven (6211), paragraph nineteen (19), Code, 1935, relating to library fund.

Read first and second times and placed on the calendar.

Senate File 157, by committee on mines and mining, a bill for an act to amend Chapter ninety-three (93), Acts of the Forty-seventh (47th) General Assembly, relating to preference for domestic products and labor.

Read first and second times and placed on the calendar.

Senate File 158, by Senators Berg and Forsling, a bill for an act granting cities, including cities operating under special charter, authority to license and regulate by ordinance the installation and construction of warm air heating systems, ventilation work and the air distribution system to and from any air conditioning unit or units; and to provide for the licensing of master and journeymen installers of such plants, and permitting cities to fix penalties for the violation of such ordinances.

Read first and second times and passed on file.

Senate File 159, by Senator Donohue, a bill for an act to legalize the corporate acts and proceedings of the Chickasaw County Equity Cooperative Association of New Hampton, Iowa, and to provide for the renewal thereof and amended and substituted articles of incorporation of said Chickasaw County Equity Cooperative Association.

Read first and second times and passed on file.

Senate File 160, by Senator Donohue, a bill for an act authorizing the appointment of a boundary commission, its powers and duties, and to repeal Chapter 313 of the Acts of the Fortieth (40th) General Assembly.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Baldwin, Senate File 56, a bill for an act to extend the term of office of Thomas McDermott, member of the board of supervisors of Dubuque county, Iowa, one year so that said term will expire on the second secular day of January, 1942, 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 the second paragraph beginning with "Whereas" in line two (2) of said paragraph by inserting after the word "vote" the word "was".

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	Donohue	Hart	Mowry
Baldwin	Doran	Harvey	Parker
Beardsley	Edwards	Henningsen	Pelzer
Bekman	Elthon	Hill	Schadt
Benson	Evans	Hoeven	Shaw
Berg	Faul	Hopkins	Stewart
Breen	Forsling	Leo	Talbott
Byers	Geske	Lundy	Vrba
Corwin	Gillette	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler

Nays, none.

Absent or not voting, 10:

Cromwell	Husted	Martin	Sjulin
Dean	Kirketeg	Moore	Smith
Ellis	Levis		

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 Guernsey, Senate File 9, a bill for an act to amend section eleven thousand nine hundred thirty-eight (11938) of the Code of Iowa, 1935, relating to the notice required to be given of the sale at public auction of personal property belonging to the estates of deceased persons, was taken up and considered, the report of the committee having previously been adopted.

The following committee amendment was adopted:

Amend by striking from line four (4) of the title the word "personal".

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	Donohue	Henningsen	Parker
Baldwin	Doran	Hill	Pelzer
Beardsley	Edwards	Hoeven	Schadt
Bekman	Elthon	Hopkins	Shaw
Benson	Evans	Leo	Stewart
Berg	Faul	Lundy	Talbott
Breen	Geske	Martin	Vrba
Byers	Gillette	Mighell	Whitebill
Corwin	Guernsey	Mowry	Zeigler
Dewey	Harvey		

Nays, none.

Absent or not voting, 12:

Cromwell	Forsling	Kirketeg	Moore
Dean	Hart	Levis	Sjulin
Ellis	Husted	Miller	Smith

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 Evans, Senate File 60, a bill for an act to amend subsection three (3) of section six thousand nine hundred forty-three-f twenty-one (6943-f21), Code, 1935, removing the penalties and changing the interest charged for failure to report income in the income tax return in certain cases, 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 section one (1) by striking from line twelve (12) the words "good faith".

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, 40:

Augustine	Doran	Harvey	Mowry
Beardsley	Edwards	Henningsen	Parker
Bekman	Elthon	Hill	Pelzer
Benson	Evans	Hoeven	Schadt
Berg	Faul	Hopkins	Shaw
Breen	Forsling	Leo	Stewart
Byers	Geske	Lundy	Talbott
Corwin	Gillette	Martin	Vrba
Dewey	Guernsey	Mighell	Whitehill
Donohue	Hart	Miller	Zeigler

Nays, none.

Absent or not voting, 10:

Baldwin	Ellis	Levis	Sjulin
Cromwell	Husted	Moore	Smith
Dean	Kirketeg		

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.

By unanimous consent, on request of Senator Evans, Senate File 60 was messaged to the House immediately.

On motion of Senator Shaw, Senate File 131, a bill for an act to repeal Chapter one hundred ninety-eight (198) of the Code of Iowa, of 1935, relating to the Federal Maternity and Infancy Act, 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:

Augustine	Doran	Harvey	Mowry
Beardsley	Edwards	Henningsen	Pelzer
Bekman	Elthon	Hill	Schadt
Benson	Evans	Hoeven	Shaw
Berg	Faul	Hopkins	Stewart
Breen	Forsling	Leo	Talbott
Byers	Geske	Lundy	Vrba
Corwin	Gillette	Martin	Whitehill
Dewey	Guernsey	Mighell	Zeigler
Donohue	Hart	Miller	

Nays, none.

Absent or not voting, 11:

Baldwin	Ellis	Levis	Sjulin
Cromwell	Husted	Moore	Smith
Dean	Kirketeg	Parker	

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.

On motion of Senator Donohue, Senate File 132, a bill for an act to amend Chapter five hundred nine (509) of the Code of Iowa, 1935, authorizing executors, administrators and trustees, under order of court to pay legacies, bequests, distributive shares or interest 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, a committee bill, 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	Doran	Harvey	Mowry
Baldwin	Edwards	Henningsen	Parker
Beardsley	Elthon	Hill	Pelzer
Bekman	Evans	Hoeven	Schadt
Benson	Faul	Hopkins	Shaw
Berg	Forsling	Leo	Stewart
Breen	Geske	Lundy	Talbott
Byers	Gillette	Martin	Vrba
Corwin	Guernsey	Mighell	Whitehill
Dewey	Hart	Miller	Zeigler
Donohue			

Nays, none.

Absent or not voting, 9:

Cromwell	Husted	Levis	Sjulin
Dean	Kirketeg	Moore	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 Lundy, Senate File 37, a bill for an act to amend section seven thousand one hundred seventy-one (7171), Code, 1935, relative to annual levies, 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, 40:

Augustine	Donohue	Harvey	Mowry
Baldwin	Edwards	Henningsen	Parker
Beardsley	Elthon	Hill	Pelzer
Bekman	Evans	Hoeven	Schadt
Benson	Paul	Hopkins	Shaw
Berg	Forsling	Leo	Stewart
Breen	Geske	Lundy	Talbott
Byers	Gillette	Martin	Vrba
Corwin	Guernsey	Mighell	Whitehill
Dewey	Hart	Miller	Zeigler

Nays, none.

Absent or not voting, 10:

Cromwell	Ellis	Levis	Sjulin
Dean	Husted	Moore	Smith
Doran	Kirketeg		

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 motion of Senator Leo, Senate File 48, a bill for an act to amend section fifty-one hundred five-c nine (5105-c9), Code, 1935, relating to motor trucks operated upon the highways of Iowa in interstate commerce and providing an exemption therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Beardsley offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment by striking the words "all after the enacting clause" and inserting in lieu thereof "section 1".

The amendment was adopted.

On motion of Senator Beardsley the following committee amendment was adopted.

Amend by striking section 1 and inserting in lieu thereof the following:

Section 1. Section fifty-one hundred five-c nine (5105-c9), Code, 1935, is amended by adding thereto the following: "The Iowa State Commerce Commission shall be empowered to waive the fee provided for in this section, provided said motor truck is owned by a nonresident of this state and is operated upon the highways thereof only in the conduct of business in interstate commerce and provided further that the owner of said motor truck has complied with the registration requirements of the state of his or its residence, and said Commission shall do all things necessary or required to negotiate and perfect reciprocal agreements between the various states and the state of Iowa, waiving the fee provided for in this section for the purpose of securing exemptions and privileges for citizens of this state operating motor vehicles in other states."

By unanimous consent, Senator Leo withdrew his amendment found on page 123 of the Senate Journal.

Senator Leo moved that the bill be read a third 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	Hart	Mowry
Baldwin	Doran	Harvey	Parker
Beardsley	Edwards	Henningsen	Pelzer
Bekman	Elthon	Hill	Schadt
Benson	Evans	Hoeven	Shaw
Berg	Faul	Hopkins	Stewart
Breen	Forsling	Leo	Talbott
Byers	Geske	Martin	Vrba
Corwin	Gillette	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler

Nays, none.

Absent or not voting, 10:

Cromwell	Husted	Lundy	Sjulin
Dean	Kirketeg	Moore	Smith
Ellis	Levis		

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

Senator Leo 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 Leo, Senate File 48 was messaged to the House immediately.

By unanimous consent, on request of Senator Donohue, Senate File 62, a bill for an act to legalize the proceedings relating to the

sale and authorization of the issuance of sewer bonds by the incorporated town of Alta Vista, Iowa, and the proceedings establishing a sewer district and for the levying of an annual tax for the payment of bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of the incorporated town of Alta Vista, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee 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	Donohue	Hart	Mowry
Baldwin	Doran	Harvey	Parker
Beardsley	Edwards	Henningsen	Schadt
Bekman	Elthon	Hill	Shaw
Benson	Evans	Hoeven	Stewart
Berg	Faul	Hopkins	Talbott
Breen	Forsling	Leo	Vrba
Byers	Geske	Martin	Whitehill
Corwin	Gillette	Mighell	Zeigler
Dewey	Guernsey	Miller	

Nays, none.

Absent or not voting, 11:

Cromwell	Husted	Lundy	Sjulin
Dean	Kirketeg	Moore	Smith
Ellis	Levis	Felzer	

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 62 was messaged to the House immediately.

By unanimous consent, on request of Senator Donohue, Senate File 63, a bill for an act to legalize the election and proceedings relating to the sale and authorizing the issuance of bonds by the Independent School District of New Hampton, in the County of Chickasaw, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of bonds, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 38:

Augustine	Doran	Harvey	Mowry
Baldwin	Edwards	Henningsen	Parker
Beardsley	Elthon	Hill	Pelzer
Bekman	Evans	Hoeven	Schadt
Benson	Faul	Hopkins	Shaw
Berg	Forsling	Lundy	Talbott
Breen	Geske	Martin	Vrba
Corwin	Gillette	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler
Donohue	Hart		

Nays, none.

Absent or not voting, 12:

Byers	Ellis	Leo	Sjulin
Cromwell	Husted	Levis	Smith
Dean	Kirketeg	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 Donohue, Senate File 63 was messaged to the House immediately.

By unanimous consent, on request of Senator Hart, Senate File 80, 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.

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, 40:

Augustine	Donohue	Hart	Mowry
Baldwin	Doran	Harvey	Parker
Beardsley	Edwards	Henningsen	Pelzer
Bekman	Elthon	Hill	Schadt
Benson	Evans	Hoeven	Shaw
Berg	Faul	Hopkins	Stewart
Breen	Forsling	Leo	Talbott
Byers	Geske	Martin	Vrba
Corwin	Gillette	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler

Nays, none.

Absent or not voting, 10:

Cromwell	Husted	Lundy	Sjulin
Dean	Kirketeg	Moore	Smith
Ellis	Levis		

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

Senator Hart 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 Hart, Senate File 80 was messaged to the House immediately.

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 22, 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 229, a bill for an act to provide for special fund known as use tax fund.

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

House File 145, a bill for an act to appropriate the sum of \$1000.00 to the state historical, memorial and art department.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 22, a bill for an act to amend section two hundred fifteen (215) Code, 1935, relating to the duties of the superintendent of printing.

Read first and second times and passed on file.

House File 229, a bill for an act to amend section twenty-three (23), Chapter one hundred ninety-eight (198), Acts of the 47th General Assembly, to provide for a special fund known as the use tax fund; to provide for the apportionment of said tax fund to the homestead tax credit fund and to the general fund of the state of Iowa; and to make possible the payment of homestead tax credit on all homesteads within the state of Iowa.

Read first and second times and passed on file.

House File 145, a bill for an act to appropriate the sum of one thousand dollars (\$1,000.00) to the state historical, memorial and art department for the payment of salaries for the two additional persons in the archives division of said department.

Read first and second times and passed on file.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

	Committee
S. F. 148.....	Public Schools
S. F. 149.....	Public Schools
S. F. 150.....	Cities and Towns
S. F. 151.....	Judiciary 2
S. F. 153.....	Public Schools
H. J. R. 4.....	Appropriations
H. F. 32.....	Judiciary 2
H. F. 49.....	Appropriations
H. F. 54.....	Appropriations
H. F. 116.....	Judiciary 1
H. F. 156.....	Consolidation and Coordination

REPORT OF COMMITTEE ON CLERKS

MR. PRESIDENT: The following assignment of clerk has been made to fill a vacancy caused by resignation:

Senator Baldwin—Alice Baldwin.

L. H. DORAN, *Chairman.*

LEO ELTHON.

EDWARD H. VRBA.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Vrba, 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 42.

EDWARD H. VRBA,

Acting Chairman Senate Committee.

ALBERT STEINBERG,

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 42.

BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on this 2nd day of February, 1939, sent to the governor for his approval, Senate File 42. **RALPH E. BENSON, Chairman.**

Passed on file.

REPORT OF COMMITTEE

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 51, 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, 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 (1) by striking all of said section and inserting in lieu thereof the following:

Section 1. Section five thousand seven hundred ninety-two (5792) of the 1935 Code of Iowa, is amended by striking from line four (4) the word "five-eighths" and inserting in lieu thereof the word "one".

J. BERG, Chairman.

Ordered passed on file.

On motion of Senator Hopkins, the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 3, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. S. H. Schlick, pastor of the First Presbyterian Church of Bedford.

The Journal of February 2nd was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Breen for the day, on request of Senator Dean; Senator Faul for the day, on request of Senator Kirketeg.

By unanimous consent, on request of Senator Elthon, Senators Smith, Corwin, Benson, Schadt, Gillette, and Pelzer, members of the subcommittee on appropriations, were excused for the day to make an inspection trip to Ft. Madison.

By unanimous consent, Senator Shaw was excused from attendance on Monday.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bekman, from citizens of Ottumwa, favoring enactment of House File 1, providing for local option.

By Senator Cromwell, from citizens of Danville, favoring enactment of House File 1.

By Senator Hill, from citizens of Hardin county, favoring enactment of House File 1.

By Senator Hill, from teachers of Webster City, favoring teachers' annuity legislation.

By Senator Breen, from citizens of Webster county, opposing enactment of a state fair labor standards act.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 167, a proposed bill legalizing the issuance of warrants by the City of Decorah. WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 161, by committee on consolidation and coordination, a bill for an act to amend Chapter seven-E one (7-E1), Code, 1935, relating to the budget; fixing dates for the preparation thereof, and prescribing additional requirements for the budget report.

Read first and second times and placed on the calendar.

Senate File 162, by Senator Shaw (Miller), a bill for an act amending section five thousand seven hundred eighty-nine (5789) of the Code, relating to bonds for park commissioners.

Read first and second times and passed on file.

Senate File 163, by Senator Shaw (Miller), a bill for an act amending section five thousand eight hundred ten (5810), of the Code, authorizing cities and towns to levy a tax for park purposes, and providing for the administration of such fund by the city council.

Read first and second times and passed on file.

Senate File 164, by committee on insurance, a bill for an act to repeal section eight thousand nine hundred forty-three e-1 (8943 e-1) and section eight thousand nine hundred forty-three e-2 (8943 e-2) of the 1935 Code of Iowa, contained in Chapter four hundred four (404) entitled "Insurance Other Than Life" under Title Twenty (XX) entitled "Insurance", and to provide a substitute therefor, requiring the countersignature of insurance policies by resident agents of commission paying insurance companies; limiting right of countersignature to insurance agents whose earnings are derived from the insurance business by way of commission; providing for a minimum commission which shall be payable to resident countersigning agents on risks located in Iowa that the policies for which originate without the state; providing for liability of the insurance carrier to the resident countersigning agent for such commission; prescribing the duty of insurance carriers and resident agents to keep records of policies so originating without the state that the Commissioner of Insurance may verify premium tax; providing for retaliation in the event larger commissions are retained by nonresident agents on foreign risks originating in the State of Iowa; providing that this act shall not be applicable to associations doing business under Chapter four

hundred six (406) of the Code, domestic companies, life insurance companies, and companies soliciting business exclusively by salaried representatives; and providing penalties for the violation of this act.

Read first and second times and placed on the calendar.

Senate File 165, by Senator Henningsen, a bill for an act to repeal section fourteen hundred eighty-four (1484), Code, 1935, and enact a substitute therefor relating to washing facilities in factories, mercantile establishments, mills, workshops, railroad terminals, and railroad shops.

Read first and second times and passed on file.

Senate File 166, by Senators Sjulín, Evans, Gillette, and Kirketeg (Dancer, Fishbaugh, Stewart), a bill for an act to declare the necessity of creating governmental subdivisions of the State to be known as "soil conservation districts," to engage in conserving soil resources and preventing and controlling soil erosion; to establish the State soil conservation committee, and to define its powers and duties; to provide for the creation of soil conservation districts; to define the powers and duties of soil conservation districts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift, and otherwise; to empower such districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and the adoption and carrying out of soil-conserving land-use practices, and to provide for the enforcement of such programs and regulations; to provide for establishing boards of adjustment in connection with land-use regulations, and to define their functions and powers; to provide for discontinuance of such soil conservation districts; to provide for financial assistance to such soil conservation districts, and making an appropriation for that purpose, and for otherwise effectuating the provisions of this Act, and for other purposes.

Read first and second times and passed on file.

Senate File 167, by Senator Vrba, a bill for an act to authorize and legalize issuance of warrants by the city of Decorah in Winneeshiek county, Iowa, to be drawn against the bridge fund of the city of Decorah, Iowa, for the purpose of purchasing right-of-way and assisting in federal project in the diversion of flood waters

from Dry Run to the Upper Iowa River within and adjacent to the city of Decorah, Iowa.

Read first and second times and passed on file.

Senate File 168, by Senator Hill, a bill for an act to amend section seven thousand one hundred eighty-eight (7188) and section five thousand one hundred fifty-six (5156) Code, 1935, relating to tax receipts and the duties of county treasurers.

Read first and second times and passed on file.

Senate File 169, by Senators Husted, Hopkins, Elthon, and Sjulín, a bill for an act to secure to counties 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 county; 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 to provide for pro rata refunds on licenses and permits canceled or revoked; to provide penalties for the violation of this Act, establishing rules of evidence and procedure in such cases; to provide for 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 provide for the sale of liquor in counties during the period any county shall remain No-License Territory under a vote taken as provided herein.

Read first and second times and passed on file.

Senate Joint Resolution 4, by Senator Berg, a joint resolution designating that part of U. S. Highway No. 6 which crosses the State of Iowa as "Grand Army of the Republic Highway" and providing for suitable markers.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Hill Senate File 51, 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, 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 section one (1) by striking all of said section and inserting in lieu thereof the following:

Section 1. Section five thousand seven hundred ninety-two (5792) of the 1935 Code of Iowa, is amended by striking from line four (4) the word "five-eighths" and inserting in lieu thereof the word "one."

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, 35:

Augustine	Ellis	Hopkins	Parker
Bekman	Elthon	Husted	Shaw
Berg	Evans	Kirketeg	Sjulin
Byers	Geske	Leo	Stewart
Cromwell	Guernsey	Levis	Talbott
Dean	Harvey	Martin	Vrba
Dewey	Henningsen	Miller	Whitehill
Doran	Hill	Moore	Zeigler
Edwards	Hoeven	Mowry	

Nays, none.

Absent or not voting, 15:

Baldwin	Corwin	Gillette	Pelzer
Beardsley	Donohue	Hart	Schadt
Benson	Faul	Lundy	Smith
Breen	Forsling	Mighell	

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 Edwards, Senate File 156, a bill for an act to amend section six thousand two hundred eleven (6211), paragraph nineteen (19), Code, 1935, relating to library fund, a committee bill, was taken up and considered.

By unanimous consent, on request of Senator Ellis, action was deferred on Senate File 156.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

Committee

S. F. 146.....	Judiciary 1
S. F. 154.....	Judiciary 1
S. F. 158.....	Judiciary 2
S. F. 159.....	Judiciary 2
S. F. 160.....	Judiciary 2
S. F. 162.....	Cities and Towns
S. F. 163.....	Cities and Towns
S. F. 165.....	Manufacturing, Commerce and Trade
S. F. 166.....	Agriculture
S. F. 167.....	Judiciary 2
S. F. 168.....	Judiciary 1
S. F. 169.....	Judiciary 2
S. J. R. 4.....	Highways
H. F. 22.....	Printing
H. F. 229.....	Ways and Means
H. F. 145.....	Appropriations

REPORTS OF COMMITTEES

Senator Hill submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred Senate File 128, a bill for an act to repeal all of Chapter 78, Code, 1935, except sections 1553 to 1556 inclusive, and sections 1585 and 1586, Code, 1935, all relating to the tax and restrictions upon the sale of cigarettes, cigarette papers and tubes, and to enact a substitute therefor and to provide for the collection of the tax on cigarettes, cigarette papers and tubes and to require permits and bonds of dealers and to provide for the enforcement and administration of said tax and to define unlawful acts and provide penalties 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:

From section nine (9), line nine (9), strike the figures "1930" and insert in lieu thereof the figures "1939".

G. R. HILL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred Senate File 141, a bill for an act to amend Chapter 78, Code, 1935, to provide that all cigarette permits in force and effect on July 1, 1939, are extended to July 5, 1939, begs leave to report it has had the same under consideration and recommends the same do pass.

G. R. HILL, *Chairman.*

Ordered passed on file.

On motion of Senator Zeigler, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 6, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. J. E. Clark, pastor of the Methodist Church of Bridgewater.

The Journal of February 3rd was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hart for the day, on request of Senator Zeigler; Senator Faul, on account of illness, on request of Senator Zeigler.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Cromwell, from members of the Des Moines County Tavern Owners' Association, opposing enactment of House Files 1 and 37 and Senate File 14.

By Senator Mowry, from Automatic Washer Company of Newton, opposing the itinerant merchants' bill.

By Senator Byers, from citizens of Cedar Rapids, favoring legislation revoking pension liens on aged homestead owners.

By Senator Berg, from citizens of Black Hawk County, opposing enactment of a state fair labor standards act.

By Senator Berg, from Soul Winners Sunday School Class, of First Evangelical Church of Waterloo, favoring House File 1, providing for local option.

By Senator Corwin, from citizens of Muscatine and Louisa counties, opposing enactment of a state fair labor standards act.

By Senator Parker, from citizens of Greeley, favoring the itinerant merchants' bill.

By Senator Parker, from citizens of Earlville, favoring enactment of House File 1.

By Senator Leo, from the Tama County Farm Bureau Board, favoring rural library extension.

By Senator Doran, from citizens of Ames, favoring teachers' annuity.

By Senator Smith, from Bremer County Association of American Legion Posts, favoring an increase in millage levy for the soldiers' relief fund.

By Senator Zeigler, from citizens of Van Buren county, favoring enactment of House File 1.

By Senator Hoeven, from citizens of O'Brien county, favoring rural library extension and certification of librarians.

INTRODUCTION OF BILLS

Senate File 170, by Senator Mighell (Alesch), a bill for an act to legalize and validate the acts done and proceedings taken by the board of park commissioners of the city of Le Mars, in Plymouth county, Iowa, in expending funds of said city for park purposes, in authorizing and providing for the issuance and delivery of park bonds of said board, and in making provisions for the levy and collection of taxes to pay the principal of said bonds and the interest thereon.

Read first and second times and passed on file.

Senate File 171, by Senators Baldwin, Henningsen, and Dewey, a bill for an act to create an Iowa commission for the New York World's Fair appropriating seventy thousand (70,000) dollars to prepare an exhibit for the exposition and appropriating one hundred thousand (100,000) dollars to create a permanent national campaign promoting and advertising Iowa's natural, commercial, and industrial advantages.

Read first and second times and passed on file.

Senate File 172, by Senator Faul, a bill for an act authorizing boards of waterworks trustees of municipally owned waterworks in certain cities to procure group insurance for employees of such waterworks, to establish a plan and fund for such a purpose, and to administer the same.

Read first and second times and passed on file.

Senate File 173, by Senator Whitehill (Knudson), a bill for an act to amend paragraph three (3), section three hundred ninety-nine (399), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to the width of doors in school busses.

Read first and second times and passed on file.

Senate File 174, by Senator Whitehill (Knudson), a bill for an act to amend section three hundred thirty-nine-a1 (339-a1), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to towing by vehicles of another vehicle or trailer.

Read first and second times and passed on file.

Senate File 175, 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.

Read first and second times and passed on file.

EXTRA COPIES

By unanimous consent, on request of Senator Hopkins, 1,000 additional copies of Senate File 120 were ordered printed.

By unanimous consent, on request of Senator Mowry, 300 additional copies each of Senate Files 10 and 14 were ordered printed.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on February 6, 1939, he had approved the following: Senate File 42, authorizing administrators, executors or trustees to mortgage or encumber personal property and to obtain the benefits provided under Chapter 427 of the 1935 Code by sealing grain.

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 8, a bill for an act relating to bounties on certain animals and birds.

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 relating to county conventions by political parties.

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 legalize and validate ordinance 4227 of the city of Des Moines, passed June 25, 1934, relating to and providing for fire limits and regulations.

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

House File 85, a bill for an act to legalize tax levies, assessments or collections during years 1934-1937.

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

House File 174, a bill for an act relating to the state library and the historical, memorial, and art department and the state library commission.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 8, a bill for an act to repeal Chapter one hundred forty-six (146), Acts of the Forty-seventh General Assembly; to repeal section fifty-four hundred fourteen (5414), Code, 1935, as amended by said Chapter one hundred forty-six (146), and to enact a substitute therefor relating to bounties on certain animals and birds.

Read first and second times and passed on file.

House File 33, a bill for an act to amend section six hundred sixteen (616), Code, 1935, relating to county conventions by political parties.

Read first and second times and passed on file.

House File 61, a bill for an act to legalize and validate ordinance 4227 of the City of Des Moines, passed June 25, 1934, relating to and providing for fire limits and regulations covering the construction, alteration, equipment, occupancy, repair, use and removal of buildings and other structures, regulating the installation of heating apparatus and providing for the regulation of inflammable liquids, partition fences, fire escapes and stand-pipes, providing for the inspection of the same and issuance of permits and fees to be charged therefor, and providing a penalty for the violation thereof, and to legalize all the acts and proceed-

ings connected with said ordinance by the city council of said city and its officers in the passage, publication and adoption of the form of said ordinance.

Read first and second times and passed on file.

House File 85, a bill for an act to legalize any and all tax levies, assessments, or collections during the years 1934, 1935, 1936 and 1937 wherein the county auditor of any county in computing the tax rate failed to deduct from the total budget requirements the tax to be derived from moneys and credits and other moneyed capital, pursuant to the provisions of law as contained in section seventy-one hundred sixty-four (7164) of the Code.

Read first and second times and passed on file.

House File 174, a bill for an act to repeal sections forty-five hundred twelve (4512) to forty-five hundred forty-one (4541), inclusive, Code, 1935, all relating to the state library and the historical, memorial, and art department and the state library commission, and to enact a substitute therefor, providing for a board of trustees of the libraries and museums, a state law library, a state traveling library, a state medical library, and a department of history and archives; and to provide for the extension of library service throughout the state, and for the establishment of regional libraries.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Forsling, Senate File 113, a bill for an act to amend the law as it appears in Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly of Iowa, relating to the imposition of a tax on the gross receipts from retail sales as therein defined; to modify the definition of retail sale or sale at retail as set forth therein; and the repeal any Acts, or parts of Acts, in conflict herewith, 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 adding a new section:

"Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the

Waterloo Courier, a newspaper published at Waterloo, Iowa, and in the Daily Tribune, a newspaper published at Dubuque, Iowa.”

Senator Forsling offered the following amendment and moved its adoption:

Amend Senate File 113 by adding the following sentence at the end of section one (1) thereof the following: amend section one (1) Chapter one hundred ninety-six (196), Acts of the Forty-seventh (47) General Assembly, by adding after the word “creating” at the end of line twenty of said section, the word “heat” followed by a comma (,).

The amendment was adopted.

Senator Forsling moved that the bill be read a third 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	Harvey	Moore
Baldwin	Donohue	Henningsen	Mowry
Beardsley	Doran	Hill	Pelzer
Bekman	Edwards	Hoeven	Sjulin
Benson	Ellis	Hopkins	Smith
Berg	Elthon	Kirketeg	Stewart
Breen	Evans	Leo	Talbott
Byers	Forsling	Lundy	Vrba
Corwin	Geske	Martin	Whitehill
Cromwell	Gillette	Mighell	Zeigler
Dean	Guernsey	Miller	

Nays, none.

Absent or not voting, 7:

Faul	Husted	Parker	Shaw
Hart	Levis	Schadt	

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

Senator Forsling 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 Mowry, Senate File 147, a bill for an act to repeal sections ninety-three hundred six (9306), ninety-three hundred thirty (9330) as amended by Chapter two hundred twenty-one (221), Acts of the Forty-seventh General Assembly, ninety-three hundred fifty-four (9354), ninety-three hundred fifty-four-one (9354-f1), ninety-three hundred sixty (9360), and ninety-three hundred sixty-two (9362), Code, 1935, and to enact substitutes therefor; to amend sections ninety-three hundred eleven

(9311), ninety-three hundred fifteen (9315) as amended by section ten (10) of Chapter two hundred twenty (220), Acts of the Forty-seventh General Assembly, ninety-three hundred forty-b one (9340-b1), ninety-three hundred fifty (9350) as amended by section eleven (11) of Chapter two hundred twenty (220), Acts of the Forty-seventh General Assembly, ninety-three hundred fifty-seven (9357), ninety-three hundred sixty-three (9363), ninety-three hundred thirty-e one (9330-e1), ninety-three hundred forty-four (9344), and ninety-three hundred nineteen (9319) as amended by section six (6) of Chapter two hundred twenty (220), Acts of the Forty-seventh General Assembly, and Chapter four hundred seventeen (417), Code, 1935; and to repeal sections ninety-three hundred fifty-five (9355), ninety-three hundred fifty-six (9356), and ninety-three hundred sixty-one (9361), Code, 1935, all relating to building and loan associations; and to amend sections eighty-three hundred eighty-four (8384), eighty-three hundred eighty-five (8385), and eighty-three hundred ninety-four (8394), Code, 1935, relating to corporations for pecuniary profit, a committee bill, was taken up and considered.

By unanimous consent, on request of Senator Donohue, action was deferred and the bill was allowed to retain its place on the calendar.

On motion of Senator Edwards, Senate File 155, a bill for an act to create a library certification committee; to prescribe its duties, and the qualification of the members thereof; and to regulate the appointment and certification of librarians, a committee bill, was taken up and considered, and the report of the committee adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 155 by striking all of subsection two (2) of section nine (9) after the word "retroactive" in line eight (8) and substituting in lieu thereof a period.

By unanimous consent, on request of Senator Hill, action was deferred and the bill was allowed to retain its place on the calendar.

On motion of Senator Lundy, Senate File 157, a bill for an act to amend Chapter ninety-three (93), Acts of the Forty-seventh

(47th) General Assembly, relating to preference for domestic products and labor, a committee bill was taken up and considered.

Senator Berg offered the following amendments and moved their adoption:

Amend Senate File 157 by striking all after the comma following the word "and" in line 16 thereof down to and including the comma following the word "otherwise" in line 19, of section 1.

Also amend Senate File 157 by striking the word "elsewhere" from line 29 of section 1 thereof.

By unanimous consent, on request of Senator Doran, action was deferred and the bill was allowed to retain its place on the calendar.

SENATE CONCURRENT RESOLUTION 5

Whereas, The nineteen hundred thirty-five (1935) Code will soon become obsolete by reason of the printing of the new nineteen hundred thirty-nine (1939) Code, and

Whereas, Under the rules the chairmen of the several committees are required to devote long hours of study to the many measures pending in order that legislation may be properly considered,

Be It Resolved by the Senate, the House Concurring: That the Secretary of the Senate and the Chief Clerk of the House be ordered and directed to procure from the superintendent of printing for the use of the chairman of each of the committees of the House and Senate an extra copy of the nineteen hundred thirty-five (1935) Code, Annotations thereto, and Acts of the Forty-seventh General Assembly.

REPORTS OF COMMITTEES

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 44, a bill for an act to amend the law which appears in section 3621, Code of Iowa, 1935, relating to the filing of petitions in the juvenile court, etc., 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 after the word "amended" in section 1, line 2, of said bill the following: "by striking the period at the end of said section and".

A. J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 66, a bill for an act to amend Chapter 437 of the Code of 1935, relating to chattel mortgages and conditional sales of personal property, 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 40, a bill for an act to amend section 10069 of the Code, 1935, relating to release of corporate liens and providing for certification by the clerk of the district court of relationship to corporation of person executing release, 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 (1) by changing the word "five" to the word "ten".

A. J. SHAW, *Chairman.*

Ordered passed on file.

Senator Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 54, a bill for an act to provide an emergency appropriation for the enforcement of the uniform narcotic drug act from February 1, 1939, to July 1, 1939, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 145, a bill for an act to appropriate the sum of \$1,000 to the state historical, memorial and art department for the payment of salaries, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 171 by striking all of section three (3) thereof and renumbering the remaining sections.

A. CLAIRE DEWEY.

MR. PRESIDENT: Amend Senate File 147 by striking out the word "shall" in line nine (9) of section seven (7) and inserting in lieu thereof the word "may".

Further amend by inserting in section eleven (11), line ninety (90), after the word "appoint" and before the word "supervisor", the word "the".

ROSS R. MOWRY.

MR. PRESIDENT: Amend House File 116 by adding to section 1 the following additional numbered paragraph: "9. That the applicant is in debt to the state of Iowa."

LESTER S. GILLETTE.

MR. PRESIDENT: Amend Senate File 35 as follows:

1. Amend the title of Senate File 35 by striking from lines 2, 3 and 4

thereof the following: "providing that the board of control and the attorney general shall constitute the board of parole;", by striking the letter "s" from the end of the word "sections" in line 4, and by striking from lines 4, 5 and 6 the following: "thirty-seven hundred eighty-two (3782), thirty-seven hundred eighty-three (3783) and".

2. Amend Senate File 35 by striking therefrom all of section 1 and renumbering the following sections. HUGH G. GUERNSEY.

MR. PRESIDENT: Amend Senate File 147 by striking from lines ninety-two (92) and ninety-three (93) of section eleven (11) the following: "the supervisor's issuing a certificate", and inserting in lieu thereof the following: "a certificate issued by the supervisor".

2. And further amend said Senate File 147 by adding a new paragraph at the end of subsection B of section eleven (11) as follows:

"If the receiver appointed is a person other than the supervisor he shall furnish a bond in an amount required by the supervisor with sureties to be approved by the supervisor and the said bonds shall be filed in the office of the auditor of state. The receiver shall make and file a written report with the auditor of state every three (3) months showing the condition of the receivership in detail and all of the acts and things done by him, and before the receiver is discharged he shall make and file a final report with the auditor of state and he shall not be discharged until the said final report has been approved by the auditor of state."

3. Further amend said Senate File 147 by inserting after the word "in" in the fifth line of section thirteen the following: "or being an officer of".

4. Further amend said Senate File 147 by striking the period at the end of subsection two (2) of section thirteen (13) and inserting a comma in lieu thereof and adding the following: "subject to the limitations as to the amount of shares which may be issued to any one member."

FRANK C. BYERS.

MR. PRESIDENT: Amend Senate File 121, section one (1), line four (4), by inserting after the word "gravel" the words: "or other suitable material."

H. W. EDWARDS.

MR. PRESIDENT: Amend Senate File 164 by adding after the word "companies" at the end of line 9 of section 8 the words "or exchanges".

FRED CROMWELL.

On motion of Senator Evans, the Senate adjourned until 10 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 7, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Charles G. Fort, pastor of the First Methodist Church of Rockford.

The Journal of February 6th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Stewart, from citizens of Stanley, favoring enactment of House File 1, providing for local option.

By Senator Sjulín, from Johnson Bros. Mills of Shenandoah, favoring Senate File 169, providing for local option.

By Senator Leo, from citizens of Tama county, favoring House File 1.

By Senator Mowry, from citizens of Jasper county, favoring House File 1.

By Senator Pelzer, from citizens of Massena, favoring House File 1.

By Senator Elthon, from citizens of Mitchell, Howard, Floyd and Cerro Gordo counties, opposing House File 1 and Senate File 14, and favoring House File 131.

By Senator Martin, from citizens of Scott county, opposing enactment of a state fair labor standards act.

By Senator Benson, from citizens of Carroll and Crawford counties, opposing enactment of a state fair labor standards act.

By Senator Smith, from citizens of Bremer, Chickasaw and Fayette counties, opposing enactment of a state fair labor standards act.

By Senator Cromwell, from beauty shop owners and operators of Burlington, opposing House File 226.

By Senator Zeigler, from Fairfield Chamber of Commerce, favoring the itinerant merchants' bill.

By Senator Hopkins, from employees of the University Hospital at Iowa City, favoring civil service legislation.

By Senator Sjulín, from Page County Soil Improvement Association, favoring enactment of a soil conservation district law.

By Senator Dewey, from the Henry County Farmers Union, favoring a graduated land tax.

By Senator Dean, from the Motor Club of Mason City, opposing diversion of the primary road fund, and favoring development of farm-to-market roads without any diversion of primary road funds and without additional tax levy.

INTRODUCTION OF BILLS

Senate File 176, by Senators Whitehill and Edwards, a bill for an act to amend section four thousand six hundred fifty-eight (4658), Code, 1935, and also section four thousand six hundred fifty-eight-a one (4658-a1), Code, 1935, relating to procedure in condemnation of land and prospecting for gravel beds.

Read first and second times and passed on file.

Senate File 177, by Senator Gillette, a bill for an act to fix mileage paid by the State of Iowa to persons driving automobiles owned individually on state business.

Read first and second times and passed on file.

Senate File 178, by Senator Byers, a bill for an act to amend sections ten thousand thirty-one (10031) and ten thousand eighteen (10018), Code of Iowa, 1935, relating to fees to be collected for filing certain instruments effecting personal property and relating to the releases of such instruments.

Read first and second times and passed on file.

Senate File 179, by Senator Miller, a bill for an act to amend Chapter one hundred thirty-one (131), Acts of the 47th General Assembly, relating to weed eradication.

Read first and second times and passed on file.

Senate File 180, by Senator Sjulín, a bill for an act to create a state board of tree experts, and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of "Certified Tree Experts", and to provide the penalty for violations of the provisions thereof.

Read first and second times and passed on file.

Senate File 181, by Senator Sjulín, a bill for an act to cancel taxes on real property belonging to Tabor College located at Tabor, Fremont county, Iowa.

Read first and second times and passed on file.

Senate File 182, by committee on judiciary 2, a bill for an act to amend Chapter one hundred ninety-five (195) of the Laws of the Forty-seventh (47) General Assembly by adding to section nineteen (19) a new subsection defining the words "assessed valuation".

Read first and second times and placed on the calendar.

Senate File 183, by committee on judiciary 2, a bill for an act to amend section six thousand nine hundred forty-nine (6949), Code, 1935, and to repeal section six thousand nine hundred forty-seven (6947), Code, 1935, all relating to exemption from taxation of property belonging to veterans of military service, and to enact a substitute therefor permitting such veterans to select such property to which the said exemption shall apply.

Read first and second times and placed on the calendar.

SENATE RESOLUTION 2

Senator Breen offered the following resolution:

Whereas, There are now on the calendar of the Senate a number of committee bills of the committee on co-ordination and consolidation, and

Whereas, Many of these bills contemplate or propose drastic changes in many of our state institutions, and

Whereas, Many of these proposals are of a new order and have never been tested in the forum of public opinion and have never played any part in the proposals of any political organization in the state, and

Whereas, To test their soundness or to determine their impracticability the Senate needs and should have the advice of all of the people informed

on the institutions where changes are sought or elimination contemplated; now, therefore,

Be It Resolved by the Senate of the Forty-eighth (48th) General Assembly: That the chair appoint a committee of three senators, not members of the committee on co-ordination and consolidation, to fix dates for public hearings on all of the committee bills of the committee on co-ordination and consolidation now on the calendar and on all future bills to appear on the calendar, said public hearings to be held in the State House between the hours of nine in the morning and five in the evening after five days' notice has been given to the Senate and to all interested parties by publication in the Journal of the time and place of said hearing, separate hearings to be held on separate days on each of said bills.

Senator Breen asked unanimous consent to take up Senate Resolution 2 at this time. Objection was made.

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 24, a bill for an act relating to 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 40, a bill for an act relating to the use of the domestic animal fund.

Also: That the House has concurred in the following bill in which the concurrence of the House was asked:

Senate File 80, a bill for an act making an appropriation to defray the expense of the inaugural ceremonies. A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 24, a bill for an act to amend section ten thousand two hundred sixty-nine-e one (10269-e1), Code, 1935, relating to thresherman's or cornsheller's lien.

Read first and second times and passed on file.

House File 40, a bill for an act to repeal Chapter one hundred forty-seven (147), Acts of the Forty-seventh General Assembly, relating to the use of the domestic animal fund.

Read first and second times and passed on file.

By unanimous consent, on request of Senator Mowry, action on Senate File 147 was deferred and the bill was allowed to retain its place on the calendar.

RECONSIDERATION OF SENATE JOINT RESOLUTION 1

Senator Evans called up the motion, previously filed by him, to reconsider the vote by which Senate Joint Resolution 1 failed to pass the Senate.

On the question "Shall the Senate reconsider?" the vote was:

Ayes, 42:

Augustine	Donohue	Henningsen	Miller
Baldwin	Doran	Hill	Moore
Beardsley	Edwards	Hoeven	Parker
Bekman	Ellis	Hopkins	Pelzer
Benson	Elthon	Husted	Schadt
Berg	Evans	Kirketeg	Shaw
Breen	Gillette	Leo	Sjulin
Corwin	Guernsey	Lundy	Stewart
Cromwell	Hart	Martin	Talbott
Dean	Harvey	Mighell	Vrba
Dewey			Whitehill

Nays, 5:

Forsling	Levis	Mowry	Zeigler
Geske			

Absent or not voting, 3:

Byers	Faul	Smith
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The motion to reconsider prevailed.

Senator Evans moved to reconsider the vote by which Senate Joint Resolution 1 went to its third reading, which motion prevailed.

On motion of Senator Evans, Senate Joint Resolution 1, a 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 registration fees 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 exclusively within the state 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, was taken up and considered.

Senator Evans moved that the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, ‘‘Shall Senate Joint Resolution 1 pass?’’ the vote was:

Ayes, 36:

Augustine	Dewey	Henningsen	Moore
Baldwin	Donohue	Hill	Parker
Beardsley	Doran	Hoeven	Pelzer
Bekman	Edwards	Kirketeg	Schadt
Benson	Ellis	Leo	Shaw
Berg	Evans	Lundy	Sjulin
Breen	Gillette	Martin	Stewart
Cromwell	Guernsey	Mighell	Talbott
Dean	Harvey	Miller	Vrba

Nays, 11:

Byers	Forsling	Levis	Whitehill
Corwin	Geske	Mowry	Zeigler
Elthon	Hopkins	Smith	

Absent or not voting, 3:

Faul	Hart	Husted
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The joint resolution 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 joint resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Forsling Senate File 161, a bill for an act to amend Chapter seven-E one (7-E1), Code, 1935, relating to the budget; fixing dates for the preparation thereof, and prescribing additional requirements for the budget report, a committee bill, was taken up and considered.

Senator Forsling moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 49:

Augustine	Doran	Hill	Mowry
Baldwin	Edwards	Hoeven	Parker
Beardsley	Ellis	Hopkins	Pelzer
Bekman	Elthon	Husted	Schadt
Benson	Evans	Kirketeg	Shaw
Berg	Forsling	Leo	Sjulin
Breen	Geske	Levis	Smith
Byers	Gillette	Lundy	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Dewey	Henningesen	Moore	Zeigler
Donohue			

Nays, none.

Absent or not voting, 1:

Faul

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

Senator Forsling 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 Forsling, House File 174, a bill for an act to repeal section forty-five hundred twelve (4512) to forty-five hundred forty-one (4541), inclusive, Code, 1935, all relating to the state library and the historical, memorial, and art department and the state library commission, and to enact a substitute therefor providing for a board of trustees of the libraries and museums, a state law library, a state traveling library, a state medical library, and a memorial museum of art and history; and to provide for the extension of library service throughout the state, and for the establishment of regional libraries, a committee bill, was taken up and considered.

Senator Levis offered the following amendment and moved its adoption:

Amend House File 174 by striking all of subsection three (3) of section five (5) thereof.

The amendment was adopted.

Senator Forsling moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 48:

Augustine	Donohue	Henningsen	Mowry
Baldwin	Doran	Hill	Parker
Beardsley	Edwards	Hoeven	Pelzer
Bekman	Ellis	Hopkins	Schadt
Benson	Elthon	Husted	Shaw
Berg	Evans	Kirketeg	Sjulin
Breen	Forsling	Leo	Smith
Byers	Geske	Levis	Stewart
Corwin	Gillette	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler

Nays, none.**Absent or not voting, 2:**

Faul **Moore**

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

Senator Forsling 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 Forsling, Senate File 98, companion bill to House File 174, was withdrawn from the further consideration of the Senate.

By unanimous consent, on request of Senator Forsling, Senate File 145, a bill for an act to legalize the election and proceedings relating to the sale and authorizing the issuance of bonds by the Consolidated School District of Climbing Hill, in the county of Woodbury, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending amendment and passage, was taken up, and considered.

By unanimous consent, on request of Senator Forsling, action was deferred.

On motion of Senator Ellis, Senate File 156, a bill for an act to amend section six thousand two hundred eleven (6211), paragraph nineteen (19), Code, 1935, relating to library fund, a committee bill on which action was deferred February 3d, was taken up and considered.

Senator Ellis moved that the bill be read a third 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:

Baldwin	Doran	Hill	Mowry
Beardsley	Edwards	Hoeven	Parker
Bekman	Ellis	Hopkins	Pelzer
Benson	Elthon	Husted	Schadt
Breen	Evans	Kirketeg	Shaw
Byers	Forsling	Leo	Sjulin
Corwin	Geske	Levis	Smith
Cromwell	Gillette	Lundy	Stewart
Dean	Guernsey	Martin	Talbott
Dewey	Hart	Mighell	Vrba
Donohue	Henningsen	Miller	Whitehill

Nays, none.

Absent or not voting, 6:

Augustine	Faul	Moore
Berg	Harvey	Zeigler

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

Senator Ellis 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 Senate resumed consideration of the amendments by Senator Berg to Senate File 157:

Amend Senate File 157 by striking all after the comma following the word "and" in line 16 thereof down to and including the comma following the word "otherwise" in line 19, of section 1.

Also amend Senate File 157 by striking the word "elsewhere" from line 29 of section 1 thereof.

Roll call was requested.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 8:

Augustine	Baldwin	Berg
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Nays, 40:

Beardsley	Ellis	Husted	Parker
Bekman	Elthon	Kirketeg	Schadt
Benson	Geske	Leo	Shaw
Breen	Gillette	Levis	Sjulin
Corwin	Guernsey	Lundy	Smith
Cromwell	Hart	Martin	Stewart
Dean	Harvey	Mighell	Talbott
Dewey	Henningsen	Miller	Vrba
Doran	Hill	Moore	Whitehill
Edwards	Hopkins	Mowry	Zeigler

Absent or not voting, 7:

Byers	Evans	Forsling	Pelzer
Donohue	Faul	Hoeven	

The amendments were lost.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 157 by adding thereto the following section as section 3: "Provided, however, that in the event the purchasing body does decide to grant a preference to Iowa produced coal, they shall not be authorized to enter into a contract with a producer of Iowa coal unless the bid made by the said producer was not more than fifteen cents per ton higher than the lowest responsible bid made at the said letting."

The amendment was lost.

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, 38:

Beardsley	Edwards	Kirketeg	Parker
Bekman	Ellis	Leo	Pelzer
Benson	Elthon	Levis	Schadt
Breen	Geske	Lundy	Shaw
Byers	Guernsey	Martin	Sjulin
Corwin	Hart	Mighell	Talbott
Cromwell	Hill	Miller	Vrba
Dean	Hoeven	Moore	Whitahill
Dewey	Hopkins	Mowry	Zeigler
Doran	Husted		

Nays, 7:

Augustine	Berg	Gillette	Stewart
Baldwin	Donohue	Harvey	

Absent or not voting, 5:

Evans	Forsling	Henningsen	Smith
Faul			

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.

By unanimous consent, on request of Senator Lundy, Senate File 157 was messaged to the House immediately.

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 204, a bill for an act to amend Chapter one hundred fifty-one (151), Acts of the Forty-seventh General Assembly, relating to membership, salary, and terms of the members of the state board of social welfare.

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

House File 209, a bill for an act to amend Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, relating to the Iowa emergency relief administration, transferring its functions, funds, and property to the state board of social welfare.

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 to legalize proceedings heretofore taken for the orderly levy and collection of taxes to pay the interest on and the principal of outstanding bonds and certificates of the board of park commissioners of the city of Clinton, Iowa.

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

House File 225, a bill for an act to legalize warrants issued by the board of park commissioners of the city of Clinton, Iowa, proceedings taken authorizing the issuance of bonds to retire said warrants, and provisions made for the levy of taxes to pay said bonds.

A. C. GUSTAFSON, *Chief Clerk.*

SENATE FILE 109 REREFERRED

With consent of Senator Shaw, chairman of committee on judiciary 1, Senate File 109 was withdrawn from the committee on judiciary 1 and referred by the President to the committee on agriculture.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

	Committee
S. F. 170.....	Judiciary 2
S. F. 171.....	Appropriations
S. F. 172.....	Cities and Towns
S. F. 173.....	Public Schools
S. F. 174.....	Motor Vehicles
S. F. 175.....	Judiciary 1
H. F. 8.....	Agriculture
H. F. 33.....	Election Reform
H. F. 61.....	Judiciary 2
H. F. 85.....	Judiciary 1
H. F. 24.....	Judiciary 1
H. F. 40.....	Judiciary 2

S. F. 176.....	Judiciary 1
S. F. 177.....	Judiciary 2
S. F. 178.....	Judiciary 2
S. F. 179.....	Highways
S. F. 180.....	Horticulture
S. F. 181.....	Educational Institutions

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson 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 80.

RALPH E. BENSON,
Chairman Senate Committee.
ALBERT STEINBERG,
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 80.

BILL SENT TO THE GOVERNOR

Senator Benson 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 February, 1939, sent to the Governor for his approval, Senate File 80.

RALPH E. BENSON, *Chairman.*

Passed on file.

REPORTS OF COMMITTEES

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred Senate File 145, a bill for an act relating to sale and authorization of bonds by the Consolidated School District of Climbing Hill, 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. That section 1 be amended by striking the word "omission" in line 10 and inserting in lieu thereof the word "omission".

2. That section 2 be renumbered as section 3 and that there be added as section 2 the following, "Nothing in this act shall be construed to affect pending litigation involving said proceedings or the issuance of the bonds pursuant thereto".

E. P. DONOHUE, *Chairman.*

The report was adopted.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred Senate File 159, a bill for an act to legalize the corporate acts and proceedings of the Chickasaw County Equity Cooperative Association of New Hampton, Iowa and to provide for the renewal thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman.*

The report was adopted.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred House File 85, a bill for an act to legalize tax levies, assessments, or collections during years 1934-1937 wherein county auditor failed to deduct from total budget requirement the tax to be derived from moneys and credits and other moneyed capital, pursuant to provisions of Sec. 7164 of the Code, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman.*

The report was adopted.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred Senate File 45, a bill for 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, 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 45 by inserting between the words "decrees" and "entered" in line 1 of section 1 of said bill the word "heretofore".

2. Amend Senate File 45 by striking all of Sec. 2 after the period following the figure 2 in line 1 of said section and inserting in lieu thereof the following: "Nothing contained in this act shall affect pending litigation."

E. P. DONOHUE, *Chairman.*

The report was adopted.

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred Senate File 2, a bill for an act to repeal Ch. 89, Acts 47th G. A., and to repeal Sec. 125, Code, 1935, and to provide for optional examination of the financial condition and transactions of counties, school districts, and municipal corporations including cities acting under special charter, etc., 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 2 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Chapter eighty-nine (89), Acts of the 47th General Assembly, is hereby repealed.

Sec. 2. Chapter ten (10), Code, 1935, is hereby amended by adding as section one hundred thirteen (113), the following: "113. The financial condition and transactions of all counties, cities of over five thousand (5000) population, city independent and consolidated school districts of over five thousand (5000) population shall be examined once each year by the auditor of state."

Sec. 3. Chapter ten (10), Code, 1935, is hereby amended by adding as section one hundred twenty-four (124), the following: "124. Any township, municipal corporation of less than five thousand (5000) population, or school district in which an annual examination is not required, may on application to the auditor of state secure an examination of its financial condition and transactions, or a like examination shall be had on application of one hundred (100) or more taxpayers, or if there are fewer than five hundred (500) taxpayers, then by five (5) per cent thereof. The examination in any such school district may be had upon the written request of the county superintendent of schools. In lieu of such examination by state accountants, the local governing body may contract with, or employ, certified or registered public accountants and pay the same from the proper public funds."

Sec. 4. Chapter ten (10), Code, 1935, is hereby amended by adding the following: "Where an examination is made under contract with, or employment of, certified or registered public accountants, the examiner shall, in all matters pertaining to an authorized examination, have all of the powers and be vested with all the authority of state examiners employed by the auditor of state, and the cost and expense of the examination shall be paid by the city, town, school district, or township procuring the examination. An itemized sworn statement of the per diem and expense of the examiner shall be filed with the clerk of the city, town, township, or school district, before payment thereof. Upon completion of such examination, a certified copy thereof shall forthwith be filed, by the accountant employed, with the auditor of state."

Sec. 5. Section one hundred twenty-five (125), Code, 1935, is hereby repealed and the following enacted in lieu thereof: "125. Where the examination is made by the state auditor under the provisions of sections one hundred thirteen (113) and one hundred twenty-four (124) of the Code, 1935, each examiner shall on the completion of any such examination file with the local governing body a detailed itemized and sworn voucher of his per diem and expense, which statement or voucher shall be subject to approval by such governing body and when so approved, shall be forwarded to the auditor of state, and when approved by the auditor of state and state comptroller, shall be paid from any unappropriated fund in the state treasury. Repayment to the state shall be made as provided by section one hundred twenty-six (126) of the Code."

Sec. 6. Chapter ten (10), Code, 1935, is hereby amended by adding thereto the following: "This chapter shall apply to special charter cities."

A. J. SHAW, *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 122, a bill for an act to amend section 6310, Code, 1935, relating to pension funds and providing that the same apply to deputy clerks of the municipal court in cities having a population of one hundred twenty-five thousand (125,000) or more; also to amend section 6314, Code, 1935, relating to assessments and making the same applicable to deputy clerks in municipal courts in cities having a population of one hundred twenty-five thousand (125,000) or more, 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 8 of section 2 the word "for" and inserting in lieu thereof the word "from".
J. BERG, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 75, a bill for an act to amend Chapters 269 and 269-A1 of the Code, 1935, and all amendments thereto, and to provide for the financing of the erection of the hospital buildings and additions thereto, by the issuance of county public hospital bonds, and to provide for an increase in the tax rate for the improvement and maintenance of county public hospitals, in counties having a population of one hundred thirty-five thousand inhabitants or over, begs leave to report it has had the same under consideration and recommends 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 123, a bill for an act to amend section 6310, Code, 1935, relating to pension funds and providing that same apply to deputy bailiffs of municipal courts in cities having a population of one hundred twenty-five thousand (125,000) or more; also, to amend section sixty-three hundred fourteen (6314), Code, 1935, relating to assessments and making the same applicable to deputy bailiffs of municipal courts in cities having a population of 125,000 or more, begs leave to report it has had the same under consideration and recommends 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 127, a bill for an act to amend section 5813-d6, Code, 1935, relating to the powers and duties of permanent park boards in cities having a population of more than one hundred twenty-five thousand

population, and vesting in such permanent park boards control of the rivers in such cities, begs leave to report it has had the same under consideration and recommends the same do pass. J. BERG, *Chairman*.

Ordered passed on file.

Senator Hopkins submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File 153, a bill for an act to amend section forty-two hundred seventy-five (4275), relating to public high school attendance, Code, 1935, 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 36, a bill for an act to amend section four thousand two hundred thirty-three-e four (4233-e4) of the Code of Iowa, 1935, relating to transportation of children enrolled in elementary schools other than in consolidated districts, 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

Amend Senate File 128 by striking from line seven (7) of section eight (8) the word "impression" and inserting in lieu thereof the word "imprint".

Also amend Senate File 128 by striking from line four (4) of section eight (8) the word "issuing" and inserting in lieu thereof the word "use".

J. BERG.

Amend Senate File 123 by striking from line eight (8) of section two (2) the word "for" and inserting in lieu thereof the word "from".

J. BERG.

On motion of Senator Hill, the Senate adjourned until 10 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 8, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Hon. Gordon Smith, Representative from Cedar county.

The Journal of February 7th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Forsling, from Townsend Club No. 2 of Sioux City and Townsend Club No. 5 of Leeds, asking that the legislature memorialize Congress to enact the Townsend recovery measure.

By Senator Benson, from citizens of Schaller, favoring enactment of House File 1.

By Senator Parker, from citizens of Manchester, favoring enactment of House File 1.

By Senator Edwards, from citizens of Mount Ayr, favoring enactment of House File 1.

By Senator Faul, from citizens of Farrar and Maxwell, favoring enactment of House File 1.

By Senator Hoeven, from the City Council of Rock Rapids, asking that the appropriation for weather bureau be continued as in former years.

By Senator Breen, from Methodist ministers and wives of Calhoun county, favoring enactment of the local option bill.

By Senator Breen, from citizens of Gowrie, favoring enactment of House File 1.

By Senator Mowry, from citizens of Jasper county, favoring enactment of House File 1.

By Senator Hopkins, from citizens of Bagley, favoring enactment of House File 1.

By Senator Berg, from officers and members of City Council of Parents and Teachers of Waterloo, favoring the part time advisory board for social welfare, as described in Senate File 111, in preference to the full time paid administrative board as set forth in House File 204.

By Senator Mighell, from citizens of Arthur, favoring enactment of House File 1.

By Senator Evans, from the county board of education of Montgomery county, favoring enactment of Senate File 120.

By Senator Elthon, from citizens of Stacyville, opposing enactment of House File 1 and Senate File 14, and favoring enactment of House File 131.

By Senator Schadt, from citizens of Iowa and Benton counties, opposing enactment of a state fair labor standards act.

By Senator Corwin, from citizens of Muscatine and Johnson counties, opposing enactment of a state fair labor standards act.

By Senator Edwards, from the Des Moines Public Dance Commission, favoring legislation separating beer and dancing in public places.

By Senator Gillette, from the Spencer Chamber of Commerce, Spencer City Council, and Clay County Fair Association, urging support for the continuation of the climatological station in Spencer.

By Senator Berg, from the Iowa Association of Real Estate Boards, opposing tax on chain stores.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

House File 224, a proposed bill legalizing the proceedings of the Board of Park Commissioners of the city of Clinton.

House File 225, a proposed bill legalizing warrants issued by the Board of Park Commissioners of the city of Clinton.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 184, by committee on highways, a bill for an act to amend, revise and codify section five thousand ninety-three-fifty-two, (5093-f20) of the Code of Iowa, 1935, relating to the operation of conveyances transporting motor vehicle fuel without

a transport license, so as to place a limitation upon the capacity of conveyances that may be operated for the transportation of motor vehicle fuel in bulk, and providing a penalty for violations thereof.

Read first and second times and placed on the calendar.

Senate File 185, by Senators Edwards and Sjulín, a bill for an act to repeal section fifty-two hundred ninety-six-f twenty-five (5296-f25), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, and to enact a substitute therefor, relating to funeral expenses for persons receiving old age assistance.

Read first and second times and passed on file.

Senate File 186, by committee on livestock and dairying, a bill for an act relating to the dairy industry, and to conserve and promote the prosperity and welfare of the Iowa dairy industry and of the state of Iowa by promoting the increased use and consumption of dairy products, whether processed or unprocessed, by providing for a research, educational, publicity advertising and sales promotion campaign; to levy and impose an excise tax on butter fat produced in this state and shipped during the period from May 1st to May 15th, inclusive, of each year, and to provide for the collection thereof for the purpose of creating a fund with which to conduct such research, educational, advertising publicity, and sales promotion campaign; to create the Iowa Dairy Industry Commission, and to vest the administration of this act in such commission; to provide for the particular duties and authority of said commission hereunder; and to provide penalties for violation of this act.

Read first and second times and placed on the calendar.

Senate File 187, by Senator Benson, a bill for an act to make permanent a temporary transfer made October 10, 1938, by authority of the state comptroller of Iowa of nineteen thousand (\$19,000) dollars from the maintenance and construction fund of Carroll county, Iowa, to the poor fund of said county.

Read first and second times and passed on file.

Senate File 188, by Senator Lundy, a bill for an act to amend sub-section six (6) of section one thousand one hundred fifty-two (1152), Code, 1935, relating to clerk of district court vacancies, and providing the manner by which the same shall be filled.

Read first and second times and passed on file.

Senate File 189, by Senator Lundy, a bill for an act to amend section three thousand five hundred sixty (3560), Code, 1935, relating to the manner by which an appeal may be taken by any person found to be insane and providing for trial by jury.

Read first and second times and passed on file.

Senate File 190, by Senator Donohue, a bill for an act to amend Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, providing for a chief, a first and second assistant and for supervisory officers, and providing for the hearing to be granted to patrolmen on dismissal and providing for the salaries of patrolmen.

Read first and second times and passed on file.

Senate File 191, by Senator Donohue, a bill for an act to amend section one thousand four hundred twenty-two (1422), Code of 1935, providing for workmen's compensation for highway patrolmen.

Read first and second times and passed on file.

Senate File 192, by Senators Bekman and Zeigler, a bill for an act to provide a suitable marker for the site of death and burial of Black Hawk, a Sac Indian Chief, and to provide a marker for the site of Iowaville, and to provide an appropriation therefor.

Read first and second times and passed on file.

Senate File 193, by Committee on pharmacy, a bill for an act to prohibit opening, establishing, operating and maintaining pharmacies and drug stores without licenses or permits obtained from the pharmacy examiners; providing the method of making application for such licenses and permits and the conditions under which they shall be granted; authorizing the pharmacy examiners to make rules and regulations with reference thereto; providing fees and annual fees for such licenses and permits; providing the grounds upon which licenses and permits may be refused or revoked after they have been granted. The act also provides for the issuance of permits to general dealers in small towns and villages where no pharmacy is in operation, and not less than ten (10) miles distant from a regular licensed pharmacy or drug store, permitting them to sell under such rules and restrictions as may be prescribed by the pharmacy examiners, certain simple house-

hold remedies, enumerated in the act and providing for application for such permits and the fees and renewal fees therefor; also authorizing the pharmacy examiners to refuse to grant such permits or to renew the same or to revoke them for the reasons stated in the act. Also providing that the district court of the county in which a licensee has his place of business shall have jurisdiction of the proceedings to revoke or suspend his license or permit. The act also makes any violation of the provisions of this act a misdemeanor, punishable as provided by Chapter one hundred forty-seven (147), Code, 1935, and is made a part of Chapter one hundred twenty-three (123), Code, 1935, to follow what is now section twenty-five hundred eighty-two-d two (2582-d2) of said chapter.

Read first and second times and placed on the calendar.

Senate File 194, by Committee on pharmacy, a bill for an act to amend Chapter one hundred fifteen (115), Acts of the Forty-seventh General Assembly, by repealing sections one (1) to six (6) inclusive, and enacting substitutes therefor, all relating to the sale and distribution of poisons.

Read first and second times and placed on the calendar.

Senate File 195, by committee on pharmacy, a bill for an act relating to the practice of pharmacy; amending section two thousand five hundred twenty-six (2526), Code, 1935, by adding thereto a paragraph requiring the publication by the department of health of the law regulating the sale of narcotics and poisons; amending section two thousand five hundred seventy-nine (2579), Code, 1935, enumerating persons not affected by the provisions of sections two thousand five hundred seventy-eight (2578) and two thousand five hundred eighty-two (2582), by substituting for paragraph two (2) thereof a new paragraph excluding persons who sell insecticides and fungicides, completely denatured alcohol and concentrated lye as defined by law, provided that these articles are not in violation of existing poisons laws; substituting for paragraph three (3) a new paragraph relating to persons who in the practice of medicine, osteopathy, dentistry, or veterinary medicine personally supply their own patients with medicine; by repealing paragraph four (4) and substituting a new paragraph which excludes licensed general dealers and licensed itinerant vendors of articles which their respective licenses permit them to sell; repealing section two thousand five hundred eighty (2580)

and enacting in lieu thereof a section defining drugs and medicines and defining pharmacy and drug stores; and repealing section two thousand five hundred eighty-two (2582) and enacting in lieu thereof a provision prohibiting the sale of drugs and medicines and the filling of prescriptions by any person except a registered pharmacist.

Read first and second times and placed on the calendar.

Senate File 196, by committee on appropriations, a bill for an act to make an appropriation to the Iowa Conservation Commission to be used in cooperation with the W. P. A. funds, to complete the project known as the "Sewer and Sewage Diversion Works, Division A", Dickinson County, Iowa.

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 114, a bill for an act to designate a farm-to-market road system.

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

House Concurrent Resolution 6, providing for the return of the flag of the Republic of Alabama to the state of Alabama.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 6

Whereas, The Iowa historical department has in its possession the flag of the Republic of Alabama, acquired as an incident in the Civil War;

Whereas, Said flag has no military significance since it was flown after Alabama had seceded from the Union but before she joined the Confederacy;

Whereas, Alabama would consider it an act of friendliness on the part of Iowa if the flag were returned to Alabama to repose in the Alabama Department of Archives and History where it would be of great significance in the historical development of the state;

Whereas, Said flag is of no particular significance to the state of Iowa and it is desired to contribute to the friendly relations existing between the states of Iowa and Alabama, therefore,

Be It Resolved by the House, the Senate Concurring: That the curator of the Iowa historical department be authorized and directed to return the flag of the Republic of Alabama to the state of Alabama through its proper representatives.

HOUSE MESSAGES CONSIDERED

House File 209, a bill for an act to amend Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, relating to the Iowa emergency relief administration, transferring its functions, funds, and property to the state board of social welfare.

Read first and second times and passed on file.

House File 204, a bill for an act to amend Chapter one hundred fifty-one (151), Acts of the Forty-seventh General Assembly, relating to membership, salary, and terms of the members of the state board of social welfare.

Read first and second times and passed on file.

House File 224, a bill for an act to legalize proceedings heretofore taken for the orderly levy and collection of taxes to pay the interest on and the principal of outstanding bonds and certificates of the board of park commissioners of the city of Clinton, Iowa.

Read first and second times and referred to committee on judiciary 1.

House File 225, a bill for an act to legalize warrants issued by the board of park commissioners of the city of Clinton, Iowa, proceedings taken authorizing the issuance of bonds to retire said warrants, and provisions made for the levy of taxes to pay said bonds.

Read first and second times and referred to committee on judiciary 1.

House File 114, 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 provide for certain transfer of funds from the primary road fund to the farm-to-market road fund, 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; and to amend

section one hundred seventy-five (175), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, and section forty-seven hundred fifty-five-b three (4755-b3), Code, 1935.

Read first and second times and passed on file.

REPORTS OF COMMITTEES

Senator Baldwin submitted the following report:

MR. PRESIDENT: Your committee on printing to which was referred House File 22, a bill for an act to amend section two hundred fifteen (215), Code, 1935, relating to the duties of the superintendent of printing, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. BALDWIN, *Chairman*.

Ordered passed on file.

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 68, a bill for an act to amend Chapter 508 of the Code, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 224, a bill for an act to legalize proceedings heretofore taken for the orderly levy and collection of taxes to pay the interest on and the principal of outstanding bonds and certificates of the board of park commissioners of the city of Clinton, 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 House File 225, a bill for an act to legalize warrants issued by the board of park commissioners of the city of Clinton, Iowa, proceedings taken authorizing the issuance of bonds to retire said warrants, and provisions made for the levy of taxes to pay said bonds, 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 Corwin submitted the following report:

MR. PRESIDENT: Your committee on railroads to which was referred Senate File 58, a bill for an act to amend section 7972, Code, 1935, relating to construction and equipment of cabooses, begs leave to report it

has had the same under consideration and recommends the same do pass.

E. P. CORWIN, *Chairman*.

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Henningsen, House File 224, a bill for an act to legalize proceedings heretofore taken for the orderly levy and collection of taxes to pay the interest on and the principal of outstanding bonds and certificates of the board of park commissioners of the city of Clinton, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

Senator Henningsen moved that the bill be read a third 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	Henningsen	Mowry
Baldwin	Doran	Hill	Parker
Beardsley	Edwards	Hopkins	Pelzer
Bekman	Ellis	Husted	Schadt
Benson	Elthon	Kirketeg	Shaw
Berg	Evans	Leo	Sjulin
Breen	Faul	Levis	Smith
Byers	Forsling	Lundy	Stewart
Corwin	Geske	Martin	Talbott
Cromwell	Gillette	Mighell	Whitehill
Dean	Guernsey	Miller	Zeigler
Dewey	Harvey	Moore	

Nays, none.

Absent or not voting, 3:

Hart	Hoeven	Vrba
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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 Henningsen 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 Henningsen, House File 225, a bill for an act to legalize warrants issued by the board of park commissioners of the city of Clinton, Iowa, proceedings taken authorizing the issuance of bonds to retire said warrants, and provisions made for the levy of taxes to pay said bonds, with report of committee

recommending passage, was taken up, considered, and the report of the committee adopted.

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

Senator Henningsen moved that the bill be read a third 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	Donohue	Hill	Parker
Baldwin	Edwards	Hoeven	Pelzer
Beardsley	Ellis	Hopkins	Schadt
Bekman	Elthon	Husted	Shaw
Benson	Evans	Leo	Sjulin
Berg	Faul	Levis	Smith
Breen	Forsling	Martin	Stewart
Byers	Geske	Mighell	Talbott
Corwin	Gillette	Miller	Vrba
Cromwell	Guernsey	Moore	Whitehill
Dean	Harvey	Mowry	Zeigler
Dewey	Henningsen		

Nays, none.

Absent or not voting, 4:

Doran	Hart	Kirketeg	Lundy
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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 Henningsen 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 House File 85, a bill for an act to legalize any and all tax levies, assessments, or collections during the years 1934, 1935, 1936, and 1937 wherein the county auditor of any county in computing the tax rate failed to deduct from the total budget requirements the tax to be derived from moneys and credits and other moneyed capital, pursuant to the provisions of law as contained in section seventy-one hundred sixty-four (7164) of the Code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend House File 85 by inserting after section 1 as section 2, the following:

"Sec. 2. This act shall not be applicable to counties having a population in excess of one hundred thirty thousand (130,000) inhabitants." Also amend by renumbering the succeeding sections.

The amendment was lost.

Senator Doran offered the following amendment and moved its adoption.

Amend section 1 by striking the common (,) in line seven (7), and inserting a period (.) in lieu thereof, and striking the remainder of the section.

Senator Doran withdrew the amendment.

Senator Forsling offered the following amendment and moved its adoption:

Amend House File 85 by striking the word "or" in the first line and inserting the words "and heretofore".

Also, by striking the comma and all following the comma in line seven (7) of section 1 and the remainder of the section, and inserting in lieu thereof a period.

By unanimous consent, Senator Forsling withdrew his amendment.

Senator Doran reoffered the following amendment and moved its adoption:

Amend section 1 by striking the comma (,) in line seven (7), and inserting a period (.) in lieu thereof, and striking the remainder of the section.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 27:

Augustine	Edwards	Harvey	Parker
Bekman	Ellis	Henningsen	Shaw
Byers	Elthon	Hill	Smith
Cromwell	Forsling	Hoeven	Talbott
Dewey	Geske	Hopkins	Vrba
Donohue	Gillette	Kirketeg	Whitehill
Doran	Hart	Miller	

Nays, 16:

Baldwin	Dean	Levis	Mowry
Beardsley	Faul	Lundy	Pelzer
Benson	Husted	Mighell	Schadt
Corwin	Leo	Moore	Stewart

Absent or not voting, 7:

Berg	Evans	Martin	Zeigler
Breen	Guernsey	Sjuliu	

The amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend by striking all of Sec. 2, and renumbering Sec. 3 as Sec. 2.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 37:

Augustine	Donohue	Henningsen	Pelzer
Baldwin	Doran	Hill	Schadt
Beardsley	Edwards	Hopkins	Shaw
Bekman	Ellis	Husted	Sjuliu
Benson	Elthon	Leo	Smith
Berg	Faul	Martin	Stewart
Breen	Geske	Mighell	Talbott
Corwin	Gillette	Miller	Vrba
Dean	Harvey	Moore	Whitehill
Dewey			

Nays, 3:

Byers	Cromwell	Forsling
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Absent or not voting, 10:

Evans	Hoeven	Lundy	Parker
Guernsey	Kirketeg	Mowry	Zeigler
Hart	Levis		

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, 47:

Augustine	Doran	Hill	Mowry
Baldwin	Edwards	Hoeven	Parker
Beardsley	Ellis	Hopkins	Pelzer
Bekman	Elthon	Husted	Schadt
Benson	Faul	Kirketeg	Shaw
Berg	Forsling	Leo	Sjuliu
Breen	Geske	Levis	Smith
Byers	Gillette	Lundy	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Donohue	Henningsen	Moore	

Nays, 1:

Dewey

Absent or not voting, 2:

Evans

Zeigler

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 Hoeven, House File 85 was messaged to the House immediately.

By unanimous consent on request of Senator Doran, House File 54, a bill for an act to provide an emergency appropriation for the enforcement of the uniform narcotic drug act from February 1, 1939, to July 1, 1939, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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, 44:

Augustine	Edwards	Hill	Parker
Beardsley	Ellis	Hoeven	Pelzer
Benson	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Breen	Faul	Kirkoteg	Sjulin
Byers	Forsling	Leo	Smith
Cromwell	Geske	Lundy	Stewart
Dean	Gillette	Mighell	Talbott
Dewey	Guernsey	Miller	Vrba
Donohue	Hart	Moore	Whitehill
Doran	Harvey	Mowry	Zeigler

Nays, none.

Absent or not voting, 6:

Baldwin	Corwin	Levis	Martin
Bekman	Henningsen		

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.

By unanimous consent, on request of Senator Doran, House File 145, a bill for an act to appropriate the sum of \$1000.00 to the state historical, memorial and art department, 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, 48:

Augustine	Donohue	Hill	Mowry
Baldwin	Doran	Hoeven	Parker
Beardsley	Edwards	Hopkins	Pelzer
Bekman	Ellis	Husted	Schadt
Benson	Elthon	Kirketeg	Shaw
Berg	Faul	Leo	Sjulin
Breen	Forsling	Levis	Smith
Byers	Geske	Lundy	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler

Nays, none.

Absent or not voting, 2:

Evans Henningsen

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 Mowry, Senate File 147, a bill for an act to repeal sections ninety-three hundred six (9306), ninety-three hundred thirty (9330) as amended by Chapter two hundred twenty-one (221), Acts of the Forty-seventh General Assembly, ninety-three hundred fifty-four (9354), ninety-three hundred fifty-four-f one (9354-f1), ninety-three hundred sixty (9360), and ninety-three hundred sixty-two (9362), Code, 1935, and to enact substitutes therefor; to amend sections ninety-three hundred eleven (9311), ninety-three hundred fifteen (9315) as amended

by section ten (10) of Chapter two hundred twenty (220), Acts of the Forty-seventh General Assembly, ninety-three hundred forty-b one (9340-b1), ninety-three hundred fifty (9350) as amended by section eleven (11) of Chapter two hundred twenty (220), Acts of the Forty-seventh General Assembly, ninety-three hundred fifty-seven (9357), ninety-three hundred sixty-three (9363), ninety-three hundred thirty-e one (9330-e1), ninety-three hundred forty-four (9344), and ninety-three hundred nineteen (9319) as amended by section six (6) of Chapter two hundred twenty (220), Acts of the Forty-seventh General Assembly, and Chapter four hundred seventeen (417), Code, 1935; and to repeal sections ninety-three hundred fifty-five (9355), ninety-three hundred fifty-six (9356), and ninety-three hundred sixty-one (9361), Code, 1935, all relating to building and loan associations; and to amend sections eighty-three hundred eighty-four (8384), eighty-three hundred eighty-five (8385), and eighty-three hundred ninety-four (8394) Code, 1935, relating to corporations for pecuniary profit, a committee bill, was taken up and considered.

Senator Mowry moved the adoption of the following amendment:

Amend Senate File 147 by striking out the word "shall" in line nine (9) of section seven (7) and inserting in lieu thereof the word "may".

The amendment was adopted.

Senator Mowry moved the adoption of the following amendment:

Amend by inserting in section eleven (11), line ninety (90), after the word "appoint" and before the word "supervisor", the word "the".

By unanimous consent, on request of Senator Donohue, action on the amendment was deferred.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 147 by striking from lines ninety-two (92) and ninety-three (93) of section eleven (11) the following: "the supervisor's issuing a certificate", and inserting in lieu thereof the following: "a certificate issued by the supervisor".

2. And further amend said Senate File 147 by adding a new paragraph at the end of subsection B of section eleven (11) as follows:

"If the receiver appointed is a person other than the supervisor he shall furnish a bond in an amount required by the supervisor with sureties to be approved by the supervisor and the said bonds shall be filed in the

office of the auditor of state. The receiver shall make and file a written report with the auditor of state every three (3) months showing the condition of the receivership in detail and all of the acts and things done by him, and before the receiver is discharged he shall make and file a final report with the auditor of state and he shall not be discharged until the said final report has been approved by the auditor of state."

3. Further amend said Senate File 147 by inserting after the word "in" in the fifth line of section thirteen the following: "or being an officer of".

4. Further amend said Senate File 147 by striking the period at the end of subsection two (2) of section thirteen (13) and inserting a comma in lieu thereof and adding the following: "subject to the limitations as to the amount of shares which may be issued to any one member."

By unanimous consent, on request of Senator Donohue, action on the amendment was deferred.

Senator Donohue offered the following amendment and moved its adoption:

Amend section eleven (11) of Senate File 147 by striking the first three lines thereof and also by striking subsections (b), (c), and (d).

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 147 by striking from line thirteen (13), section eight (8) the words and figures "thirty-six hundred (3600)" and inserting in lieu thereof the words and figures "twenty-five hundred (2500)".

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 147 by striking all of section nine (9) following the period in line thirteen (13).

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 147 by striking from section seventeen (17) the words and figures "ninety-three hundred fifty-six (9356)".

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend section two (2) of Senate File 147 by striking from lines nineteen (19), twenty (20) and twenty-one (21) the following: "provided,

however, the supervisor of building and loan associations may, in his discretion, require a larger amount of paid in capital in any city of any size." Also, by striking the semi-colon after the word "dollars" and inserting in lieu thereof a period.

The amendment was adopted.

By unanimous consent, on request of Senator Byers, the first two paragraphs of his amendment were withdrawn.

Senator Byers moved that the following amendments be adopted:

Amend Senate File 147 by inserting after the word "in" in the fifth line of section thirteen the following: "or being an officer of".

Further amend said Senate File 147 by striking the period at the end of subsection two (2) of section thirteen (13) and inserting a comma in lieu thereof and adding the following: "subject to the limitations as to the amount of shares which may be issued to any one member".

The amendments were adopted.

Senator Hoeven took the chair at 12:05.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 147 by striking section 23.

The amendment was adopted.

By unanimous consent, on request of Senator Mowry, the words "in the" in line two (2) of Section 5 and the words "first paragraph" in line three (3) of said section were stricken.

Senator Mowry moved that the bill be read a third time now, which motion was lost.

On motion of Senator Doran, Senate Concurrent Resolution 5 was taken up and considered.

SENATE CONCURRENT RESOLUTION 5

Whereas, The nineteen hundred thirty-five (1935) Code will soon become obsolete by reason of the printing of the new nineteen hundred thirty-nine (1939) Code, and

Whereas, Under the rules the chairmen of the several committees are required to devote long hours of study to the many measures pending in order that legislation may be properly considered,

Be It Resolved by the Senate, the House Concurring: That the Secretary of the Senate and the Chief Clerk of the House be ordered and directed to procure from the superintendent of printing for the use of

the chairman of each of the committees of the House and Senate an extra copy of the nineteen hundred thirty-five (1935) Code, Annotations thereto, and Acts of the Forty-seventh General Assembly.

The Resolution was adopted.

By unanimous consent on request of Senator Doran, Senate Concurrent Resolution 5 was messaged to the House immediately.

SENATE FILE WITHDRAWN

By unanimous consent, on request of Senator Shaw, Senate File 81, a companion bill to House File 145, was withdrawn.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson 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 224 and 225.

RALPH E. BENSON, *Chairman Senate Committee.*
ALBERT STEINBERG, *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 224 and 225.

SPECIAL REPORT

Report of Senate committee which visited state institutions at Glenwood and Clarinda.

Found roof on administration building at Glenwood leaking and in bad condition. Estimated cost of repair \$15,000.00. (Slate shingles.)

Superintendent requested change of obsolete to modern electrification at cost of \$25,000.00 which he estimated would save \$6,000.00 annually in cost of current. The committee found girls custodian building, which was built in 1876, nothing less than a fire trap and recommend that it be replaced with a new and larger building which would accommodate at least 200 more girls and that this building be built in sections. We also found sanitary conditions very bad.

The committee found the buildings at Clarinda in a better state of preservation with a new dining hall and kitchen nearing completion which will accommodate 850 patients.

The committee found both hospitals badly over-crowded with deplorable ventilation and sanitary conditions. In one of the wards where over 300 boys were confined their lavatory equipment consisted of one shower, no

bath tub and six stools. In the women's wards there is an average of about one stool to forty women.

In our hurried visit we saw no evidence of harsh or ill treatment of the patients; however, we do think they are in great need of additional doctors, trained nurses, and experienced help.

ORA E. HUSTED.
MORRIS MOORE.
EARL DEAN.
FRANK PELZER.

REPORTS OF COMMITTEE

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 99, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to fix the amount of unemployment benefits, and the period during which same shall be paid; to simplify the methods for calculating such benefits; to provide for the settlement of benefit claims; to define partial unemployment, base period, and seasonal, irregular, or part-time employees; 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 that the same do pass.

E. K. BEKMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 100, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to fix and determine eligibility conditions for such unemployment benefits; and to repeal section four-e (4-e) and all other acts, or parts of acts, in conflict herewith, begs leave to report it has had the same under consideration and recommends that the same do pass.

E. K. BEKMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 101, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to specify and define certain disqualifications for unemployment benefits; to designate and describe employees engaged in their respective customary self-employments; 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 that the same do pass.

E. K. BEKMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 102, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to provide for voluntary contributions to the Unemployment Compensation Fund, construing such payments so made as having been required under said Chapter one hundred two (102); to provide that unfavorable benefit experiences due to certain specified causes shall not increase future rates; to repeal paragraph five (5) of section seven c (7-c) of said Chapter one hundred two, begs leave to report it has had the same under consideration and recommends that the same do pass.

E. K. BEKMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 103, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to modify the law providing for appeal and judicial review of disputed claims; to clarify the definition of the term "employer" as used herein; to change the classes of employments included within the provisions hereof; and to repeal any 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:

Amend section two (2) thereof by adding thereto at the end thereof, and within the double quotes, the following words: "The Commission may also, in its discretion, certify to such". E. K. BEKMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 104, a bill for an act to amend the law as it appears in Chapter 102 of the Acts of the Forty-seventh General Assembly of Iowa, relating to Unemployment Compensation, and the methods of administration of such act, begs leave to report it has had the same under consideration and recommends that the same do pass.

E. K. BEKMAN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend the committee amendment to Senate File 2, by striking the words "five thousand" and figure "5000" in line five (5) of section two thereof, and by inserting in lieu thereof the words "seven thousand five hundred" and figure "7500". HUGH W. LUNDY.

MR. PRESIDENT: Amend Senate Resolution 2 by adding the following:

Be it further resolved: That no action be taken on any or all of said bills until said hearings shall have been held.

EDWARD BREEN.

MR. PRESIDENT: Amend Senate File 155 as follows: Amend section nine, subsection one c [9 (1) (c)], by striking all of line seven (7) and adding in lieu thereof the words "Medical and Law Libraries".

EDWARD BREEN.

MR. PRESIDENT: Amend Senate File 155 as follows: Amend section six, subsection two [6 (2)], by striking from line seven (7) the word "whenever", and inserting in lieu thereof the words, "Within one year after the effective date of this act if".

EDWARD BREEN.

MR. PRESIDENT: Amend Senate File 65 by striking therefrom sections ten (10), eleven (11), and twelve (12), and substituting therefor the following:

"Sec. 10. The names of all candidates for each office shall be grouped and separated from the names of candidates for each other office by heavy black lines across the ballot. At the top of the ballot shall be a division containing, in capital letters not less than one-fourth ($\frac{1}{4}$) of an inch in height, the words: "TO VOTE FOR A CANDIDATE MAKE A CROSS WITHIN THE SQUARE IN FRONT OF HIS NAME". Following this division shall be:

1. A designation "NATIONAL TICKET" under which shall appear divisions:

a. Containing the names, and addresses of candidates for president and vice president, in the years in which they are to be elected;

b. Containing the names, and addresses of candidates for United States senator, in the years in which they are to be elected;

c. Containing the names, addresses, and district numbers of candidates for United States Representative.

2. A designation "STATE TICKET" under which shall appear divisions:

a. Containing the names, and addresses of candidates for each state office, grouped under the name of the office, in the years in which they are to be elected;

b. Containing the names, and addresses of candidates for judge of the supreme court;

c. Containing the names, addresses, and district numbers of candidates for state senator, in the years in which they are to be elected;

d. Containing the names, addresses, and district numbers of candidates for state representative.

3. A designation "DISTRICT JUDICIAL TICKET" under which shall appear a division containing the names, addresses, and district numbers of candidates for judge of the district court, in the years in which they are to be elected.

4. A designation "COUNTY TICKET" under which shall appear a division containing the names, and addresses of candidates for each county office, grouped under the name of the office, in the years in which they are to be elected, and containing the names of candidates for each town-

ship and precinct office, grouped under the name of the office, in the years in which they are to be elected.

In the divisions under said designations, the names of all candidates for each office shall be arranged in the order corresponding to the number of votes cast at the last preceding general election for the candidate of such political party, political organization, or group of petitioners, for the office of governor.

"Sec. 11. Said ballot shall be in substantially the following form:

OFFICIAL BALLOT.....GENERAL ELECTION.....NOVEMBER 19....

TO VOTE FOR A CANDIDATE
MAKE A CROSS WITHIN THE SQUARE IN FRONT OF HIS NAME

NATIONAL TICKET

For PRESIDENT and VICE PRESIDENT OF THE UNITED STATES

Vote in ONE Square Only

<input type="checkbox"/>	A..... A..... PRESIDENT of....., State.....	} DEMOCRATIC
	B..... B..... VICE PRESIDENT of....., State.....	
<input type="checkbox"/>	C..... C..... PRESIDENT of....., State.....	} REPUBLICAN
	D..... D..... VICE PRESIDENT of....., State.....	

For UNITED STATES SENATOR

Vote for ONE

<input type="checkbox"/>	E..... E..... DEMOCRATIC of....., County
<input type="checkbox"/>	F..... F..... REPUBLICAN of....., County

For UNITED STATES REPRESENTATIVE,DISTRICT

Vote for ONE

<input type="checkbox"/>	G..... G..... DEMOCRATIC of....., County
<input type="checkbox"/>	H..... H..... REPUBLICAN of....., County

STATE TICKET

For GOVERNOR

Vote for ONE

<input type="checkbox"/>	I..... I..... DEMOCRATIC of....., County
<input type="checkbox"/>	J..... J..... REPUBLICAN of....., County

For LIEUTENANT GOVERNOR

Vote for ONE

- K..... K..... DEMOCRATIC
of.....,County
- L..... L..... REPUBLICAN
of.....,County

For SECRETARY OF STATE

Vote for ONE

- M..... M..... DEMOCRATIC
of.....,County
- N..... N..... REPUBLICAN
of.....,County

JUDGE OF THE SUPREME COURT

Vote for THREE

- O..... O..... DEMOCRATIC
of.....,County
- P..... P..... REPUBLICAN
of.....,County

For STATE SENATOR,DISTRICT

Vote for ONE

- Q..... Q..... DEMOCRATIC
of.....,County
- R..... R..... REPUBLICAN
of.....,County

For STATE REPRESENTATIVE,DISTRICT

Vote for ONE

- S..... S..... DEMOCRATIC
of.....,County
- T..... T..... REPUBLICAN
of.....,County

DISTRICT JUDICIAL TICKET
JUDGE OF THE DISTRICT COURT

Vote for THREE

- U..... U..... DEMOCRATIC
of.....,County
- V..... V..... REPUBLICAN
of.....,County

COUNTY TICKET

For AUDITOR

Vote for ONE

- A..... B..... DEMOCRATIC
of.....,County

C..... D..... REPUBLICAN
of.....,County

For TREASURER

Vote for ONE

E..... F..... DEMOCRATIC
of.....,County

G..... H..... REPUBLICAN
of.....,County

For JUSTICE OF THE PEACE

Vote for TWO

I..... J..... DEMOCRATIC
of.....,County

K..... L..... REPUBLICAN
of.....,County

For CONSTABLE

Vote for TWO

M..... N..... DEMOCRATIC
of.....,County

O..... P..... REPUBLICAN
of.....,County

For TOWNSHIP CLERK

Vote for ONE

Q..... R..... DEMOCRATIC
of.....,County

S..... T..... REPUBLICAN
of.....,County

Further amend Senate File 65 by striking from the title, in lines three (3) and four (4), the following:

“; and to amend section seven hundred seventy-five (775), Code, 1935”.

GEORGE HOPKINS.

EDWARD BREEN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 9, 1939.

The Senate met in regular session, President pro tem Charles B. Hoeven presiding.

Prayer was offered by Rev. E. W. Mueller, pastor of St. Paul's Lutheran Church of Martensdale.

The Journal of February 8th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Cromwell, from citizens of Des Moines county, favoring enactment of House File 1, providing for local option.

By Senator Beardsley, from the Bay View Club of New Virginia, requesting legislation prohibiting minors from entering places where beer is sold.

By Senator Elthon, from citizens of Osage, favoring House File 1.

By Senator Harvey, from the Nelson Hollow Farmers Club of Dunlap, favoring enactment of House File 1.

By Senator Zeigler, from the Fairfield Chamber of Commerce, opposing any bill that would disrupt the collection of the sales tax in its present form.

By Senator Dean, from Hansell consolidated school, favoring House File 112 and Senate File 2, providing for optional audit.

By Senator Lundy, from Monroe Lodge No. 81, I. O. O. F., of Albia, opposing Senate File 17, providing for tax on chain stores.

By Senator Ellis, from the Jackson County Farm Bureau, favoring legislation providing for extension of rural library service.

By Senator Beardsley, from citizens of Clarke county, favoring enactment of House File 1.

By Senator Guernsey, from citizens of Appanoose county, favoring enactment of House File 1.

By Senator Lundy, from citizens of Monroe county, favoring enactment of House File 1.

By Senator Doran, from Saint Cecelia's School Parent-Teachers' Association, of Ames, favoring teachers' annuity; higher certification for teachers; appointment of state superintendent by state board of education; increase of teachers' salaries according to qualifications of training and experience; legislation for adult education; and securing some income for education from indirect taxes rather than all from property tax.

By Senator Doran, from the Des Moines Public Dance Commission, favoring legislation separating beer and dancing in public places.

By Senator Edwards, from citizens of Ringgold county, favoring enactment of House File 1.

By Senator Geske, from citizens of Clayton county, opposing enactment of Senate File 92 and House File 169.

By Senator Hoeven, from Rex Strait Post of the American Legion, of Rock Rapids, asking that the appropriation for weather bureau service be not reduced.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

House File 242, a proposed bill legalizing the action of the board of supervisors of Lee county.

House File 296, a proposed bill legalizing the proceedings of the town council of the incorporated town of Adel. *WALTER H. BEAM, Secretary.*

INTRODUCTION OF BILLS

Senate File 197, by Senator Forsling, a bill for an act to legalize acts and proceedings of the state conservation commission of the state of Iowa and the executive council of the state of Iowa, in authorizing and directing the Secretary and Governor of the state of Iowa to convey certain premises to the city of Sioux City, Iowa, and to legalize the said conveyance.

Read first and second times and passed on file.

Senate File 198, by Senator Forsling, a bill for an act to amend section four thousand two hundred thirty-three e-four (4233-e4), Code, 1935, relating to transportation of school children, and providing for transportation of high school students in certain cases.

Read first and second times and passed on file.

Senate File 199, by Senator Forsling, a bill for an act to amend section seven thousand six hundred ninety-nine (7699), Code, 1935, relating to drainage districts, and authorizing the appointment of clerk from any taxpayer of the county affected.

Read first and second times and passed on file.

Senate File 200, by committee on farm tenancy, a bill for an act to repeal section ten thousand two hundred sixty-one (10261) and enact in lieu thereof a new section.

Read first and second times and placed on the calendar.

Senate File 201, by Senator Breen (Moore and Johannes), a bill for an act to create a department of the state government for the administration and enforcement of the laws pertaining to motor vehicles and traffic and to amend Chapters one hundred thirty-four (134) and one hundred thirty-five (135) of the Acts of the Forty-seventh General Assembly.

Read first and second times and passed on file.

Senate File 202, by committee on tax revision, a bill for an act to amend sections five thousand ninety-three-f twenty-nine (5093-f29) and five thousand ninety-three-f thirty-one (5093-f31), Code, 1935, relating to refund of taxes paid upon purchases of motor vehicle fuel.

Read first and second times and placed on the calendar.

Senate File 203, by committee on farm tenancy, a bill for an act to amend section ten thousand one hundred sixty-one (10161), Code, 1935, relating to the termination of agricultural leases.

Read first and second times and placed on the calendar.

Senate File 204, by Senator Gillette (Knudson of Marshall), a bill for an act providing for state certification of seeds, plants, or plant parts intended for propagation or sale; establishing a

seed certification board; prescribing their powers and duties; and providing penalties for the violation of provisions of this act.

Read first and second times and passed on file.

Senate File 205, by Senators Shaw, Augustine, Henningsen, and Whitehill (Burma, Kohlhaas, Dykhouse and Ropes), a bill for an act to amend Chapter ninety-one-C two (91-C2) of the 1935 Code, relating to the qualifications of a real estate broker and other provisions regulating the real estate business.

Read first and second times and passed on file.

Senate File 206, by Senator Hill, a bill for an act providing that the board of directors of each school district shall procure or cause to be procured liability and property damage insurance covering each school bus and all pupils transported in school busses, providing for the payment of insurance premiums, limiting the amount of insurance, providing for the liability of school bus drivers, and providing for the inspection of school busses.

Read first and second times and passed on file.

Senate File 207, by Senator Hill, a bill for an act providing for the procuring of liability and property damage insurance covering the operation of any motor vehicle operated by the state of Iowa and by any county, city, town, commission, bureau, department, or political subdivision thereof; providing for the payment of said insurance; providing for the liability of operators of motor vehicles belonging to the state of Iowa or any political subdivision thereof; and providing for the carrying of liability insurance by independent contractors performing public contracts.

Read first and second times and passed on file.

Senate File 208, by Senator Levis, a bill for an act to amend sections ten thousand two hundred eleven (10211), ten thousand two hundred twelve (10212), and ten thousand two hundred thirteen (10213), Code, 1935, relating to the management of cemeteries by municipalities and boards of trustees of cities and towns to whom the management of municipal cemeteries has been transferred by ordinance.

Read first and second times and passed on file.

Senate File 209, by committee on judiciary 1, a bill for an act to amend section one thousand nine hundred twenty-one-g four (1921-g4), Code, 1935, relating to possession of liquor at the place of business of class "B" permittees, and prescribing penalties for violation thereof.

Read first and second times and placed on the calendar.

Senate File 210, by Senators Berg and Hoeven, a bill for an act to permit local subdivisions of the state to make appropriations for the expenses of Memorial Day services.

Read first and second times and passed on file.

Senate File 211, by Senators Doran, Guernsey, and Kirketeg, a bill for an act to provide an emergency appropriation for traveling and expenses of the judges of the district court to June 30, 1939.

Read first and second times and passed on file.

Senate File 212, by Senator Byers, a bill for an act to amend section five thousand seven hundred ninety-eight (5798), Code, 1935, relating to the control of city parks located within or without a city.

Read first and second times and passed on file.

Senate File 213, by Senator Byers, a bill for an act to amend sections six thousand six hundred six (6606) and six thousand six hundred seven (6607), Code, 1935, by inserting the words "exhibition halls" in both sections.

Read first and second times and passed on file.

Senate File 214, by Senator Byers, a bill for an act to amend section six thousand five hundred eighty (6580), Code, 1935, relating to the leasing of city property.

Read first and second times and passed on file.

Senate File 215, by Senators Elthon and Shaw, a bill for an act to amend section sixty-one hundred thirty-two (6132), of the Code, 1935, providing that any proposed franchise, approved by a majority of electors at an election held for that purpose, shall be a valid ordinance and providing for a period of time under certain circumstances in which an election shall not be held.

Read first and second times and passed on file.

Senate File 216, by Senators Berg and Doran, a bill for an act to appropriate two hundred fifty (250) dollars to pay the expenses of the committee returning the flag of the Republic of Alabama to the State of Alabama.

Read first and second times and passed on file.

SENATE RESOLUTION 2

Senator Breen called up for consideration Senate Resolution 2.

Whereas, There are now on the calendar of the Senate a number of committee bills of the committee on consolidation and co-ordination, and

Whereas, Many of these bills contemplate or propose drastic changes in many of our state institutions, and

Whereas, Many of these proposals are of a new order and have never been tested in the forum of public opinion and have never played any part in the proposals of any political organization in the state, and

Whereas, To test their soundness or to determine their impracticability the Senate needs and should have the advice of all of the people informed on the institutions where changes are sought or elimination contemplated; now, therefore,

Be It Resolved by the Senate of the Forty-eighth (48th) General Assembly: That the chair appoint a committee of three senators, not members of the committee on consolidation and co-ordination, to fix dates for public hearings on all of the committee bills of the committee on consolidation and co-ordination now on the calendar and on all future bills to appear on the calendar, said public hearings to be held in the State House between the hours of nine in the morning and five in the evening after five days' notice has been given to the Senate and to all interested parties by publication in the Journal of the time and place of said hearing, separate hearings to be held on separate days on each of said bills.

By unanimous consent, on request of Senator Breen, action was deferred.

President Hickenlooper took the chair at 10:30.

By unanimous consent on request of Senator Whitehill, House Concurrent Resolution 6 was taken up and considered.

HOUSE CONCURRENT RESOLUTION 6

Whereas, The Iowa historical department has in its possession the flag of the Republic of Alabama, acquired as an incident in the Civil War;

Whereas, Said flag has no military significance since it was flown after Alabama had seceded from the Union but before she joined the Confederacy;

Whereas, Alabama would consider it an act of friendliness on the part of Iowa if the flag were returned to Alabama to repose in the Alabama Department of Archives and History where it would be of great significance in the historical development of the state;

Whereas, Said flag is of no particular significance to the state of Iowa and it is desired to contribute to the friendly relations existing between the states of Iowa and Alabama, therefore,

Be It Resolved by the House, the Senate Concurring: That the curator of the Iowa historical department be authorized and directed to return the flag of the Republic of Alabama to the state of Alabama through its proper representatives.

On motion of Senator Whitehill, the resolution was adopted.

On motion of Senator Donohue, the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

The Senate resumed consideration of Senate Resolution 2.

Senator Breen moved the adoption of the following amendment:

Amend Senate Resolution 2 by adding the following:

Be It Further Resolved: That no action be taken on any or all of said bills until said hearings shall have been held.

Senator Donohue moved the previous question on the amendment and the resolution.

Roll call was requested. Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 12:

Augustine	Dean	Gillette	Miller
Baldwin	Ellis	Guernsey	Moore
Breen	Geske	Mighell	Vrba

Nays, 36:

Beardsley	Edwards	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Benson	Evans	Husted	Shaw
Byers	Faul	Kirketeg	Sjulin
Corwin	Forsling	Leo	Smith
Cromwell	Hart	Lundy	Stewart
Dewey	Harvey	Martin	Talbott
Donohue	Henningsen	Mowry	Whitehill
Doran	Hill	Parker	Zeigler

Absent or not voting, 2:

Berg	Levis
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The amendment was lost.

Roll call was requested on the adoption of the resolution.

Rule 8 was invoked.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 12:

Augustine	Dean	Gillette	Miller
Baldwin	Ellis	Guernsey	Moore
Breen	Geske	Mighell	Vrba

Nays, 37:

Beardsley	Edwards	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Benson	Evans	Husted	Shaw
Berg	Faul	Kirkoteg	Sjulin
Byers	Forsling	Leo	Smith
Corwin	Hart	Lundy	Stewart
Cromwell	Harvey	Martin	Talbott
Dewey	Henningesen	Mowry	Whitehill
Donohue	Hill	Parker	Zeigler
Doran			

Absent or not voting, 1:

Levis

The resolution was lost.

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 174, a bill for an act relative to the state library and the historical and memorial art department.

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 relating to municipal bands.

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

House File 74, a bill for an act relating to the procedure connected with certain public improvements.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 33, a bill for an act relating to self liquidating improvements and the financing thereof. A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 33

Amend Senate File 33 as follows:

(1) Insert the following as section 5:

"Sec. 5. Section sixty hundred sixty-six-f eight (6066-f8), Code, 1935, is amended by inserting after the word "charges" in line twenty-one (21) the following: ', except rates or charges for the use of swimming pools and golf courses,'."

(2) Renumber section 5 of the bill as section 6.

(3) Amend the title by striking the word "and" in line three (3); by inserting in line four (4) preceding the word "of" the following: ", and sixty hundred sixty-six-f eight (6066-f8)"; and by striking out the period at the end thereof and inserting the following: ", and relating to the sinking fund for certain improvements."

HOUSE AMENDMENTS CONSIDERED

Senator Whitehill called up for consideration Senate File 33, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File 33 as follows:

(1) Insert the following as section 5:

"Sec. 5. Section sixty hundred sixty-six-f eight (6066-f8), Code, 1935, is amended by inserting after the word "charges" in line twenty-one (21) the following: ', except rates or charges for the use of swimming pools and golf courses,'."

(2) Renumber section 5 of the bill as section 6.

(3) Amend the title by striking the word "and" in line three (3); by inserting in line four (4) preceding the word "of" the following: ", and sixty hundred sixty-six-f eight (6066-f8)"; and by striking out the period at the end thereof and inserting the following: ", and relating to the sinking fund for certain improvements."

The motion prevailed and the House amendments were concurred in.

THIRD READING OF BILLS

On motion of Senator Whitehill, Senate File 33, a bill for an act to amend sections sixty hundred sixty-six-f one (6066-f1), sixty hundred sixty-six-f two (6066-f2), and sixty hundred sixty-six-f six (6066-f6) of Chapter three hundred eight-F one (308-F1), Code, 1935, relating to self liquidating improvements and the financing thereof, as amended, was taken up and considered.

The bill was read for information.

Senator Whitehill 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	Edwards	Hill	Parker
Beardsley	Ellis	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Benson	Evans	Kirketeg	Shaw
Berg	Faul	Leo	Sjulin
Byers	Forsling	Levis	Smith
Corwin	Geske	Martin	Stewart
Cromwell	Gillette	Mighell	Talbott
Dean	Guernsey	Miller	Vrba
Dewey	Hart	Moore	Whitehill
Donohue	Harvey	Mowry	Zeigler
Doran	Henningesen		

Nays, none.

Absent or not voting, 4:

Baldwin	Breen	Husted	Lundy
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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 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 request of Senator Whitehill the concurrence of the Senate in House amendments to Senate File 33 was messaged to the House immediately.

On motion of Senator Faul, Senate File 164, a bill for an act to repeal section eight thousand nine hundred forty-three e-1 (8943 e-1) and section eight thousand nine hundred forty-three e-2 (8943 e-2) of the 1935 Code of Iowa, contained in Chapter four hundred four (404) entitled "Insurance Other Than Life" under Title Twenty (XX) entitled "Insurance", and to provide a substitute therefor, requiring the countersignature of insurance policies by resident agents of commission paying insurance companies; limiting right of countersignature to insurance agents whose earnings are derived from the insurance business by way of commission; providing for a minimum commission which shall be payable to resident countersigning agents on risks located in Iowa that the policies for which originate without the state; providing for liability of the insurance carrier to the resident countersigning agent for such commission; prescribing the duty of insurance carriers and resident agents to keep records of policies so originating without the state that the Commissioner of Insurance may verify premium tax; providing for retaliation in the event larger commissions are retained by nonresident agents on foreign risks

originating in the State of Iowa; providing that this act shall not be applicable to associations doing business under Chapter four hundred six (406) of the Code, domestic companies, life insurance companies, and companies soliciting business exclusively by salaried representatives; and providing penalties for the violation of this act, a committee bill, was taken up and considered.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 164 by adding after the word "companies" at the end of line 9 of section 8 the words "or exchanges".

By unanimous consent, Senator Cromwell withdrew his amendment.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 164 by adding after the word "companies" at the end of line nine (9) of section eight (8) the words "or exchanges who solicit insurance exclusively by salaried representatives who are paid no commission on business written, or to the business of mutual insurance companies obtained through salaried representatives and upon which no commission is paid;".

Strike line ten (10) and line eleven (11) of section eight to and including the semi-colon.

The amendment was adopted.

Senator Faul moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 48:

Augustine	Donohue	Henningsen	Moore
Baldwin	Doran	Hill	Mowry
Beardsley	Edwards	Hoeven	Pelzer
Bekman	Ellis	Hopkins	Parker
Benson	Elthon	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Breen	Forsling	Leo	Sjulin
Byers	Geske	Levis	Stewart
Corwin	Gillette	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler

Nays, none.

Absent or not voting, 2:

Evans	Smith
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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 Faul 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 Doran, Senate File 196, a bill for an act to make an appropriation to the Iowa Conservation Commission to be used in cooperation with the W. P. A. funds, to complete the project known as the "Sewer and Sewage Diversion Works, Division A", Dickinson County, Iowa, a committee bill, was taken up and considered.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 196 by inserting after the word "three" in line four of section one the word "dollars".

The amendment was 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, 44:

Augustine	Donohue	Harvey	Mowry
Baldwin	Doran	Henningsen	Parker
Beardsley	Edwards	Hoeven	Schadt
Bekman	Ellis	Hopkins	Shaw
Benson	Elthon	Husted	Sjulin
Berg	Faul	Kirketeg	Smith
Breen	Forsling	Levis	Stewart
Byers	Geske	Lundy	Talbott
Corwin	Gillette	Mighell	Vrba
Dean	Guernsey	Miller	Whitehill
Dewey	Hart	Moore	Zeigler

Nays, none.

Absent or not voting, 6:

Cromwell	Hill	Martin	Pelzer
Evans	Leo		

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.

By unanimous consent action on Senate Files 128 and 141 was deferred.

HOUSE MESSAGES CONSIDERED

House File 74, a bill for an act to amend the law as it appears in section sixty-six hundred ten-c eight (6610-c8), Code, 1935, relating to the procedure connected with certain public improvements and extending the provisions of Chapter three hundred twenty-six-C one (326-C1) to include all publicly acquired areas and utilities set forth in section fifty-nine hundred thirty-eight (5938), Code, 1935.

Read first and second times and passed on file.

House File 39, 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 tax levy for a municipal band in cities having a population of more than one hundred twenty-five thousand.

Read first and second times and passed on file.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 217, by Senator Corwin, a bill for an act to make an appropriation to Museatine county, Iowa, and Louisa county, Iowa.

Read first and second times and passed on file.

CONSIDERATION OF SENATE FILE 147 RESUMED

By unanimous consent, on request of Senator Mowry, consideration of Senate File 147 was resumed.

Senator Mowry offered the following amendment and moved its adoption:

Amend Senate File 147 as follows:

1. Insert in line 12 of section 7, after the words "or by" and before the word "public", the word "a".

2. Amend line 7 of section 9 by striking the word "than" and inserting in lieu thereof the word "except".

3. Amend line 4 of section 11 by striking the symbol "(a)".

The amendment was adopted.

Senator Mowry moved that the bill be read a third 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	Henningsen	Pelzer
Beardsley	Doran	Hopkins	Schadt
Bekman	Edwards	Husted	Shaw
Benson	Ellis	Kirketeg	Sjulin
Breen	Evans	Leo	Smith
Byers	Faul	Lundy	Talbott
Corwin	Geske	Miller	Vrba
Dean	Guernsey	Mowry	Whitehill
Dewey	Harvey	Parker	Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin	Forsling	Hoeven	Mighell
Berg	Gillette	Levis	Moore
Cromwell	Hart	Martin	Stewart
Elthon	Hill		

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

Senator Mowry offered the following amendment to the title and moved its adoption:

Amend the title to Senate File 147 as follows:

1. Strike from line 6 after the comma (,) following "(9360)," the words "and ninety-three hundred".

2. Strike from line 7 the words and figures "sixty-two (9362),".

3. Strike from line 23 the words and figures "ninety-three hundred fifty-six (9356),".

The amendment was adopted, and the title as amended was agreed to.

Senator Mowry 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 155 RESUMED

On motion of Senator Edwards, Senate File 155, a bill for an act to create a library certification committee; to prescribe its duties,

and the qualification of the members thereof, and to regulate the appointment and certification of librarians, a committee bill on which action was deferred February 6th, was taken up and considered.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 155 by striking all of subsection two (2) of section nine (9) after the word "retroactive" in line eight (8) and substituting in lieu thereof a period.

The amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 155 as follows: Amend section six, subsection two [6 (2)], by striking from line seven (7) the word "whenever", and inserting in lieu thereof the words, "Within one year after the effective date of this act if".

The amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 155 as follows: Amend section nine, subsection one c [9 (1) (c)], by striking all of line seven (7) and adding in lieu thereof the words "Medical and Law Libraries".

The amendment was 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, 40:

Augustine	Ellis	Henningsen	Mowry
Beardsley	Elthon	Hill	Parker
Bekman	Evans	Hoeven	Pelzer
Breen	Faul	Hopkins	Schadt
Corwin	Forsling	Husted	Shaw
Dean	Geske	Kirketeg	Sjulin
Dewey	Gillette	Lundy	Stewart
Donohue	Guernsey	Martin	Talbott
Doran	Hart	Mighell	Vrba
Edwards	Harvey	Moore	Whitehill

Nays, 1:

Zeigler

Absent or not voting, 9:

Baldwin	Byers	Leo	Miller
Benson	Cromwell	Levis	Smith
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.

THIRD READING OF BILLS

On motion of Senator Cromwell Senate File 66, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cromwell moved that the bill be read a third 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	Harvey	Mowry
Baldwin	Doran	Henningsen	Parker
Beardsley	Edwards	Hill	Pelzer
Bekman	Ellis	Hoeven	Schadt
Benson	Elthon	Hopkins	Shaw
Berg	Evans	Husted	Sjulin
Breen	Faul	Kirketeg	Stewart
Byers	Forsling	Levis	Talbott
Corwin	Geske	Lundy	Vrba
Cromwell	Gillette	Mighell	Whitehill
Dean	Guernsey	Miller	Zeigler
Dewey	Hart	Moore	

Nays, none.

Absent or not voting, 3:

Leo	Martin	Smith
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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 Cromwell 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 128, a bill for an act

to repeal all of Chapter seventy-eight (78), Code, 1935, except sections one thousand five hundred fifty-three (1553) 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, 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 and provide for the collection of the tax by the affixation of stamps or impressing of indicia by means of a stamping machine upon individual packages of cigarettes, cigarette papers and tubes; to provide for the purchase of stamping machines; to require permits and bonds for dealers in cigarettes, cigarette papers and tubes; to provide for the enforcement and administration of said tax; to define certain unlawful acts relating to the manner of sale, distribution, and solicitation for the sale of cigarettes, cigarette papers and tubes; 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 amendment was adopted:

From section nine (9), line nine (9), strike the figures "1930" and insert in lieu thereof the figures "1939".

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 128 by striking from line seven (7) of section eight (8) the word "impression" and inserting in lieu thereof the word "imprint".

The amendment was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 128 as follows: By striking the period in line seven (7) of section 10 thereof after the word "be" and adding the following: ", and conditioned upon the payment of taxes, damages, fines, penalties, and costs adjudged against the permit holder for violation of any of the provisions of this act"; by striking from lines twenty-three (23) and twenty-four (24) of section 10 thereof the following: "for the full, complete, and faithful performance of all of the" and inserting in lieu thereof the following: "upon the payment of taxes, damages, fines, penalties, and costs adjudged against the permit holder for violation of any of the"; by striking from lines twenty-five (25) and

twenty-six (26) of subsection 2, section 19 thereof the following: "the faithful observance of the provisions of this act, including".

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, 47:

Augustine	Doran	Hoeven	Parker
Baldwin	Edwards	Hopkins	Pelzer
Beardsley	Ellis	Husted	Schadt
Bekman	Elthon	Kirketeg	Shaw
Benson	Evans	Leo	Sjulin
Berg	Faul	Levis	Smith
Byers	Geske	Lundy	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Dewey	Henningsen	Moore	Zeigler
Donohue	Hill	Mowry	

Nays, none.

Absent or not voting, 3:

Breen	Forsling	Hart
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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 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 141, a bill for an act to amend Chapter seventy-eight (78), Code, 1935, to provide that all cigarette permits in force and effect on July 1, 1939, are extended to July 5, 1939, 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, 47:

Augustine	Berg	Dewey	Evans
Baldwin	Breen	Doran	Faul
Beardsley	Corwin	Edwards	Forsling
Bekman	Cromwell	Ellis	Geske
Benson	Dean	Elthon	Gillette

Guernsey	Kirketeg	Moore	Smith
Harvey	Leo	Mowry	Stewart
Henningsen	Levis	Parker	Talbott
Hill	Lundy	Pelzer	Vrba
Hoeven	Martin	Schadt	Whitehill
Hopkins	Mighell	Shaw	Zeigler
Husted	Miller	Sjulin	

Nays, none.

Absent or not voting, 3:

Byers	Donohue	Hart
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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 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 Forsling, Senate File 40, a bill for an act to amend section ten thousand sixty-nine (10069) of the Code, 1935, relating to release of corporate liens and providing for certification by the Clerk of the District Court of the relationship to corporation of person executing release, 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 section one (1) by changing the word "five" to the word "ten".

Senator Forsling moved that the bill be read a third 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	Doran	Henningsen	Mowry
Baldwin	Edwards	Hill	Parker
Beardsley	Ellis	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Benson	Evans	Husted	Shaw
Breen	Faul	Kirketeg	Sjulin
Byers	Forsling	Leo	Stewart
Corwin	Geske	Lundy	Talbott
Cromwell	Gillette	Martin	Vrba
Dean	Guernsey	Mighell	Whitehill
Dewey	Hart	Miller	Zeigler
Donohue	Harvey		

Nays, none.

Absent or not voting, 4:

Berg Levis Moore Smith

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

Senator Forsling 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

By unanimous consent, on request of Senator Stewart, 600 additional copies of Senate File 186 were ordered printed.

INDIAN VISITORS

By unanimous consent, on request of Senator Leo, four Indians, residents of the Tama reservation, presented a petition to Senator Faul in behalf of Mr. Edgar R. Harlan.

Mr. Dvorak, a member of the House of Representatives, introduced the guests to the members of the Senate.

REPORTS OF COMMITTEES

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 154, a bill for an act to legalize a special school election held in the Independent School District of Arion, Crawford county, Iowa, on the first day of October, 1938, relating to the issuance of bonds of said school district and declaring bonds issued pursuant to said election to be enforceable obligations of said school district, 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 Smith submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred House File 229, a bill for an act to amend section twenty-three (23), Chapter one hundred ninety-eight (198), Acts of the 47th General Assembly, to provide for a special fund known as the use tax fund; to provide for the apportionment of said tax fund to the homestead tax credit fund and to the general fund of the state of Iowa; and to make possible the payment of homestead tax credit on all homesteads within the state of Iowa, 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 Evans submitted the following report:

MR. PRESIDENT: Your committee on highways, to which was referred Senate Joint Resolution 4, designating that part of U. S. Highway No. 6 which crosses the state of Iowa as "Grand Army of the Republic Highway" and providing for suitable markers, begs leave to report it has had the same under consideration and recommends the same do pass.

K. A. EVANS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File 97, a bill for an act to authorize counties to expend any balance remaining from primary road bond issues authorized or sold for road purposes, begs leave to report it has had the same under consideration and recommends the same do pass. K. A. EVANS, *Chairman.*

Ordered passed on file.

SENATE RESOLUTION 3

Whereas, Senate File 152 proposes drastic changes affecting banking and insurance departments of the State of Iowa and many other departments, and

Whereas, The changes affect the policies of said departments and the more or less involved detail and management of those departments, many of these things being but little known to the Senate; now, therefore,

Be It Resolved By the Senate of the 48th General Assembly: That a public hearing be held on said bill before any further action is taken, that said public hearing be held in the state capital between the hours of 9:00 a. m. and 5:00 p. m. in the evening after three days' notice has been given to the Senate and all interested parties by publication in the Journal of the time and place of said hearing. EDWARD BREEN.

SENATE RESOLUTION 4

Whereas, Senate File 144 proposes the establishment of a state purchasing agent, and

Whereas, This change will affect all of the Board of Control and Board of Education institutions, many of which now have purchasing agents of their own, and

Whereas, It is felt that this may project the entire educational system of the State of Iowa into the field of politics; now, therefore,

Be It Resolved By the Senate of the 48th General Assembly: That a public hearing be held on said bill before any further action is taken, that said public hearing be held in the state capital between the hours of 9:00 a. m. and 5:00 p. m. in the evening after three days' notice has been given to the Senate and all interested parties by publication in the Journal of the time and place of said hearing. EDWARD BREEN.

SENATE RESOLUTION 5

Whereas, Senate File 139 proposes a drastic change in the present organization of the social welfare agencies of the state and proposes one which is a complete variance with another bill now being considered in the Senate, mainly Senate File 111, and

Whereas, This is a bill affecting the administration of old age assistance, aid to the blind, child welfare, undoubtedly it will affect emergency relief in the event that Senate File 142 is passed; now, therefore,

Be It Resolved by the Senate of the 48th General Assembly: That a public hearing be held on said bill before any further action is taken, that said public hearing be held in the state capital between the hours of 9:00 a. m. and 5:00 p. m. in the evening after three days' notice has been given to the Senate and all interested parties by publication in the Journal of the time and place of said hearing. EDWARD BREEN.

SENATE RESOLUTION 6

Whereas, Senate File 114 proposes the abolishment of the geological survey, and

Whereas, There are no geologists in the Senate, and

Whereas, This is a matter but little known to most of us; now, therefore,

Be It Resolved by the Senate of the 48th General Assembly: That a public hearing be held on said bill before any further action is taken, that said public hearing be held in the state capital between the hours of 9:00 a. m. and 5 p. m. in the evening after three days' notice has been given to the Senate and all interested parties by publication in the Journal of the time and place of said hearing. EDWARD BREEN.

SENATE RESOLUTION 7

Whereas, Senate File 39 abolishes the board of parole and transfers its duties to the board of control and the attorney general or some assistant of his, and

Whereas, Such a change involves three important state institutions, the lives of thirty-five hundred (3500) prisoners and threatens the entire parole and indeterminate sentence structure; now, therefore,

Be It Resolved by the Senate of the 48th General Assembly: That a public hearing be held on said bill before any further action is taken, that said public hearing be held in the state capital between the hours of 9:00 a. m. and 5 p. m. in the evening after three days' notice has been given to the Senate and all interested parties by publication in the Journal of the time and place of said hearing. EDWARD BREEN.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

Committee

S. F. 185.....	Social Security
S. F. 187.....	Judiciary 2
S. F. 188.....	Judiciary 1
S. F. 189.....	Judiciary 1
S. F. 190.....	Judiciary 2
S. F. 191.....	Judiciary 2
S. F. 192.....	State Planning
H. F. 209.....	Consolidation and Co-ordination
H. F. 204.....	Consolidation and Co-ordination
H. F. 114.....	Highways
S. F. 197.....	Judiciary 1
S. F. 198.....	Public Schools
S. F. 199.....	County and Township Affairs
S. F. 201.....	Motor Vehicles
S. F. 204.....	Agriculture
S. F. 205.....	Judiciary 1
S. F. 206.....	Public Schools
S. F. 207.....	Judiciary 1
S. F. 208.....	Cities and Towns
S. F. 209.....	Judiciary 2
S. F. 210.....	Cities and Towns
S. F. 211.....	Judiciary 1
S. F. 212.....	Cities and Towns
S. F. 213.....	Cities and Towns
S. F. 214.....	Cities and Towns
S. F. 215.....	Public Utilities
S. F. 216.....	Appropriations
S. F. 217.....	Appropriations
H. F. 39.....	Cities and Towns
H. F. 74.....	Cities and Towns

AMENDMENTS FILED

MR. PRESIDENT: Amend House File 204 by inserting as "Sec. 3" the following:

"Sec. 3. Any acts or parts of acts in conflict herewith are hereby repealed."

Further amend House File 204 by renumbering the remaining paragraph as "Sec. 4."

GEORGE M. FAUL.

MR. PRESIDENT: Amend the committee amendments to Senate File 2, as found on pages 191 and 192 of the Journal of the Senate as follows: by inserting in line five (5) of section two (2) of said amendment after the word "population" the following: "and cities over three thousand (3,000) population operating one or more utilities"; and by striking the period at the end of line twelve (12) in section four (4) of said amendment and adding the following: "on a form prescribed by him."

L. H. DORAN.

MR. PRESIDENT: Amend Senate File 144 by inserting after the word "commission" in line four (4) of section two (2) the following: ", all institutions under the board of education".

J. BERG.

MR. PRESIDENT: Amend House File 204 as follows:

Amend by striking from section 1, lines six (6) to twenty-three (23), inclusive, and inserting in lieu thereof the following:

"The State Board of Social Welfare shall consist of five (5) members appointed by the Governor, with the advice and consent of the Senate, on the basis of a broad experience and interest in civic affairs and matters of social welfare. Not more than three (3) members shall be of the same political party. The members of the state board shall be appointed for overlapping terms of six (6) years and at least one member of the State Board of Social Welfare shall be a woman and not more than one member shall be from any one congressional district."

"The first two (2) members named shall be appointed for terms of two (2) years and the next two (2) members named shall be appointed for terms of four (4) years, and the fifth member for a term of six (6) years. At the expiration of the first year, all new appointments shall be for terms of six (6) years. Board members may be removed by the Governor for cause."

"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, and 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 (30) days after the convening of the General Assembly."

"The State Board of Social Welfare shall elect annually a chairman and such officers of the board as it may deem necessary."

"Members of the state board shall receive no compensation for their services other than the actual amount of travelling expenses actually incurred in respect to the performance of their official duties in attendance at regular or special meetings of the board and ten (\$10.00) dollars per diem for each day actually in attendance at such board meetings. The per diem of such individual members of the board shall be limited not to exceed the amount of twelve hundred (\$1200.00) 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 travelling and other necessary expenses actually incurred while engaged in the performance of any other official duties, when so authorized by the board."

"No member of the state board shall have any direct financial interest in or profit by any of the operations of the state board of social welfare or any of its agencies. Per diem and expenses of the state board members shall, upon claims being presented according to state law, be paid out of funds appropriated to the state board."

"The Governor shall select an administrative officer who shall be appointed by the state board and shall be known as the State Administrator of Social Welfare. He shall have such tenure of office, salary and traveling expense as the state board may establish, with the exception that the

salary of the state administrator shall not exceed four thousand (\$4,000.00) dollars per year."

"The State Administrator shall be selected and appointed with due regard to the education, training and ability necessary in social welfare administration and organization, and shall be a resident of the state of Iowa. The State Administrator shall be bonded in a sum not less than twenty-five thousand (\$25,000.00) dollars, the premium of which will be paid by the state. The State Administrator may be removed by the Governor for cause."

"The state board shall be limited in function to that of general policy making and formulation of rules and regulations. All administrative and executive authority, functions and duties shall be vested in the State Administrator, subject to the authority of the state board. All proceedings of the state board shall be open to the public." GEORGE M. FAUL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 10, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Hon. H. F. Risse, representative from Mitchell county.

The Journal of February 9th was corrected and approved.

Senator Gillette took the chair at 10:05.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hoeven for the day, on request of Senator Hart; Senator Beardsley for the day on request of Senator Baldwin.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Mighell, from citizens of Ida and Sac counties, opposing enactment of a State Fair Labor Standards Act.

By Senator Ellis, from the Maquoketa Valley Chapter of the Izaak Walton League of America, opposing any change in the present form of the state conservation commission.

By Senator Baldwin, from citizens of Dubuque county, opposing enactment of a State Fair Labor Standards Act.

By Senator Hopkins, from teachers of Crescent, advocating a school entrance age of six years.

By Senator Harvey, from the Denison Woman's Christian Union, favoring local option and opposing the bill providing for liquor by the drink.

By Senator Faul, from the Sac and Fox Indians of Tama, favoring Edgar R. Harlan as curator.

By Senator Doran, from Welch Parent-Teachers' Association of Ames, favoring teachers' annuity.

By Senator Breen, from citizens of Lehigh, favoring enactment of House File 1.

By Senator Parker, from the board of the Methodist Episcopal Church of Hopkinton, favoring enactment of House File 1.

By Senator Leo, from members of Chapter HG of the P. E. O. of Vinton, favoring legislation providing for free library facilities for rural communities.

By Senator Berg, from merchants and professional men of Cedar Falls, favoring Senate File 17, the Iowa Community Preservation Act.

By Senator Whitehill, from citizens of Marshall county, opposing House File 1 and Senate File 169.

By Senator Elthon, from citizens of Mitchell county, opposing House File 1 and Senate File 14, and favoring House File 131.

INTRODUCTION OF BILLS

Senate File 218, by committee on motor vehicles, a bill for an act to amend section one (1) and section three hundred sixteen (316) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, defining residence and suburban districts in cities and towns and for the purpose of regulating motor vehicle traffic therein.

Read first and second times and placed on the calendar.

Senate File 219, by committee on motor vehicles, a bill for an act to amend section four hundred ninety-one (491), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relative to operating and moving certain vehicles upon the highways and providing conditions under which permits may be issued for said purpose.

Read first and second times and placed on the calendar.

Senate File 220, by Senator Levis, a bill for an act to repeal section eleven (11) of Chapter one hundred fifty (150), Acts of the Forty-seventh General Assembly, and to enact a substitute therefor, relating to the appointment of a coordinator to assist in the sale by counties of agricultural lime.

Read first and second times and passed on file.

Senate File 221, by committee on public schools, a bill for an act to amend section forty-three hundred forty-one (4341), Code, 1935, relating to minimum teachers' wage.

Read first and second times and placed on the calendar.

Senate File 222, by Senators Levis, Berg, Baldwin, Cromwell, Zeigler, Kirketeg, Evans, Beardsley, Corwin and Harvey, a bill for an act to repeal Chapter three hundred twenty-nine-G one (329-G1) of the 1935 Code of Iowa, known as the "Chain Store Tax Act of 1935", and to enact in lieu thereof the following bill, to be entitled "Chain Store Regulatory Act of 1939"; to define chain stores; to provide for the equalization of assessments and taxes of chain stores with other stores; to provide a method of determining assessed values of stocks of merchandise and inventories; to fix requirements upon the operators of chain stores for making of returns to assessors; to define certain acts and practices as unfair and discriminatory and to prohibit the same; to prohibit the sale or advertisement of merchandise at less than cost for the purpose of injuring competitors; to prohibit discriminatory prices to retailers in the purchase of goods; to provide jurisdiction for prevention of violations of this Act, by injunction; and to fix penalties for violation of this Act.

Read first and second times and passed on file.

Senate File 223, by Senators Guernsey and Bekman, a bill for an act to amend Chapter sixty-eight (68), Code, 1935, relating to coal mines and mining, adding thereto requirements for registration with the state mine inspectors' office, of all miners engaged in the commercial mining of coal and authorizing the issuance of certificates of competency; providing for the examination by and certification of such office of those hereafter wishing to qualify for such work; authorizing such office to conduct examinations for said purpose and issue certificates to qualified applicants; providing that, with the exception of apprentices, only certified miners shall be employed; providing penalty for violation; and empowering said state mine inspectors' office to make rules and regulations necessary for administration.

Read first and second times and passed on file.

Senate File 224, by Senator Shaw (Miller), a bill for an act to amend subparagraph twenty eight (28) of section six thousand two hundred eleven (6211), Code, 1935, relating to City Hall

Fund, and providing that the same may be used for maintenance and repairs.

Read first and second times and passed on file.

SENATE RESOLUTION 3

Senator Breen offered the following resolution and moved its adoption:

Whereas, Senate File 152 proposes drastic changes affecting banking and insurance departments of the state of Iowa and many other departments, and

Whereas, The changes affect the policies of said departments and the more or less involved detail and management of those departments, many of these things being but little known to the Senate; now, therefore,

Be It Resolved By the Senate of the 48th General Assembly: That a public hearing be held on said bill before any further action is taken, that said public hearing be held in the state capital between the hours of 9:00 a. m. and 5:00 p. m. in the evening after three days' notice has been given to the Senate and all interested parties by publication in the Journal of the time and place of said hearing.

By unanimous consent, on request of Senator Breen, action was deferred.

SENATE RESOLUTION 4

Senator Breen offered the following resolution and moved its adoption:

Whereas, Senate File 144 proposes the establishment of a state purchasing agent, and

Whereas, This change will affect all of the Board of Control and Board of Education Institutions, many of which now have purchasing agents of their own, and

Whereas, It is felt that this may project the entire educational system of the state of Iowa into the field of politics; now, therefore,

Be It Resolved By the Senate of the 48th General Assembly: That a public hearing be held on said bill before any further action is taken, that said public hearing be held in the state capital between the hours of 9:00 a. m. and 5:00 p. m. in the evening after three days' notice has been given to the Senate and all interested parties by publication in the Journal of the time and place of said hearing.

By unanimous consent, on request of Senator Breen, action 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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 5, providing copies of the Code and Annotations thereto, for use of the chairmen of the committees of the 48th General Assembly.

Also: That the House has concurred in Senate amendment to and passed House File 85, a bill for an act to legalize certain tax levies, assessments and collections derived from monies and credits.

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

House File 44, a bill for an act relative to compensation of officers and enlisted men while in active service of the state.

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

House File 76, a bill for an act relating to the construction and repair of street improvements and sewers.

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 providing for the transfer of civil or criminal cases within a county where a military district has been established under martial law.

A. C. GUSTAFSON, *Chief Clerk.*

SENATE RESOLUTION 5

Senator Breen offered the following resolution and moved its adoption:

Whereas, Senate File 139 proposes a drastic change in the present organization of the social welfare agencies of the state and proposes one which is a complete variance with another bill now being considered in the Senate, mainly Senate File 111, and

Whereas, This is a bill affecting the administration of old age assistance, aid to the blind, child welfare, undoubtedly it will affect emergency relief in the event that Senate File 142 is passed; now, therefore,

Be It Resolved by the Senate of the 48th General Assembly: That a public hearing be held on said bill before any further action is taken, that said public hearing be held in the state capital between the hours of 9:00 a. m. and 5:00 p. m. in the evening after three days' notice has been given to the Senate and all interested parties by publication in the Journal of the time and place of said hearing.

Senator Byers moved that action be deferred.

By unanimous consent, Senator Byers withdrew his motion.

Roll call was requested on the question "Shall Senate Resolution 5 be adopted?" The vote was:

Ayes, 11:

Augustine	Dean	Guernsey	Moore
Baldwin	Ellis	Mighell	Vrba
Breen	Geske	Miller	

Nays, 33:

Benson	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Byers	Forsling	Leo	Sjulin
Corwin	Hart	Levis	Smith
Cromwell	Harvey	Lundy	Stewart
Dewey	Henningsen	Mowry	Talbott
Donohue	Hill	Parker	Whitehill
Doran	Hopkins	Pelzer	Zeigler
Edwards			

Absent or not voting, 6:

Beardsley	Elthon	Hoeven	Martin
Bekman	Gillette		

The resolution was lost.

Senator Donohue moved that Senate Resolutions 6 and 7 be laid on the table.

The resolutions were read for information.

SENATE RESOLUTION 6

Whereas, Senate File 114 proposes the abolishment of the geological survey, and

Whereas, There are no geologists in the Senate, and

Whereas, This is a matter but little known to most of us; now, therefore,

Be It Resolved by the Senate of the 48th General Assembly: That a public hearing be held on said bill before any further action is taken, that said public hearing be held in the state capital between the hours of 9:00 a. m. and 5 p. m. in the evening after three days' notice has been given to the Senate and all interested parties by publication in the Journal of the time and place of said hearing.

SENATE RESOLUTION 7

Whereas, Senate File 39 abolishes the board of parole and transfers its duties to the board of control and the attorney general or some assistant of his, and

Whereas, Such a change involves three important state institutions, the lives of thirty-five hundred (3500) prisoners and threatens the entire parole and indeterminate sentence structure; now, therefore,

Be It Resolved by the Senate of the 48th General Assembly: That a public hearing be held on said bill before any further action is taken, that said public hearing be held in the state capital between the hours of 9:00 a. m. and 5 p. m. in the evening after three days' notice has been given to the Senate and all interested parties by publication in the Journal of the time and place of said hearing.

Senator Donohue moved to amend his motion by adding Senate Resolutions 3 and 4.

The motion prevailed and the amendment was adopted.

Senate Resolutions 3 and 4 were read for information.

Roll call was requested.

On the question "Shall Senate Resolutions 3, 4, 6 and 7 be laid on the table?" The vote was:

Ayes, 34:

Bekman	Edwards	Husted	Schadt
Benson	Evans	Kirketeg	Shaw
Berg	Faul	Leo	Sjulin
Byers	Forsling	Levis	Smith
Corwin	Hart	Lundy	Stewart
Cromwell	Harvey	Mowry	Talbott
Dewey	Henningsen	Parker	Whitehill
Donohue	Hill	Pelzer	Zeigler
Doran	Hopkins		

Nays, 12:

Augustine	Dean	Gillette	Miller
Baldwin	Ellis	Guernsey	Moore
Breen	Geske	Mighell	Vrba

Absent or not voting, 4:

Beardsley	Elthon	Hoeven	Martin
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The motion prevailed and the resolutions were laid on the table.

President Hickenlooper took the chair at 10:45.

By unanimous consent, on request of Senator Donohue, rule 49 was suspended for the executive session.

On motion of Senator Donohue, the Senate went into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Hon. Chas. R. Fischer, of Monona county, as Iowa Commissioner of Insurance, to succeed Maurice V. Pew, and to serve for the term ending June 30, 1939.

The Senate arose from executive session and resumed regular session.

COMMITTEE ON RETRENCHMENT AND REFORM

The President announced the appointment of Senators Gillette and Geske to serve on the committee on retrenchment and reform

with Senator Doran, chairman of the committee on appropriations, Senator Smith, chairman of ways and means, Senator Shaw, chairman of judiciary 1, and Senator Donohue, chairman of judiciary 2.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson 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 54, 85, 145, 174 and Senate File 33.

RALPH E. BENSON, Chairman Senate Committee.

ALBERT STEINBERG, 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 33 and House Files 54, 85, 145 and 174.

BILLS SENT TO THE GOVERNOR

Senator Benson 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, 1939, sent to the Governor for his approval, Senate File 33.

RALPH E. BENSON, Chairman.

Passed on file.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Baldwin, House File 229, a bill for an act to amend section twenty-three (23), Chapter one hundred ninety-eight (198), Acts of the Forty-seventh General Assembly, to provide for a special fund known as the use tax fund; to provide for the apportionment of said tax fund to the homestead tax credit fund and to the general fund of the state of Iowa; and to make possible the payment of homestead tax credit on all homesteads within the state of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaw offered the following amendment and moved its adoption :

Amend House File 229 by striking the words "general fund" in line three (3) of section three (3) and inserting in lieu thereof, "old age assistance fund".

By unanimous consent, Senator Shaw withdrew his amendment.

Senator Donohue offered the following amendment and moved its adoption:

Amend House File 229 by striking all of section 3 and renumbering the following section.

The amendment was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend section 2, line 8, by striking the word "used" and inserting in lieu thereof the word "use".

The amendment was adopted.

On motion of Senator Doran, action was deferred, to be resumed upon the reconvening of the Senate.

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

AFTERNOON SESSION

The Senate resumed session, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 225, by Senator Shaw (Miller), a bill for an act to amend subparagraph one (1) of section six thousand two hundred eleven (6211), Code, 1935, relating to the grading fund of cities and towns and amending the same so that such fund may be used for the purchase and providing of grading equipment.

Read first and second times and passed on file.

Senate File 226, by Senator Baldwin, a bill for an act to amend section six thousand six hundred fifty-two (6652), Code, 1935, relating to the powers, compensation and duties of officers of cities under the manager plan.

Read first and second times and passed on file.

Senate File 227, by Senators Smith and Hoeven, a bill for an act to create an agricultural land credit fund; to provide for the

appropriation of funds to apply as a credit on taxes on agricultural lands; prescribing the procedure whereby said funds are allocated by the state treasurer to the county treasurers of the several counties; and providing a method of allotting tax credits on agricultural lands in special charter cities; to prescribe the procedure for the making of such credit; to define agricultural lands and providing for the making of claims for credit as provided in this act; and to provide a method of appeal from the act of the boards of supervisors of the several counties relating to the said agricultural land credit.

Read first and second times and passed on file.

Senate File 228, by committee on tax revision, a bill for an act to repeal subsection three (3) of section four (4), Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly and enact a substitute therefor relating to the estimates of homestead tax credit by the board of assessment and review for each year and the certification of such estimate to county auditors and county treasurers.

Read first and second times and placed on the calendar.

Senate File 229, by committee on tax revision, a bill for an act to amend section sixty-nine hundred sixty-three (6963) Code, 1935, relating to the place of listing certain property for taxation.

Read first and second times and placed on the calendar.

Senate File 230, by committee on tax revision, a bill for an act to amend section sixty-nine hundred fifty-nine (6959), Code, 1935, relating to the taxation of improvements upon real estate.

Read first and second times and placed on the calendar.

Senate File 231, by Senators Moore, Sjulín, Ellis, Henningsen, Baldwin, Cromwell, Corwin, Hart, Martin, Stewart and Geske, a bill for an act to amend Chapter ninety-nine (99), section fifty-six (56), Acts of the Forty-seventh General Assembly, to allow year around pole and line fishing in the waters of the Mississippi and Missouri rivers.

Read first and second times and passed on file.

HOUSE MESSAGES CONSIDERED

House File 44, a bill for an act to amend section four hundred sixty-seven-f twenty-one (467-f21), Code, 1935, relative to com-

pensation of officers and enlisted men while in active service of the state, and compensation to their dependents for death as a result of illness or disease contracted in line of duty while in such active service.

Read first and second times and passed on file.

House File 45, a bill for an act to amend the military code, Chapter twenty-eight-F one (28-F1), Code, 1935, by providing for the transfer of civil or criminal cases on file in any court of record within a county where a military district has been established under martial law, to any court of record outside the military district; and to provide for the establishment of a military court or commission within a military district, and to prescribe the powers and duties of such military court or commission.

Read first and second times and passed on file.

House File 76, a bill for an act to amend section six thousand three (6003), Code, 1935, relating to the construction and repair of street improvements and sewers, and contracts therefor, in cases where cost of material only is to be assessed, and where materials and improvements when completed must be approved and accepted by the city.

Read first and second times and passed on file.

THIRD READING OF BILLS

By unanimous consent on request of Senator Faul, Senate File 44, a bill for an act to amend the law which appears in section three thousand six hundred twenty-one (3621), Code of Iowa, 1935, relating to the filing of petitions in the juvenile court, and who may file the same, and providing that no petitions may be filed without an investigation first having been made by the probation officer or county attorney, except by order of the judge of the juvenile court, 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 adding after the word "amended" in section 1, line 2, the following: "by striking the period at the end of said section and".

The amendment was adopted.

Senator Faul moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 48:

Augustine	Donohue	Hill	Pelzer
Baldwin	Doran	Hopkins	Schadt
Bekman	Edwards	Husted	Shaw
Benson	Ellis	Kirketeg	Sjulin
Berg	Evans	Leo	Smith
Breen	Faul	Levis	Stewart
Byers	Forsling	Martin	Talbott
Corwin	Geske	Mighell	Vrba
Cromwell	Gillette	Miller	Whitehill
Dean	Guernsey	Moore	Zeigler
Dewey	Henningsen	Mowry	

Nays, none.

Absent or not voting, 7:

Beardsley	Hart	Hoeven	Parker
Elthon	Harvey	Lundy	

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

Senator Faul 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 Faul, Senate File 75, a bill for an act to amend Chapters 269 and 269 A-1 of the Code, 1935, and all amendments thereto, and to provide for the financing of the erection of the hospital buildings and additions thereto, by the issuance of county public hospital bonds, and to provide for an increase in the tax rate for the improvement and maintenance of county public hospitals, in counties having a population of one hundred thirty-five thousand inhabitants or over, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend by changing the period to a comma in line twenty-nine (29), section 1, and adding thereto the words "as amended."

The amendment was adopted.

Senator Faul moved that the bill be read a third 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	Hill	Parker
Baldwin	Doran	Hopkins	Schadt
Bekman	Edwards	Husted	Shaw
Benson	Ellis	Kirketeg	Sjulin
Berg	Evans	Leo	Smith
Breen	Faul	Levis	Stewart
Corwin	Geske	Martin	Talbott
Byers	Guernsey	Mighell	Vrba
Cromwell	Hart	Miller	Whitehill
Dean	Henningsen	Moore	Zeigler
Dewey			

Nays, none.**Absent or not voting, 9:**

Beardsley	Gillette	Hoeven	Mowry
Elthon	Harvey	Lundy	Pelzer
Forsling			

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, Senate File 45, a bill for 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, 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. Amend Senate File 45 by inserting between the words "decrees" and "entered" in line 1 of section 1 of said bill the word "heretofore".
2. Amend Senate File 45 by striking all of Sec. 2 after the period following the figure 2 in line 1 of said section and inserting in lieu thereof the following: "Nothing contained in this act shall affect pending litigation."

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, 40:

Augustine	Corwin	Evans	Hill
Baldwin	Cromwell	Faul	Hopkins
Bekman	Dean	Geske	Husted
Benson	Dewey	Gillette	Kirketeg
Berg	Donohue	Guernsey	Leo
Breen	Edwards	Hart	Levis
Byers	Ellis	Henningsen	Mighell

Miller	Schadt	Smith	Vrba
Mowry	Shaw	Stewart	Whitehill
Parker	Sjulin	Talbott	Zeigler

Nays, none.

Absent or not voting, 10:

Beardsley	Forsling	Lundy	Moore
Doran	Harvey	Martin	Pelzer
Elthon	Hoeven		

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 159, a bill for an act to legalize the corporate acts and proceedings of the Chickasaw County Equity Cooperative Association of New Hampton, Iowa, and to provide for the renewal thereof and amended and substituted articles of incorporation of said Chickasaw County Equity Cooperative Association, with report of committee recommending passage, was taken up, considered, and the report of the committee 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	Donohue	Hill	Pelzer
Baldwin	Doran	Hopkins	Schadt
Bekman	Edwards	Husted	Shaw
Benson	Ellis	Kirketeg	Sjulin
Berg	Evans	Leo	Smith
Breen	Forsling	Levis	Stewart
Byers	Geske	Mighell	Talbott
Corwin	Gillette	Miller	Vrba
Cromwell	Guernsey	Moore	Whitehill
Dean	Hart	Mowry	Zeigler
Dewey	Henningsen	Parker	

Nays, none.

Absent or not voting, 7:

Beardsley	Faul	Hoeven	Martin
Elthon	Harvey	Lundy	

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

Senator Donahue 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 Hickenlooper presented Hon. Joe E. Anderson, former Speaker of the House, to the members of the Senate, and Mr. Anderson addressed the Senate briefly.

CONSIDERATION OF HOUSE FILE 229 RESUMED

Senator Donohue offered the following amendments and moved their adoption:

Amend House File 229 by striking all of Section 1 and also by striking from line 1 of Sec. 2 the following: "Sec. 2." and inserting in lieu thereof:

"Section 1. Amend Section 23, Chapter 198, Acts of the 47th General Assembly of the State of Iowa, by adding to Section 23 the following:"

Further amend House File 229 by striking from Section 1, as renumbered, lines 7, 8, 9, 10, 11 and 12 and inserting in lieu thereof the following: "The State Comptroller is hereby authorized and shall transfer to the homestead credit fund established by Chapter 195, Acts of the 47th General Assembly, the amount of the shortage in said homestead credit fund as certified by the state board of assessment and review, from funds received in the general fund under the provisions of this Chapter."

Further amend House File 229 by renumbering Sec. 4 as Sec. 2.

Senator Levis moved that action on House File 229 be deferred until Monday.

The motion was lost.

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, 41:

Augustine	Doran	Hopkins	Pelzer
Baldwin	Ellis	Husted	Schadt
Bekman	Evans	Kirketeg	Shaw
Benson	Forsling	Leo	Sjulin
Berg	Geske	Levis	Smith
Byers	Gillette	Lundy	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Miller	Vrba
Dean	Henningsen	Mowry	Whitehill
Dewey	Hill	Parker	Zeigler
Donohue			

Nays, none.

Absent or not voting, 9:

Beardsley	Elthon	Harvey	Mighell
Breen	Faul	Hoeven	Moore
Edwards			

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

Senator Donohue offered the following amendment to the title and moved its adoption :

Amend the title of House File 229 by striking all of the title following the comma (,) after the word "assembly" and inserting in lieu thereof the following:

"to provide for the apportionment of taxes collected under this Chapter to be used toward payment of homestead credit."

The amendment was adopted, and the title as amended 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.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on February 9, 1939, he had approved the following: Senate File 80, making an appropriation of \$373.81 to defray the expense of the inaugural ceremonies.

SENATE RESOLUTION 8

Whereas, The Senate committee on the Board of Control is now considering legislation touching the public institutions under the Board of Control, and

Whereas, The extent of the said committee's authority to make complete examination is in doubt, therefore,

Be It Resolved by the Senate of the 43th General Assembly: That the Senate committee on Board of Control be and it is hereby authorized to subpoena and compel the attendance of any person or persons and the production of such documentary records or other evidence as the committee may determine, all as contemplated and provided in Section 28 of the Code of 1935.

BOARD OF CONTROL COMMITTEE,
By GEO. L. PARKER, *Chairman*.

REPORTS OF COMMITTEES

Senator Hill submitted the following report:

MR. PRESIDENT: Your committee on tax revision, to which was referred Senate File 83, a bill for an act to amend section one (1) of Chapter one hundred ninety-eight (198), Acts of the 47th General Assembly, relating to the use tax, begs leave to report it has had the same under consideration and recommends the same do pass.

G. R. HILL, *Chairman*.

Ordered passed on file.

Senator Hopkins submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 148, a bill for an act to amend section thirty-eight hundred eighty-four (3884), Code, 1935, relating to the normal training required for entrance to examinations for uniform county 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.

RESIGNATION OF CLERK

February 10, 1939.

I hereby tender my resignation as reading clerk, effective as of February 10th.

LEO R. RITCHIE

The resignation was accepted.

REPORT OF PATRONAGE COMMITTEE

MR. PRESIDENT: The following assignment has been made on the desk force of the Senate, effective as of February 11th:

W. J. Scarborough, Reading Clerk.

Leo R. Ritchie, Doorkeeper.

J. BERG, *Chairman.*

The report was adopted.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

Committee

H. F. 44.....	Military Affairs
H. F. 45.....	Judiciary 2
H. F. 76.....	Cities and Towns
S. F. 220.....	Appropriations
S. F. 222.....	Manufacturing, Commerce and Trade
S. F. 223.....	Mines and Mining
S. F. 224.....	Cities and Towns
S. F. 225.....	Cities and Towns
S. F. 226.....	Cities and Towns
S. F. 227.....	Appropriations
S. F. 231.....	Conservation

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 83 as follows:

1. By adding as section two (2) thereof the following:

"Sec. 2. Section one (1), of Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly is hereby amended:

a. By striking from line twenty-one (21) thereof, after the word 'processing' the word 'or', and inserting in lieu thereof a comma (,).

b. By inserting in line twenty-one (21), after the word 'current' the following: ', or is consumed as fuel in producing or growing horticultural products for ultimate sale at retail'."

2. Amend the title:

a. By striking from line one (1) thereof the following:

"Section one (1) of chapter" and inserting in lieu thereof the following: "Chapters".

b. By inserting in line two (2) after "(198)" the following: "and one hundred ninety-six (196)".

c. By inserting in line three (3) after the word "tax" the following: "and tax on retail sales."

LESTER S. GILLETTE

MR. PRESIDENT: Amend Senate File 122 as follows:

1. Amend by inserting immediately following the word "Court" in line five (5) of Section 1, the words "with civil service rights".

2. Amend by inserting immediately following the word "Court" in line three (3) of Section 2, the words "with civil service rights".

3. Amend the title by inserting immediately following the word "Court" in line three (3), the words "with civil service rights".

4. Amend the title by inserting immediately following the word "Courts" in line eight (8), the words "with civil service rights".

GEORGE M. FAUL

MR. PRESIDENT: Amend Senate File 123 as follows:

1. Amend by inserting immediately following the word "Court" in line six (6), Section 1, the words "with civil service rights".

2. Amend by inserting immediately following the word "Court" in line three (3), Section 2, the words "with civil service rights".

3. Amend the title by inserting immediately following the word "Courts" in line three (3), the words "with civil service rights".

4. Amend the title by inserting immediately following the word "Courts" in line seven (7), the words "with civil service rights".

GEORGE M. FAUL

MR. PRESIDENT: Amend Senate File 1 by inserting the word "the" after the word "in" in line one (1) of Section two (2).

C. COLFAX SMITH.

On motion of Senator Doran, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 18, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. J. A. E. Cunningham, pastor of the Methodist Church of Seymour.

The Journal of February 10 was corrected and approved.

LEAVE OF ABSENCE

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

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from Van Deest Implement Company of Cedar Falls, and citizens of Black Hawk county, opposing enactment of a State Fair Labor Standards Act.

By Senator Mighell, from citizens of Ida county, opposing enactment of a State Fair Labor Standards Act.

By Senator Henningsen, from Clinton County Tavern Owners' Association, favoring enactment of House File 131, and opposing enactment of House Files 1 and 37.

By Senator Hill, from the Woman's Home Missionary Society of the Methodist Episcopal Church of Rowan, favoring enactment of House File 1.

By Senator Schadt, from Johnson County Farm Bureau members, favoring continuation of the homestead tax exemption law, more farm to market road funds, lower farm truck licenses, continuation of gasoline refund law and use of gas tax only for road building purposes and retiring road bonds.

By Senator Whitehill, from citizens of Marshalltown, opposing enactment of House File 1 and Senate File 169.

By Senator Elthon, from citizens of Osage, opposing enactment of House File 1 and Senate File 14, and favoring enactment of House File 131.

By Senator Benson, from citizens of Sac and Carroll counties, opposing enactment of a State Fair Labor Standards Act.

By Senator Moore, from citizens of Carson, favoring enactment of Senate File 169, and opposing enactment of Senate File 71.

By Senator Beardsley, from the Whitcomb Riley Club of New Virginia, favoring enactment of a law prohibiting minors from entering any place where beer is sold.

By Senator Vrba, from the city council of Cresco, favoring enactment of House File 168.

By Senator Beardsley, from citizens of Warren county, opposing enactment of a State Fair Labor Standards Act.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

Senate File 175, a proposed bill to make permanent certain temporary transfers of certain funds of Monroe county.

House File 334, a proposed bill legalizing proceedings of the city council of the city of Fort Madison.

Senate File 145, a proposed bill legalizing the election and proceedings of the consolidated school district of Climbing Hill.

House File 294, a proposed bill legalizing proceedings of the city council of Rock Rapids.

WALTER H. BEAM, *Secretary*.

INTRODUCTION OF BILLS

Senate File 232, by Senators Paul and Kirketeg (Hallagan, Gregory, Johannes, Lucas, Gardner, Morrissey, Ross, Lampman), a bill for an act to amend and revise Chapter one hundred eighteen (118), Acts of the Forty-seventh General Assembly, relating to a unified supervision of child welfare activities in the state, the promotion and establishment of child welfare service and the licensing, inspection and supervision of private institutions for the care and placing of children; to amend section thirty-six hundred sixty-one-a forty-three (3661-a43), Code, 1935, relating to the definition of children's boarding homes to be licensed and inspected hereunder; to amend section ten thousand five hundred one-b seven (10501-b7), Code, 1935, relating to commitment of

children when adoptions are revoked; to repeal sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one-b 1 (3641-b1), thirty-six hundred forty-two (3642), and thirty-six hundred forty-three (3643), Code, 1935, relating to widows' pensions; to provide a program of uniform, state-wide aid to dependent children in conformity with the Social Security Act of the Congress of the United States; to prescribe the powers and duties of the state board of social welfare, the county boards of social welfare, the county departments of social welfare and of counties and their boards of supervisors with regard to the foregoing matters; and to provide for a division of child welfare and aid to dependent children in the state department of social welfare, and prescribe its powers and duties.

Read first and second times and passed on file.

Senate File 233, by Senator Gillette (Yager), a bill for an act to make permanent the balance of a temporary transfer of funds in Dickinson County, Iowa, from the bovine tuberculosis fund to the general fund of said county.

Read first and second times and passed on file.

Senate File 234, by Senator Faul, a bill for an act to amend section six thousand six hundred eight (6608), Code, 1935, relating to the control of trees and shrubbery in the streets of cities operating under Chapter three hundred twenty-six (326), Code, 1935, vesting such authority in park boards in cities where such boards exist.

Read first and second times and passed on file.

Senate File 235, by Senator Faul, a bill for an act to authorize cities or towns and school districts to appropriate money for the support and maintenance of health, psychological and psychiatric clinics and services additional to those set out in Chapter one hundred twelve (112), Code of Iowa, 1935.

Read first and second times and passed on file.

Senate File 236, by Senator Shaw, a bill for an act to amend section four thousand two hundred seventy (4270), Code, 1935, relating to the right to exclude certain pupils from school.

Read first and second times and passed on file.

Senate File 237, by Senator Shaw, a bill for an act to amend section three thousand five hundred twenty-seven (3527), Code of Iowa, 1935, to repeal section three thousand five hundred twenty-eight (3528), Code of Iowa, 1935, and to amend section three thousand six hundred and four (3604), Code of Iowa, 1935, relating to the commitment, care and support of insane persons.

Read first and second times and passed on file.

Senate File 238, by Senator Parker, a bill for an act to amend section eleven thousand seven hundred sixty-three (11763), Code, 1935, relative to the exemption of personal earnings of a debtor and those of his family.

Read first and second times and 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 Senate is asked:

House File 89, a bill for an act relating to the distribution of proceeds from the tax on moneys and credits.

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

House File 71, a bill for an act providing for the purchase or rental of fire apparatus and equipment by township trustees.

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

House File 46, a bill for an act providing that the judge advocate shall become an assistant attorney general during the period when the national guard is in state service.

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

House File 95, a bill for an act relating to the construction and equipment of cabooses.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 84, a bill for an act to legalize the corporate acts and the renewal of The Farmers Elevator and Exchange, Wapello, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 84

Amend the title by inserting after the word "renewal" in the first line thereof the following: "of the charter".

HOUSE MESSAGES CONSIDERED

House File 89, a bill for an act to amend sections sixty-nine hundred eighty-six (6986) and seventy-one hundred sixty-four (7164), Code, 1935, relating to the distribution of proceeds from tax on moneys and credits and other moneyed capital, and the computation by the county auditor of the tax rate for the general county fund.

Read first and second times and passed on file.

House File 71, a bill for an act to repeal sections fifty-five hundred seventy-c one (5570-c1), fifty-five hundred seventy-c two (5570-c2), and fifty-five hundred seventy-c three (5570-c3), Code, 1935, and to enact a substitute therefor, authorizing township trustees to purchase, own, or rent and maintain fire apparatus and equipment and provide housing therefor, independently or jointly with another township or townships or with any city or town; and providing for levy of taxes therefor, and authorizing anticipation of the collection of said taxes by the issuance of bonds.

Read first and second times and passed on file.

House File 46, a bill for an act to amend the military code, Chapter twenty-eight-F one (28-F1), Code, 1935, providing that the judge advocate shall become an assistant attorney general during the period when the national guard is in state service.

Read first and second times and passed on file.

House File 95, a bill for an act to amend section seventy-nine hundred seventy-two (7972), Code, 1935, relating to the construction and equipment of cabooses.

Read first and second times and passed on file.

SENATE FILE WITHDRAWN

By unanimous consent, on request of Senator Hoeven, Senate File 38 was withdrawn from further consideration of the Senate.

BILL REREFERRED

By unanimous consent, on request of Senator Forsling, Senate File 114 was rereferred to the committee on consolidation and co-ordination.

By unanimous consent, on request of Senator Parker, Senate Resolution 8 was taken up and considered.

SENATE RESOLUTION 8

Whereas, The Senate committee on the board of control is now considering legislation touching the public institutions under the board of control, and

Whereas, The extent of the said committee's authority to make complete examination is in doubt, therefore,

Be It Resolved by the Senate of the 48th General Assembly: That the Senate committee on board of control be and it is hereby authorized to subpoena and compel the attendance of any person or persons and the production of such documentary records or other evidence as the committee may determine, all as contemplated and provided in section 28 of the Code of 1935.

On motion of Senator Parker, the resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Guernsey, Senate File 36, a bill for an act to amend section four thousand two hundred thirty-three-e four (4233-e4) of the Code of Iowa, 1935, relating to transportation of children enrolled in elementary schools other than in consolidated districts, 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, 45:

Augustine	Donohue	Henningsen	Moore
Baldwin	Doran	Hill	Mowry
Beardsley	Edwards	Hoeven	Parker
Bekman	Ellis	Hopkins	Schadt
Benson	Elthon	Husted	Shaw
Berg	Faul	Kirketeg	Smith
Breen	Forsling	Leo	Stewart
Byers	Gillette	Lundy	Talbott
Corwin	Guernsey	Martin	Vrba
Cromwell	Hart	Mighell	Whitehill
Dean	Harvey	Miller	Zeigler
Dewey			

Nays, none.

Absent or not voting, 5:

Evans	Levis	Pelzer	Sjulin
Geake			

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 Faul, action on Senate File 122 was deferred, and the bill was allowed to retain its place on the calendar.

On motion of Senator Faul, Senate File 123, a bill for an act to amend section sixty-three hundred ten (6310), Code, 1935, relating to pension funds and providing that same apply to deputy bailiffs of municipal courts in cities having a population of one hundred twenty-five thousand (125,000) or more; also, to amend section sixty-three hundred fourteen (6314), Code, 1935, relating to assessments and making the same applicable to deputy bailiffs of municipal courts in cities having a population of one hundred twenty-five thousand (125,000) or more, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul offered the following amendments and moved their adoption:

Amend Senate File 123 as follows:

1. Amend by inserting immediately following the word "court" in line six (6), section 1, the words "with civil service rights".
2. Amend by inserting immediately following the word "court" in line three (3), section 2, the words "with civil service rights".
3. Amend the title by inserting immediately following the word "courts" in line three (3), the words "with civil service rights".
4. Amend the title by inserting immediately following the word "courts" in line seven (7), the words "with civil service rights".

The amendments were adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 123 by striking from line eight (8) of section two (2) the word "for" and inserting in lieu thereof the word "from".

The amendment was adopted.

Senator Faul moved that the bill be read a third 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	Harvey	Moore
Baldwin	Donohue	Henningsen	Mowry
Beardsley	Doran	Hill	Schadt
Bekman	Edwards	Hopkins	Shaw
Benson	Ellis	Husted	Sjulin
Berg	Elthon	Kirketeg	Stewart
Breen	Evans	Leo	Talbott
Byers	Faul	Lundy	Vrba
Corwin	Forsling	Martin	Whitehill
Cromwell	Guernsey	Mighell	Zeigler
Dean	Hart	Miller	

Nays, none.

Absent or not voting, 7:

Geske	Hoeven	Parker	Smith
Gillette	Levis	Pelzer	

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

Senator Faul 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 Faul, Senate File 127, a bill for an act to amend section five thousand eight hundred thirteen-d six (5813-d6), Code, 1935, relating to the powers and duties of permanent park boards in cities having a population of more than one hundred twenty-five thousand population, and vesting in such permanent park boards control of the rivers in such cities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul moved that the bill be read a third 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	Harvey	Moore
Baldwin	Doran	Henningsen	Mowry
Beardsley	Edwards	Hill	Schadt
Bekman	Ellis	Hoeven	Shaw
Benson	Elthon	Hopkins	Sjulin
Berg	Evans	Husted	Smith
Breen	Faul	Kirketeg	Stewart
Byers	Forsling	Lundy	Talbott
Corwin	Gillette	Martin	Vrba
Cromwell	Guernsey	Mighell	Whitehill
Dean	Hart	Miller	Zeigler
Dewey			

Nays, none.

Absent or not voting, 5:

Geske	Levis	Parker	Pelzer
Leo			

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

Senator Faul 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 Forsling, House File 204 was substituted for Senate File 139.

On motion of Senator Forsling, House File 204, a bill for an act to amend Chapter one hundred fifty-one (151), Acts of the Forty-seventh General Assembly, relating to membership, salary, and terms of the members of the state board of social welfare, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend House File 204 as follows:

Amend by striking from section 1, lines six (6) to twenty-three (23), inclusive, and inserting in lieu thereof the following:

"The state board of social welfare shall consist of five (5) members appointed by the Governor, with the advice and consent of the Senate, on the basis of a broad experience and interest in civic affairs and matters of social welfare. Not more than three (3) members shall be of the same political party. The members of the state board shall be appointed for overlapping terms of six (6) years and at least one member of the state board of social welfare shall be a woman and not more than one member shall be from any one congressional district."

"The first two (2) members named shall be appointed for terms of two (2) years and the next two (2) members named shall be appointed for terms of four (4) years, and the fifth member for a term of six (6) years. At the expiration of the first year, all new appointments shall be for terms of six (6) years. Board members may be removed by the Governor for cause."

"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, and 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 (30) days after the convening of the General Assembly."

"The state board of social welfare shall elect annually a chairman and such officers of the board as it may deem necessary."

"Members of the state board shall receive no compensation for their

services other than the actual amount of traveling expenses actually incurred in respect to the performance of their official duties in attendance at regular or special meetings of the board and ten (\$10.00) dollars per diem for each day actually in attendance at such board meetings. The per diem of such individual members of the board shall be limited not to exceed the amount of twelve hundred (\$1200.00) 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 any other official duties, when so authorized by the board."

"No member of the state board shall have any direct financial interest in or profit by any of the operations of the state board of social welfare or any of its agencies. Per diem and expenses of the state board members shall, upon claims being presented according to state law, be paid out of funds appropriated to the state board."

"The Governor shall select an administrative officer who shall be appointed by the state board and shall be known as the state administrator of social welfare. He shall have such tenure of office, salary and traveling expense as the state board may establish, with the exception that the salary of the state administrator shall not exceed four thousand (\$4,000.00) dollars per year."

"The state administrator shall be selected and appointed with due regard to the education, training and ability necessary in social welfare administration and organization, and shall be a resident of the state of Iowa. The state administrator shall be bonded in a sum not less than twenty-five thousand (\$25,000.00) dollars, the premium of which will be paid by the state. The state administrator may be removed by the Governor for cause."

"The state board shall be limited in function to that of general policy making and formulation of rules and regulations. All administrative and executive authority, functions and duties shall be vested in the state administrator, subject to the authority of the state board. All proceedings of the state board shall be open to the public."

Senator Kirketeg moved the previous question on the amendment, which motion prevailed.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 239, by Senators Beardsley, Guernsey, Donohue, Breen, Doran, and Faul, a bill for an act to amend section three (3), Chapter one hundred ninety-six (196) of the Acts of the Forty-seventh (47th) General Assembly relating to the exemptions from the sales tax.

Read first and second times and passed on file.

Senate File 240, by Senators Beardsley, Guernsey, Donohue, Breen, Doran, and Faul, a bill for an act to amend section three (3), Chapter one hundred ninety-eight (198) of the Acts of the Forty-seventh (47th) General Assembly relating to the exemptions from the use tax.

Read first and second times and passed on file.

Senate File 241, by committee on judiciary 1, a bill for an act to amend Chapter five hundred forty-four-A one (544-A1), Code 1935, so as to delete the unconstitutional criminal features of a civil action to establish paternity of an illegitimate child and for judgment for its support.

Read first and second times and placed on the calendar.

Senator Beardsley asked and received unanimous consent to have his name removed as one of the authors of Senate File 222.

On motion of Senator Doran, Senator Hoeven was escorted to the platform by Senators Doran and Berg to give a few remarks on the life of Lincoln.

On motion of Senator Husted, the remarks were ordered printed in the Journal.

CONSIDERATION OF HOUSE FILE 204 RESUMED

Roll call was demanded on the adoption of the amendment by Senator Faul.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Baldwin	Ellis	Kirketeg	Miller
Beardsley	Faul	Levis	Moore
Bekman	Guernsey	Lundy	Mowry
Dean	Husted	Mighell	Vrba
Dewey			

Nays, 30:

Augustine	Doran	Hill	Shaw
Benson	Edwards	Hoeven	Sjulin
Berg	Elthon	Hopkins	Smith
Breen	Evans	Leo	Stewart
Byers	Forsling	Martin	Talbott
Corwin	Hart	Parker	Whitehill
Cromwell	Harvey	Pelzer	Zeigler
Donohue	Henningsen		

Absent or not voting, 3:

Geske Gillette Schadt

The amendment was lost.

The following amendment by Senator Faul was taken up and considered:

Amend House File 204 by inserting as "Sec. 3" the following:

"Sec. 3. Any acts or parts of acts in conflict herewith are hereby repealed."

Further amend House File 204 by renumbering the remaining paragraph as "Sec. 4."

Senator Donohue raised the point of order that the title to House File 204 proposes an amendment to Chapter 151 of the Acts of the Forty-seventh General Assembly, and Senator Faul's amendment repeals other acts not covered by the title.

The President ruled that the point of order was well taken.

Senator Donohue offered the following amendment and moved its adoption:

Amend section 1 by inserting after the word "removal" in line twenty-one (21) the following: "with the approval of the executive council".

The amendment was adopted.

Senator Breen offered the following amendments and moved their adoption:

Amend section 1 by striking from line twenty-one (21) the words "without cause being assigned for removal", and by adding at the end of section 1 the following:

"No member shall be removed without cause being assigned for removal and without a public hearing before the executive council."

Roll call was requested.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 48:

Augustine	Donohue	Hill	Mowry
Baldwin	Doran	Hoeven	Parker
Beardsley	Edwards	Hopkins	Pelzer
Bekman	Ellis	Husted	Schadt
Benson	Elthon	Kirketeg	Shaw
Berg	Evans	Leo	Sjulin
Breen	Faul	Levis	Smith
Byers	Forsling	Lundy	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Dewey	Henningsen	Moore	Zeigler

Nays, none.

Absent or not voting, 2:

Geske Gillette

The amendments were adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend section 1 by adding after line ten (10) the following:

“The members of the board shall devote their full time to the board’s work and shall hold no other private or public position or office.”

The amendment was adopted.

Senator Forsling moved that the bill be read a third 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	Hill	Schadt
Benson	Edwards	Hoeven	Shaw
Berg	Ellis	Hopkins	Sjulin
Breen	Elthon	Kirketeg	Smith
Byers	Evans	Leo	Stewart
Corwin	Forsling	Lundy	Talbott
Cromwell	Hart	Martin	Whitehill
Dean	Harvey	Parker	Zeigler
Donohue	Henningsen	Pelzer	

Nays, 10:

Baldwin	Dewey	Levis	Moore
Beardsley	Faul	Miller	Mowry
Bekman	Husted		

Absent or not voting, 5:

Geske	Guernsey	Mighell	Vrba
Gillette			

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

Senator Donohue offered the following amendment to the title and moved its adoption:

Amend the title to House File 204 by striking the period (.) after the word “welfare” and adding the following: “and providing for the manner of removal of members of the state board of social welfare.”

The amendment was adopted, and the title as amended was agreed to.

Senator Forsling 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 Forsling, Senate File 142, a bill for an act to amend Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, relating to the Iowa Emergency Relief Administration, transferring its functions, funds, and property to the State Board of Social Welfare, a committee bill, was taken up and considered.

Senator Forsling moved that the bill be read a third 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	Henningsen	Mowry
Beardsley	Doran	Hill	Parker
Bekman	Edwards	Hoeven	Pelzer
Benson	Ellis	Hopkins	Schadt
Berg	Elthon	Kirketeg	Shaw
Breen	Evans	Leo	Sjulin
Byers	Faul	Levis	Smith
Corwin	Forsling	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Ziegler

Nays, none.

Absent or not voting, 6:

Baldwin	Gillette	Moore	Stewart
Geske	Husted		

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

Senator Forsling 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 Forsling, House File 204 and Senate File 142 were messaged to the House immediately.

By unanimous consent, on request of Senator Hoeven, Senate Concurrent Resolution 6 was taken up and considered.

SENATE CONCURRENT RESOLUTION 6

Be It Resolved by the Senate, the House Concurring: That Stephen F. Chadwick, National Commander of the American Legion, who comes

to Des Moines as a guest of the American Legion of this state to attend the Commander-Adjutant's conference on February 20th, be invited to address the members of the Forty-eighth General Assembly in joint convention in the House Chamber at 11:00 o'clock a. m., February 20th.

That the President of the Senate and the Speaker of the House appoint a committee of five service men from the Senate and five service men from the House, to extend said invitation to National Commander Stephen F. Chadwick, and to receive and welcome him to the joint session of the General Assembly of Iowa.

That a special invitation be extended to V. F. Sieverding, State Commander of the American Legion and other state and district officers of the American Legion to attend the address.

CHARLES B. HOEVEN.
EDWARD BREEN.
STANLEY L. HART.
HUGH G. GUERNSEY.

On motion of Senator Hoeven, the resolution was adopted.

President Hickenlooper appointed as members of such committee, Senators Hoeven, Breen, Hart, Guernsey, and Doran.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on February 13, 1939, he had approved the following:

Senate File 33, relating to self liquidating improvements and the financing thereof, and relating to the sinking fund for certain improvements.

REPORTS OF COMMITTEES

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 167, a bill for an act to authorize and legalize issuance of warrants by the city of Decorah in Winneshiek county, Iowa, 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 170, a bill for an act to legalize and validate the acts done and proceedings taken by the board of park commissioners of the city of Le Mars, in Plymouth county, Iowa, 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 151, a bill for an act to amend sections one hundred fifty-six (156) and one hundred seventy-seven (177), Code of 1935, relating to certain legal publications, 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 House File 61, a bill for an act to legalize and validate ordinance 4227 of the city of Des Moines, passed June 25, 1934, relating to and providing for fire limits and regulations, 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 160, a bill for an act authorizing the appointment of a boundary commission, its powers and duties, and to repeal Chapter 313 of the Acts of the Fortieth (40th) General Assembly, 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 Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 216, a bill for an act to appropriate two hundred fifty dollars to pay the expenses of the committee returning the flag of the Republic of Alabama to the state of Alabama, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 49, a bill for an act to provide an emergency appropriation for the rental of accounting equipment, and for personnel to operate same in connection with the Iowa unemployment compensation commission, and benefit payments to the unemployed from February 1, 1939, to June 30, 1939, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House Joint Resolution 4, a bill for an act making an appropriation to cover the expenses of the delegate to the Fourth General Assembly of the Council of State Government, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *Chairman.*

Ordered passed on file.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 14, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Gordon Smith, Representative from Cedar county.

The Journal of February 13th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stewart for the day, on request of Senator Benson; Senator Dewey for the afternoon, at his own request.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Talbott, from citizens of Grinnell, opposing enactment of the bill providing for local option.

By Senator Hill, from the board of education of the Independent School District of La Porte City, favoring the bill providing for optional audit.

By Senator Hill, from the Dows Thursday Club, favoring the bills providing for pre-marital and pre-natal examinations.

By Senator Hill, from the Progress Club of Belmond, favoring the bills providing for pre-marital and pre-natal examinations.

By Senator Hoeven, from taxpayers of the Independent School District of Sanborn, favoring enactment of Senate File 49.

By Senator Hoeven, from the Rock Rapids Commercial Club, favoring continuation of the former appropriations for weather bureau service.

By Senator Hoeven, from the Kiwanis Club of Rock Rapids, favoring continuation of the former appropriations for weather bureau service.

By Senator Moore, from citizens of Council Bluffs, favoring enactment of the local option bill.

By Senator Baldwin, from members and friends of Townsend Club No. 1 of Dubuque, urging passage of a joint resolution to memorialize Congress to enact the General Welfare Act of 1939.

By Senator Schadt, from members of the Iowa City Fire Department, opposing the abolishment of the office of state fire marshal, and opposing any measure that would curtail its activities.

By Senator Whitehill, from citizens of Marshalltown, opposing enactment of House Files 1 and 37 and Senate File 14, and favoring enactment of House File 131.

By Senator Berg, from citizens of Black Hawk county, favoring the present gas tax law, and opposing House File 96.

By Senator Mowry, from citizens of Jasper county, opposing enactment of a State Fair Labor Standards Act.

By Senator Doran, from members of Iowa Tavern Owners' Association, of Boone, opposing House File 1 and Senate File 169.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of House File 61, a proposed bill legalizing the proceedings of the city council of Des Moines. WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 242, by Senator Hill, a bill for an act to amend section six thousand nine hundred forty-three-f fourteen (6943-f14), Code, 1935, as amended by Chapter one hundred eighty-five (185), section three (3) of the Acts of the Forty-seventh General Assembly, with reference to return by fiduciary of personal net income tax and providing limitations thereon.

Read first and second times and passed on file.

Senate File 243, by Senator Bekman, a bill for an act to amend Chapter 88, Acts of the Forty-seventh General Assembly, relating to World War Educational Aid Fund.

Read first and second times and passed on file.

Senate File 244, by Senator Donohue, a bill for an act to amend the law as it appears in Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, 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 passed on file.

REMARKS BY SENATOR HOEVEN ON ABRAHAM LINCOLN
(Given February 13th)

I humbly appear before you to make a few remarks on the one hundred thirtieth anniversary of the birth of Abraham Lincoln. We are just now considering a very important piece of legislation in this Senate. However, I think it is fitting and proper that we devote a few moments of our time in paying homage to this great American—one of God's noblemen.

The greatest men are those whose fame cannot be wholly accounted for by their public acts. What Lincoln was is incomparably greater than anything he did. After all, that is the measure of a man. Lincoln's great heart sprang from poor, unlettered ancestry. Born in a log cabin with an earthen floor, he experienced the hardship of pioneer life in rugged Kentucky. At 21 he had six books: the Bible, Pilgrim's Progress, Aesop's Fables, Arabian Nights, the Life of Washington, and the Statutes of Indiana. From these books he gathered his own education.

Early in life he moved to Indiana, and here his brave young mother died. As a boy of nine he helped to make her coffin, and his first letter was to a circuit-riding preacher, asking him to pray at his mother's grave. His mother had told him to learn all he could and be of some account in the world, and this injunction, coming from a mother's heart, was of great inspiration to him throughout his life. The family later moved to Illinois. Here young Abe Lincoln split rails and some thirty years later some of these rails were carried to the Republican National Convention in Chicago. Here he was nominated for the Presidency. He was a storekeeper at Salem, and his unhappy love affair with Ann Rutledge is well known to all students of history. He operated a flat boat on the Mississippi to New Orleans, where he saw a slave market and saw human beings being sold into slavery.

At that time he said "If I ever have the opportunity, I will strike this thing hard". That opportunity came sooner than he expected. He was a soldier in the Black Hawk war; a surveyor, and a postmaster. In 1834 he was chosen to the Legislature of Illinois and shortly thereafter was admitted to the bar. He served one term in Congress, and when the Kansas-Nebraska Act aroused the north as to slavery, Lincoln represented the opposition of the west.

Lincoln married Mary Todd and this was an unhappy union. Mary Todd Lincoln was swift of tongue and had a bad temper, and many a

person received a tongue lashing. Through this all, her husband's patience developed and his self-discipline deepened. He was melancholy and she was ambitious. After he became President, she interfered constantly in matters of state.

Abraham Lincoln helped organize the Republican party. He took part in the Lincoln-Douglas debates as a candidate for the United States Senate. He was defeated, but he kept Douglas from gaining the Presidency. At about this time he made the famous statement: "A house divided against itself cannot stand. This government cannot remain permanently half slave and half free." In 1860 he was elected President and when inaugurated, seven states had already seceded from the Union. In 1863 he issued the memorable Emancipation Proclamation and, in November of that same year, he delivered the famous Gettysburg address. We are familiar with this address in which he said: "The Government of the people, by the people, and for the people shall not perish from the earth."

Great figures of history appear and disappear, but with the passing of the years, the figure of Abraham Lincoln becomes larger and larger. So long as men love justice and hate tyranny, he will be remembered. Today the world is overrun with war. The rights of men are being challenged, and freedom to men denied. It therefore is fitting that "we now highly resolve that the government of the people, by the people, and for the people shall not perish from the earth".

The second inauguration of Abraham Lincoln took place six weeks before his death, and the story of his assassination is well known to every one. He died at the pinnacle of his career.

What I want to impress upon you about Lincoln is his tremendous greatness. Alone, he took decisions which altered the course of the world. He was a plain man, loving his fellows and happy among them, but when the crisis came, he could stand alone. He loved the common people, and once said that "God must have loved the common people because he made so many of them."

He was a homely man, full of homely common sense and homely humor, but in a great moment he could rise to heights sublime. I like to think that in him we see at its highest that kind of character which is the glory of our race. It rests with us to heed such wise, gentle, and consecrated souls that this nation which he lived for and died for may deserve not to perish from the earth.

It has been my privilege on two occasions to visit the Lincoln Memorial at Washington, D. C. In this magnificent temple with its huge columns and series of steps, the figure of Lincoln sits enthroned. Looking out from the Memorial, we see, in front, the monument to the Father of our Country; to the right, in the distance, the resting place of the Boys in Blue in Arlington National Cemetery; to the left, the buildings housing the Federal Government; and to the rear, Mount St. Albans' Cathedral, in which lie the remains of Woodrow Wilson, the war President, and of the Admiral of the Fleet of the Spanish-American war. Above the great figure of Lincoln you find inscribed these words, "In this temple, as in the hearts of the people for whom he saved the Union, the memory of Abraham Lincoln is enshrined forever."

What more can I say? He belongs to the ages. May God bless the memory of Abraham Lincoln.

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 8, providing additional copies of the Code and Session Laws for certain members of the 48th General Assembly.

Also: That the House has passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 2, proposing the printing of names, salaries, residence and personnel of all state departments, boards and commissions in pamphlet form.

Also: That the House has concurred in Senate amendments to and passed House File 204, a bill for an act relating to the state board of social welfare.

Also: That the House has adopted Senate Concurrent Resolution 6, inviting National Commander Stephen F. Chadwick, to address a joint session of the Forty-eighth General Assembly and the Speaker has appointed as members of the committee on the part of the House to extend said invitation: Representatives Roan, Pieper, Burma, Johannes and Johnson of Hancock.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 8

Be It Resolved by the House, the Senate Concurring: That the superintendent of printing be and is hereby authorized and directed to furnish one copy of the Code of 1935, and one copy of the Session Laws of the Forty-seventh General Assembly, to each of the newly elected members of the Forty-eighth General Assembly, except such as are serving as committee chairmen.

EDWARD J. MORRISSEY.

RECONSIDERATION

On motion of Senator Forsling, the Senate took from the table the motion to reconsider the vote by which Senate File 142 passed the Senate on February 13th.

Senator Forsling renewed his motion to reconsider the vote by which Senate File 142 passed the Senate on February 13th.

On the question "Shall the vote be reconsidered?" the vote was:

Ayes, 45:

Augustine	Edwards	Henningsen	Mowry
Baldwin	Ellis	Hill	Parker
Beardsley	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Benson	Faul	Kirketeg	Shaw
Berg	Forsling	Leo	Sjulin
Byers	Geske	Levis	Smith
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler
Doran			

Nays, none.

Absent or not voting, 5:

Breen	Husted	Lundy	Stewart
Donohue			

The vote was reconsidered.

On motion of Senator Forsling, the vote by which Senate File 142 passed to its third reading was reconsidered.

By unanimous consent, on request of Senator Forsling, Senate File 142 was withdrawn from further consideration of the Senate.

By unanimous consent, on request of Senator Forsling, House File 209, a bill for an act to amend Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, relating to the Iowa emergency relief administration, transferring its functions, funds, and property to the state board of social welfare, was taken up and considered.

Senator Forsling moved that the bill be read a third 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	Henningsen	Mowry
Baldwin	Ellis	Hill	Parker
Bekman	Elthon	Hoeven	Pelzer
Benson	Evans	Hopkins	Schadt
Berg	Faul	Kirketeg	Shaw
Breen	Forsling	Leo	Sjulin
Byers	Geske	Levis	Smith
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dewey	Hart	Miller	Whitehill
Doran	Harvey	Moore	Zeigler

Nays, none.

Absent or not voting, 6:

Beardsley	Donohue	Lundy	Stewart
Dean	Husted		

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

Senator Forsling 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.

THIRD READING OF BILLS

On motion of Senator Elthon, Senate File 153, a bill for an act to amend section forty-two hundred seventy-five (4275), relating to public high school attendance, Code, 1935, 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, 46:

Augustine	Donohue	Harvey	Mowry
Baldwin	Doran	Henningsen	Parker
Beardsley	Edwards	Hill	Pelzer
Bekman	Ellis	Hoeven	Schadt
Benson	Elthon	Hopkins	Shaw
Berg	Evans	Kirketeg	Sjulin
Breen	Faul	Leo	Smith
Byers	Forsling	Levis	Talbott
Corwin	Geske	Martin	Vrba
Cromwell	Gillette	Mighell	Whitehill
Dean	Guernsey	Moore	Zeigler
Dewey	Hart		

Nays, none.

Absent or not voting, 4:

Husted	Lundy	Miller	Stewart
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The bill having received a constitutional majority was declared to have passed the Senate.

Senator Elthon moved that the title be amended to read as follows:

"A bill for an act to amend section forty-two hundred seventy-five (4275), Code, 1935, relating to public high school attendance."

The amendment was adopted, and the title as amended was agreed to.

On motion of Senator Donohue, Senate File 182, a bill for an act to amend Chapter one hundred ninety-five (195) of the Laws of the Forty-seventh (47) General Assembly by adding to section nineteen (19) a new subsection defining the words "assessed valuation", a committee bill, 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, 38:

Augustine	Dewey	Harvey	Mowry
Baldwin	Edwards	Henningsen	Parker
Beardsley	Ellis	Hoeven	Schadt
Bekman	Elthon	Hopkins	Shaw
Benson	Faul	Kirketeg	Sjulin
Berg	Forsling	Leo	Talbott
Byers	Geske	Levis	Vrba
Corwin	Gillette	Mighell	Whitehill
Cromwell	Guernsey	Moore	Zeigler
Dean	Hart		

Nays, 2:

Breen	Pelzer
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Absent or not voting, 10:

Donohue	Hill	Martin	Smith
Doran	Husted	Miller	Stewart
Evans	Lundy		

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 Donohue, Senate File 183, a bill for an act to amend section six thousand nine hundred forty-nine (6949), Code, 1935, and to repeal section six thousand nine hundred forty-seven (6947), Code, 1935, all relating to exemption from taxation of property belonging to veterans of military service, and to enact a substitute therefor permitting such veterans to select such property to which the said exemption shall apply, a committee bill, 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	Breen	Donohue	Forsling
Baldwin	Byers	Edwards	Geske
Beardsley	Corwin	Ellis	Gillette
Bekman	Cromwell	Elthon	Guernsey
Benson	Dean	Evans	Hart
Berg	Dewey	Faul	Harvey

Henningsen	Levis	Mowry	Talbott
Hoeven	Lundy	Parker	Vrba
Hopkins	Mighell	Schadt	Whitehill
Kirketeg	Miller	Shaw	Zeigler
Leo	Moore	Sjulin	

Nays, none.

Absent or not voting, 7:

Doran	Husted	Pelzer	Stewart
Hill	Martin	Smith	

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 Hill, Senate File 2, a bill for an act to repeal Chapter eighty-nine (89) of the Acts of the Forty-seventh (47th) General Assembly of Iowa and to repeal section one hundred twenty-five (125) of the 1935 Code, and to provide for optional examination of the financial condition and transactions of counties, school districts, and municipal corporations including cities acting under special charter and to establish procedure therefor and to require the approval of examiners' fees and expenses, 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 Senate File 2 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Chapter eighty-nine (89), Acts of the 47th General Assembly, is hereby repealed.

Sec. 2. Chapter ten (10), Code, 1935, is hereby amended by adding as section one hundred thirteen (113), the following: "113. The financial condition and transactions of all counties, cities of over five thousand (5000) population, city independent and consolidated school districts of over five thousand (5000) population shall be examined once each year by the auditor of state."

Sec. 3. Chapter ten (10), Code, 1935, is hereby amended by adding as section one hundred twenty-four (124), the following: "124. Any township, municipal corporation of less than five thousand (5000) population, or school district in which an annual examination is not required, may on application to the auditor of state secure an examination of its financial condition and transactions, or a like examination shall be had on application of one hundred (100) or more taxpayers, or if there are fewer than five hundred (500) taxpayers, then by five (5) per cent thereof. The examination in any such school district may be had upon the written re-

quest of the county superintendent of schools. In lieu of such examination by state accountants, the local governing body may contract with, or employ certified or registered public accountants and pay the same from the proper public funds."

Sec. 4. Chapter ten (10), Code, 1935, is hereby amended by adding the following: "Where an examination is made under contract with, or employment of, certified or registered public accountants, the examiner shall, in all matters pertaining to an authorized examination, have all of the powers and be vested with all the authority of state examiners employed by the auditor of state, and the cost and expense of the examination shall be paid by the city, town, school district, or township procuring the examination. An itemized sworn statement of the per diem and expense of the examiner shall be filed with the clerk of the city, town, township, or school district, before payment thereof. Upon completion of such examination, a certified copy thereof shall forthwith be filed, by the accountant employed, with the auditor of state."

Sec. 5. Section one hundred twenty-five (125), Code, 1935, is hereby repealed and the following enacted in lieu thereof: "125. Where the examination is made by the state auditor under the provisions of sections one hundred thirteen (113) and one hundred twenty-four (124) of the Code, 1935, each examiner shall on the completion of any such examination file with the local governing body a detailed itemized and sworn voucher of his per diem and expense, which statement or voucher shall be subject to approval by such governing body and when so approved, shall be forwarded to the auditor of state, and when approved by the auditor of state and state comptroller, shall be paid from any unappropriated fund in the state treasury. Repayment to the state shall be made as provided by section one hundred twenty-six (126) of the Code."

Sec. 6. Chapter ten (10), Code, 1935, is hereby amended by adding thereto the following: "This chapter shall apply to special charter cities."

Senator Donohue offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment to Senate File 2 by striking therefrom Sec. 2 and inserting in lieu thereof the following: "Chapter ten (10), Code, 1935, is hereby amended by adding as section one hundred thirteen (113), the following: "113. The financial condition and transactions of all counties shall be examined once each year by the auditor of state."

Further amend said committee amendment by striking therefrom Sec. 3 and inserting in lieu thereof the following: "Sec. 3. Chapter ten (10), Code, 1935, is hereby amended by adding as section one hundred twenty-four (124) the following: "124. The financial condition and transactions of all cities and city offices, including cities acting under special charter, and all school offices, other than those in rural and village independent districts and school townships, shall be examined at least once each year and such examination may be made by the auditor of state, or in lieu of the examination by state accountants the local governing body whose accounts are to be examined, in case it elects so to do, may contract with, or employ, certified or registered public accountants, certified

and registered in the state of Iowa, and pay the same from the proper public funds.

Any township or municipal corporation not embraced within the foregoing provisions of this chapter and any school corporation in which an annual examination is not required may, on application to the auditor of state, secure an examination of its financial transactions and condition of its funds, or a like examination shall be had on application of one hundred (100) or more taxpayers, or if there are fewer than five hundred (500) taxpayers, then by five per cent (5%) thereof. The examination in any such school district may be had upon the written request of the county superintendent of schools. In lieu of such examination by state accountants, the local governing body may contract with, or employ, certified or registered public accountants and pay the same from the proper public funds."

Senator Elthon moved the previous question on the adoption of the amendment by Senator Donohue.

The motion prevailed.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 32:

Baldwin	Donohue	Henningsen	Miller
Beardsley	Edwards	Hill	Parker
Berg	Ellis	Hoeven	Pelzer
Breen	Elthon	Leo	Schadt
Byers	Evans	Levis	Shaw
Corwin	Geske	Lundy	Sjulin
Cromwell	Hart	Martin	Vrba
Dewey	Harvey	Mighell	Whitehill

Nays, 11:

Augustine	Doran	Kirketeg	Talbott
Bekman	Forsling	Moore	Zeigler
Dean	Hopkins	Mowry	

Absent or not voting, 7:

Benson	Gillette	Husted	Stewart
Faul	Guernsey	Smith	

The amendment was adopted.

By unanimous consent, on request of Senator Lundy, his amendment found on page 214 of the Journal was withdrawn.

Senator Hoeven moved that the Senate recess until 1:30.

Senator Baldwin moved to amend the motion to recess by changing the time to 1:45.

The motion as amended prevailed, and the Senate recessed until 1:45.

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

CONSIDERATION OF SENATE FILE 2 RESUMED

By unanimous consent, on request of Senator Doran, his amendment found on page 241 of the Journal was withdrawn.

The committee amendment as amended 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, 39:

Baldwin	Doran	Harvey	Miller
Beardsley	Edwards	Henningsen	Parker
Bekman	Ellis	Hill	Pelzer
Benson	Elthon	Hoeven	Schadt
Berg	Evans	Kirketeg	Shaw
Breen	Faul	Leo	Sjulin
Byers	Forsling	Levis	Smith
Corwin	Geske	Lundy	Vrba
Cromwell	Guernsey	Martin	Whitehill
Donohue	Hart	Mighell	

Nays, 5:

Augustine	Moore	Mowry	Talbott
Hopkins			

Absent or not voting, 6:

Dean	Gillette	Stewart	Zeigler
Dewey	Husted		

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 Hill, Senate File 2 was messaged to the House immediately.

INTRODUCTION OF BILLS

Senate File 245, by Senator Hopkins, a bill for an act to amend Title ten (10) of the Code, 1935, by adding thereto a new Chapter

relating to the licensing and regulation of community sale barns; prescribing the powers and duties of the department of agriculture in connection therewith; and prescribing penalty for violation of the provisions of this act.

Read first and second times and passed on file.

Senate File 246, by Senators Breen and Augustine, a bill for an act to limit the use of white canes to those who are blind or partly blind.

Read first and second times and passed on file.

Senate File 247, by Senator Corwin, a bill for an act to amend Chapter one hundred ninety-eight (198), Acts of the Forty-seventh General Assembly relating to use tax.

Read first and second times and passed on file.

Senate File 248, by Senator Forsling, a bill for an act to amend Chapter one hundred twenty-two (122), Acts of the 46th General Assembly, relating to dangerous and concealed weapons.

Read first and second times and passed on file.

Senate File 249, by Senators Breen, Bekman, and Lundy, a bill for an act for the creation of a legislative council and to prescribe its powers and duties, and to repeal sections thirty-nine (39) to forty-six (46) of the Code of Iowa, 1935.

Read first and second times and passed on file.

Senate File 250, by committee on motor vehicles, a bill for an act to confer the authority of peace officers on certain employees of the State Highway Commission in the enforcement of motor vehicle laws relating to the size, weight, and load of motor vehicles.

Read first and second times and placed on the calendar.

Senate File 251, by Senator Berg, a bill for an act to amend section thirteen thousand thirty-four-a one (13,034-a1), Code, 1935, relating to bank officers, directors or employees found guilty of embezzlement.

Read first and second times and passed on file.

By unanimous consent, on request of Senator Harvey, House

File 95, a companion bill, was substituted on the Calendar for Senate File 58.

THIRD READING OF BILLS

On motion of Senator Harvey, House File 95, a bill for an act to amend section seventy-nine hundred seventy-two (7972), Code, 1935, relating to the construction and equipment of cabooses, was taken up and considered.

Senator Harvey moved that the bill be read a third 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	Hill	Mowry
Baldwin	Elthon	Hoeven	Parker
Beardsley	Evans	Hopkins	Pelzer
Bekman	Faul	Kirketeg	Schadt
Benson	Forsling	Leo	Shaw
Berg	Geske	Levis	Sjulin
Byers	Gillette	Martin	Smith
Corwin	Guernsey	Mighell	Talbott
Cromwell	Hart	Miller	Vrba
Doran	Harvey	Moore	Whitehill
Edwards	Henningsen		

Nays, none.

Absent or not voting, 8:

Breen	Dewey	Husted	Stewart
Dean	Donohue	Lundy	Zeigler

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

Senator Harvey 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 Mowry, Senate File 68, a bill for an act to amend Chapter five hundred and eight (508) of the Code, 1935, by providing for a decree of descent and distribution in estate of deceased persons, and providing for the method and procedure relative thereto, and making provisions for hearing and notice on application for such decree, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

By unanimous consent, on request of Senator Mowry, action on Senate File 68 was deferred until tomorrow morning and the bill was allowed to retain its place on the calendar.

On motion of Senator Forsling, Senate File 145, a bill for an act to legalize the election and proceedings relating to the sale and authorizing the issuance of bonds by the Consolidated School District of Climbing Hill, in the county of Woodbury, state of Iowa, and the proceedings providing for the levying of an annual tax for the payment of bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district, 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. That section 1 be amended by striking the word "ommission" in line 10, and inserting in lieu thereof the word "omission".

2. That section 2 be renumbered as section 3 and that there be added as section 2 the following, "Nothing in this act shall be construed to affect pending litigation involving said proceedings or the issuance of the bonds pursuant thereto."

The amendments were adopted.

Senator Forsling moved that the bill be read a third 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	Hill	Parker
Baldwin	Elthon	Hoeven	Pelzer
Beardsley	Evans	Hopkins	Schadt
Bekman	Forsling	Kirketeg	Shaw
Benson	Geske	Leo	Sjulin
Berg	Gillette	Levis	Smith
Breen	Guernsey	Martin	Talbott
Byers	Hart	Mighell	Vrba
Corwin	Harvey	Miller	Whitehill
Doran	Henningsen	Mowry	Zeigler
Edwards			

Nays, none.

Absent or not voting, 9:

Cromwell	Donohue	Husted	Moore
Dean	Faul	Lundy	Stewart
Dewey			

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, House File 22, a bill for an act to amend section two hundred fifteen (215), Code, 1935, relating to the duties of the superintendent of printing, 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	Edwards	Henningsen	Parker
Baldwin	Ellis	Hill	Pelzer
Beardsley	Elthon	Hoeven	Schadt
Bekman	Evans	Hopkins	Shaw
Benson	Faul	Kirketeg	Sjulin
Berg	Forsling	Leo	Smith
Breen	Geske	Martin	Talbott
Byers	Guernsey	Mighell	Vrba
Corwin	Hart	Miller	Whitehill
Doran	Harvey	Moore	Zeigler

Nays, none.

Absent or not voting, 10:

Cromwell	Donohue	Levis	Mowry
Dean	Gillette	Lundy	Stewart
Dewey	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, House Joint Resolution 4, a joint resolution making an appropriation to cover the expenses of the delegate to the Fourth General Assembly of the Council of State Government, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill moved that the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question "Shall the joint resolution be adopted?" the vote was:

Ayes, 38:

Baldwin	Bekman	Berg	Corwin
Beardsley	Benson	Byers	Doran

Edwards	Harvey	Mighell	Shaw
Ellis	Henningsen	Miller	Sjulin
Elthon	Hill	Moore	Smith
Evans	Hoeven	Mowry	Talbott
Faul	Hopkins	Parker	Vrba
Forsling	Kirketeg	Pelzer	Whitehill
Geske	Leo	Schadt	Zeigler
Hart	Martin		

Nays, none.

Absent or not voting, 12:

Augustine	Dean	Gillette	Levis
Breen	Dewey	Guernsey	Lundy
Cromwell	Donohue	Husted	Stewart

The joint resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senator Doran moved that the vote by which the joint resolution was adopted by 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 Doran, House File 49, a bill for an act to provide an emergency appropriation for the rental of accounting equipment, and for personnel to operate same in connection with the Iowa unemployment compensation commission, and benefit payments to the unemployed from February 1, 1939, to June 30, 1939, 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, 48:

Augustine	Elthon	Hoeven	Parker
Baldwin	Evans	Hopkins	Pelzer
Bekman	Faul	Kirketeg	Schadt
Benson	Forsling	Leo	Shaw
Breen	Geske	Levis	Sjulin
Byers	Gillette	Lundy	Smith
Corwin	Guernsey	Martin	Talbott
Donohue	Hart	Mighell	Vrba
Doran	Harvey	Miller	Whitehill
Edwards	Henningsen	Moore	Zeigler
Ellis	Hill	Mowry	

Nays, none.

Absent or not voting, 7:

Beardsley	Cromwell	Dewey	Stewart
Berg	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.

By unanimous consent, on request of Senator Berg, Senate Joint Resolution 4, a joint resolution designating that part of U. S. Highway No. 6 which crosses the State of Iowa as "Grand Army of the Republic Highway" and providing for suitable markers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Berg moved that the joint resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

On the question "shall the resolution be adopted?" the vote was:

Ayes, 44:

Augustine	Edwards	Henningsen	Moore
Baldwin	Ellis	Hill	Mowry
Beardsley	Elthon	Hoeven	Parker
Bekman	Evans	Hopkins	Schadt
Benson	Faul	Kirketeg	Shaw
Berg	Forsling	Leo	Sjulin
Breen	Geske	Levis	Smith
Byers	Gillette	Lundy	Talbott
Corwin	Guernsey	Martin	Vrba
Donohue	Hart	Mighell	Whitehill
Doran	Harvey	Miller	Zeigler

Nays, none.

Absent or not voting, 6:

Cromwell	Dewey	Pelzer	Stewart
Dean	Husted		

The joint resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

EXTRA COPIES

By unanimous consent, on request of Senator Berg, 300 extra copies of Senate File 222 were ordered printed.

Senator Donohue, on behalf of the committee on judiciary 2, submitted the following resolution and moved its adoption:

SENATE RESOLUTION 9

Whereas, This Senate has received with profound sorrow the news of the passing of Pope Pius XI, and

Whereas, The world is saddened because of the death of him who was the spiritual leader of an earthwide church, and

Whereas, Mankind finds a common ground in its great loss and sorrow, therefore;

Be It Resolved, That the Senate pay tribute to one who, as leader of a great religious organization, set an example of calm religious faith for the whole world to follow and who in the midst of the age-old quarrel and rivalries of turbulent Europe, was a leader, even at the cost of his feeble strength, in the cause of peace among men and between nations and for the ideals of Christianity.

Be It Further Resolved, That the Secretary of the Senate of the state of Iowa be instructed to transmit a copy of this resolution to the papal secretary of state, the Vatican City.

The resolution was adopted.

SENATE CONCURRENT RESOLUTION 7

Whereas, The wellbeing of the nation is in a great part determined by the condition of its agricultural interests, and

Whereas, The prosperity of agriculture is threatened and at all times made uncertain by the varying size of the different crops, and

Whereas, The surplus crops can be controlled by the industrial use of farm products and, in particular, by converting farm products to motor fuel, and

Whereas, Such use merely assumes restriction in the use of petroleum and retention of a small part of present petroleum production for a later generation, and

Whereas, Such proposal can be made effective at less cost than present subsidies to agriculture, now therefore,

Be It Resolved by the Senate, the House Concurring: That the Congress of the United States is hereby petitioned to enact legislation to extend the use of farm products in the making of motor fuel.

L. B. FORSLING.

A. J. SHAW.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 2.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 Joint Resolution 2.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

	Committee
H. F. 71.....	County and Township Affairs
H. F. 46.....	Judiciary 1
H. F. 89.....	Ways and Means
S. F. 232.....	Social Security
S. F. 233.....	Judiciary 1
S. F. 234.....	Cities and Towns
S. F. 235.....	Public Health
S. F. 236.....	Public Schools
S. F. 237.....	Public Health
S. F. 238.....	Judiciary 2
S. F. 239.....	Ways and Means
S. F. 240.....	Ways and Means

REPORTS OF COMMITTEES

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 129, a bill for an act to amend section 6823 of the Code, 1935, relating to powers of cities acting under special charter which are bounded in part or divided by a river, and to grant such cities power to acquire, by purchase or gift, lands, and interests, and riparian rights therein, which lands lie along or near any such river, and to condemn the same, and to manage and lease any such lands, and to sell and convey the same, begs leave to report it has had the same under consideration and recommends the same do pass. J. BERG, *Chairman.*

Ordered passed on file.

Senator Leo submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred House File 71, a bill for an act to repeal sections fifty-five hundred seventy-c one (5570-c1), fifty-five hundred seventy-c two (5570-c2), and fifty-five hundred seventy-c three (5570-c3), Code, 1935, and to enact a substitute therefor, authorizing township trustees to purchase, own, or rent and maintain fire apparatus and equipment and provide housing therefor, independently or jointly with another township

or townships or with any city or town; and providing for levy of taxes therefor, and authorizing anticipation of collection of said taxes by the issuance of bonds, 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 71, section 1, lines 2 and 3 by striking the words "hundred-c" immediately following the word "five" in each line and by inserting in lieu thereof the words "hundred seventy-c".

R. V. LEO, *Chairman.*

Ordered passed on file.

Senator Breen submitted the following report:

MR. PRESIDENT: Your committee on election reform, to which was referred Senate File 74, a bill for an act to make the office of commerce commissioner appointive and to provide certain additional educational qualifications, 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 74 by striking all of section 2.

EDWARD BREEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on election reform, to which was referred Senate File 13, a bill for an act to amend Chapter fifty-three (53) of the Code of Iowa, 1935, relating to the time of qualifying for certain offices, 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 13 by striking all of section 2.

EDWARD BREEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on election reform, to which was referred Senate File 72, a bill for an act to make the office of superintendent of public instruction appointive, begs leave to report it has had the same under consideration and recommends that the same do pass.

EDWARD BREEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on election reform, to which was referred Senate File 65, a bill for an act to repeal sections 749-760 inclusive, Code of Iowa, 1935, and to enact substitutes therefor; and to amend section 775, Code of Iowa, 1935, all relating to official ballots, begs leave to report it has had the same under consideration and returns the bill without recommendation.

EDWARD BREEN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 89 by striking all after the enacting clause and substituting therefor the following:

Section 1. Section fifty-five hundred sixty-one (5561), Code, 1935, is amended by adding thereto the following:

"They shall have authority to provide for the sale of lots or portions thereof, in any cemetery under their control, and make rules and regulations in regard thereto, and may provide for perpetual upkeep by the establishment of a perpetual upkeep fund from the proceeds of sale of lots, and may accept gifts, devise or bequest, made to them for that purpose.

JOHN E. TALBOTT.

MR. PRESIDENT: Amend Senate File 133 by striking section 2 and inserting in lieu thereof the following:

"Sec. 2. Section seven thousand two hundred eighty (7280), Code, 1935, is repealed and the following enacted in lieu thereof:

'Service may be made upon non-residents of the county, except mortgagees or their assignees of record, by publishing the same once each week, for three (3) consecutive weeks, in some newspaper in said county, or by personal service thereof elsewhere in the same manner as original notices may be served.'

FRED CROMWELL.

MR. PRESIDENT: Amend Senate File 68 by inserting after the word "estates" in line four (4) of sub-section one (1) of section one (1) the following "Where the time for filing claims has elapsed".

Strike all of sub-section three (3) of section one (1) and insert in lieu thereof the following:

3. Notice. No decree of descent and distribution shall be entered until after the court has by order fixed the time and place for the hearing upon said application, petition or final report and prescribed the notice to be given to all interested parties therein. The notice shall set out the time and place fixed for said hearing and shall include the name of the decedent, the date of his death, the name or names of those claiming to be entitled to the estate of said decedent by inheritance or devise, as the case may be, and shall notify all persons, parties and/or unknown claimants if any; that a decree will be entered establishing the share of the party or parties thus named to the estate, and shall notify all others that unless they appear at the time and place fixed for said hearing, and show cause therefor, the decree of descent and distribution will be entered in all respects as prayed for therein. Such notice so far as practicable shall be served upon all interested parties in the manner provided for the commencement of actions as set out under Chapter four hundred eighty-nine (489) of the Code, 1935.

L. H. DORAN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 15, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. R. J. Rutt, pastor of the Presbyterian Church of Missouri Valley.

The Journal of February 14th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hopkins, from citizens of Dallas county, favoring enactment of the bill providing for local option.

By Senator Mighell, from citizens of Ida county, opposing enactment of House File 96.

By Senator Talbott, from members of Progressive Group, Grinnell Woman's Club, favoring enactment of the bills providing for pre-marital and pre-natal examinations.

By Senator Leo, from the Vinton Branch of the American Association of University Women, favoring legislation providing for free library facilities for rural communities.

By Senator Baldwin, from the Dubuque Chamber of Commerce, commending the Governor and Legislature for their announced program of economy in public expenditures, favoring a reduction of taxes so far as possible, and opposing all efforts by special interests to obtain enactment of bills which would increase millage levies.

By Senator Hart, from citizens of Lee county, opposing enactment of House File 96.

By Senator Schadt, from members of the Iowa City Police Department, favoring enactment of House File 90.

By Senator Shaw, from citizens of Buena Vista and Pocahontas counties, favoring enactment of the bill providing for local option.

By Senator Talbott, from citizens of Poweshiek county, favoring enactment of Senate File 50.

By Senator Gillette, from citizens of Clay, Dickinson, Kossuth and Palo Alto counties, opposing enactment of a State Fair Labor Standards Act.

By Senator Benson, from citizens of Carroll county, opposing enactment of a State Fair Labor Standards Act.

By Senator Mowry, from Marshall F. Foch Post No. 1655, Veterans of Foreign Wars, of Newton, condemning the activities of the German bunds.

INTRODUCTION OF BILLS

Senate File 252, by committee on public schools, a bill for an act to establish and maintain in the public schools of the state public forums for adult education and day and evening classes for the purposes of providing training in the duties and responsibilities of good citizenship and for the promotion of vocational, industrial, economic, civic, and social efficiency, including proficiency in the use and understanding of the English language; to provide the branches of study that may be taught; to determine the persons for whom the facilities provided herein shall be available; to provide the means for financial support, administration, and supervision; to fix the qualifications of teachers, leaders, and forum lecturers; and to repeal Chapter two hundred seventeen (217), Code, 1935, relating to evening schools.

Read first and second times and placed on the calendar.

Senate File 253, by committee on public schools, a bill for an act to amend sections forty-two hundred seventy-four-c two (4274-c2), and forty-two hundred seventy-seven (4277), Code, 1935, and to repeal section forty-two hundred seventy-eight (4278), Code, 1935, and enact a substitute therefor, all relating to the payment of high school tuition and providing for a levy upon all real estate in the county not maintaining an approved four year public high school for the purpose of creating a high school tuition fund in each county.

Read first and second times and placed on the calendar.

Senate File 254, by Senator Forsling, 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 passed on file.

Senate File 255, by Senators Gillette and Stewart (Paullus and Knudson of Marshall), a bill for an act to provide for control and eradication of Bang's disease in cattle.

Read first and second times and passed on file.

REMARKS BY SENATOR BERG

On motion of Senator Doran, the following remarks of Senator Berg were ordered printed in the Journal:

The friendship between the states of Iowa and Alabama will be further cemented by the return of the flag of the Republic of Alabama which has reposed in the flag case in the Iowa historical department since 1892. This Legislature by concurrent resolution has directed that the flag be returned to the place from which it came.

On January 11, 1861, Alabama voted to secede from the Union and adopted the name of "Republic of Alabama". Shortly thereafter the ladies of Montgomery made and presented to the state a flag which was raised on the flag pole over the state capitol. This flag is described as follows:

"On one side is a representation of the Goddess of Liberty, holding in her right hand a sword unsheathed, and in her left a small flag with one star. In an arch just above this figure are the words 'Alabama—Independent Now and Forever'. On the reverse, the prominent figure is a cotton plant, with a rattlesnake coiled at her roots. Immediately above the snake are the words, 'Noli Me Tangere' (Touch me not). Also, on the same side, appears the coat of arms of Alabama."

It appears that on the night of February 9, 1861, this flag for some reason, remained flying from the staff. A heavy gale came up and the flag was whipped and badly torn. The following morning it was lowered and on account of its ragged condition, was placed in the archives of the state in the office of the Governor. Here it remained for an unknown period and from this location it was removed by unknown parties. It is assumed that at the time the 8th Iowa Cavalry was campaigning in the vicinity of Montgomery, some souvenir hunter came upon the flag and appropriated it as a souvenir. This flag was never carried in battle and therefore cannot be classed as a captured battle flag.

Sometime prior to 1892, the flag of the Republic of Alabama was presented to the Adjutant General of Iowa by a man named Koons, a former member of the 8th Iowa Cavalry. In 1892 it was presented to the Iowa historical department and has since been in the custody of that department. Shortly after the United States entered the World war, the war department announced the formation of a division for immediate service overseas, to be composed of elements from a number of states. This

Division was named "The Rainbow Division" and Iowa's own 3rd Infantry was redesignated the 168th Infantry and assigned to the 42nd (Rainbow) Division. This regiment was commanded by Colonel Mathew A. Tinley, now Major General Tinley of Council Bluffs. The 4th Alabama Infantry was assigned to the same Division and redesignated the 167th Infantry. This regiment was commanded by Colonel William P. Screws. The 167th and 168th Infantries were brigaded together and fought side by side throughout many campaigns on the western front.

The affection which existed between the two regiments, the 168th Iowa and the 167th Alabama, may best be expressed by a brief paragraph taken from "The History of the 168th Infantry":

"Never was there a friendship of closer unity; never an association of more pleasant memory. For throughout the war the two regiments fought together, always side by side, always with the thought of the other as much in mind as the thought of themselves and of their cause. No hungry Iowan was ever refused at an Alabama kitchen, even in the days of slimmest ration; and never did a lad from the Southland find any but friends around the Iowa camp. The Iowa latchstring will be out for Alabama as long as the 168th is remembered in its home state."

The act of returning the flag of the Republic of Alabama to the archives of our sister state is but another step in the traditional friendliness which has and will continue to exist between the soldier of Iowa and Alabama. In the dark days of the War of the Rebellion, Iowa soldiers fought valiantly against equally valiant soldiers of Alabama. Those wounds have long since been healed as evidenced by the fraternal bond established between the 167th and 168th Infantries which fought side by side during the World war.

The flag of the Republic of Alabama is being returned to the archives of that state by an official act of this Legislature. It is hoped that it will be officially received while the Alabama Legislature is in session. Alabama will consider its return an act of friendliness and the flag will henceforth repose in the Alabama department of archives and history from whence it was purloined, and where it rightfully belongs.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Doran, Senate File 216, a bill for an act to appropriate two hundred fifty (250) dollars to pay the expenses of the committee returning the flag of the Republic of Alabama to the State of Alabama, 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, 48:

Augustine	Donohue	Harvey	Miller
Baldwin	Doran	Henningsen	Moore
Beardsley	Edwards	Hill	Mowry
Bekman	Ellis	Hoeven	Parker
Benson	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Breen	Faul	Kirketeg	Sjulin
Byers	Forsling	Leo	Smith
Corwin	Geske	Levis	Stewart
Cromwell	Gillette	Lundy	Talbott
Dean	Guernsey	Martin	Vrba
Dewey	Hart	Mighell	Zeigler

Nays, none.

Absent or not voting, 2:

Pelzer	Whitehill
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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 Doran, Mr. E. E. Condon and members of the Boone boxing team were presented to the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Corwin called up for consideration Senate File 84, amended by the House, and moved that the Senate concur in the following amendment to the title:

Amend the title by inserting after the word "renewal" in the first line thereof the following: "of the charter".

The motion prevailed and the Senate concurred in the House amendment.

Senator Corwin moved that the bill be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 46:

Baldwin	Doran	Hoeven	Mowry
Beardsley	Edwards	Hopkins	Pelzer
Bekman	Ellis	Husted	Schadt
Benson	Elthon	Kirketeg	Shaw
Berg	Forsling	Leo	Sjulin
Breen	Geske	Levis	Smith
Byers	Gillette	Lundy	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Dewey	Henningsen	Moore	Zeigler
Donohue	Hill		

Nays, none.

Absent or not voting, 4:

Augustine Evans Faul Parker

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

President pro tem Hoeven took the chair at 11:10.

THIRD READING OF BILLS

On motion of Senator Stewart, Senate File 186, a bill for an act relating to the dairy industry, and to conserve and promote the prosperity and welfare of the Iowa dairy industry and of the state of Iowa by promoting the increased use and consumption of dairy products, whether processed or unprocessed, by providing for a research, educational, publicity advertising and sales promotion campaign; to levy and impose an excise tax on butter fat produced in this state and shipped during the period from May 1st to May 15th, inclusive, of each year, and to provide for the collection thereof for the purpose of creating a fund with which to conduct such research, educational, advertising publicity, and sales promotion campaign; to create the Iowa Dairy Industry Commission, and to vest the administration of this act in such commission; to provide for the particular duties and authority of said commission hereunder; and to provide penalties for violation of this act, a committee bill, was taken up, considered, and the report of the committee adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend by striking sections one (1) and two (2) and renumbering the remaining sections.

The amendment was adopted.

By unanimous consent, on request of Senator Stewart, the publication clause, section 16, was amended by striking all after line two (2) and inserting in lieu thereof the following:

"and publication in the Waterloo Courier, a newspaper published in Waterloo, Iowa, and in the Cascade Pioneer, a newspaper published in Cascade, Iowa."

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, 47:

Augustine	Doran	Hill	Mowry
Baldwin	Edwards	Hoeven	Parker
Beardsley	Ellis	Hopkins	Pelzer
Bekman	Elthon	Husted	Schadt
Benson	Faul	Kirketeg	Shaw
Berg	Forsling	Leo	Sjulin
Breen	Geske	Levis	Stewart
Byers	Gillette	Lundy	Talbott
Corwin	Guernsey	Martin	Vrba
Cromwell	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler
Donohue	Henningsen	Moore	

Nays, none.

Absent or not voting, 3:

Dean	Evans	Smith
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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 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 Berg asked unanimous consent to defer action on Senate Files 193, 194, and 195.

Objection was made.

Senator Berg moved that action on Senate Files 193, 194, and 195 be deferred and the bills be allowed to retain their places on the calendar.

Senator Breen raised the point of order that the motion was out of order for the reason that it was attempting to do something, a request for which had been previously denied.

President pro tem Hoeven ruled the point of order not well taken.

The motion by Senator Berg prevailed and the bills were deferred and allowed to retain their places on the calendar.

President Hickenlooper took the chair at 11:20.

CONSIDERATION OF SENATE FILE 68 RESUMED

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 68 by inserting after the word "estates" in line

four (4) of sub-section one (1) of section one (1) the following "Where the time for filing claims has elapsed".

Strike all of sub-section three (3) of section one (1) and insert in lieu thereof the following:

3. Notice. No decree of descent and distribution shall be entered until after the court has by order fixed the time and place for the hearing upon said application, petition or final report and prescribed the notice to be given to all interested parties therein. The notice shall set out the time and place fixed for said hearing and shall include the name of the decedent, the date of his death, the name or names of those claiming to be entitled to the estate of said decedent by inheritance or devise, as the case may be, and shall notify all persons, parties and/or unknown claimants if any; that a decree will be entered establishing the share of the party or parties thus named to the estate, and shall notify all others that unless they appear at the time and place fixed for said hearing, and show cause therefor, the decree of descent and distribution will be entered in all respects as prayed for therein. Such notice so far as practicable shall be served upon all interested parties in the manner provided for the commencement of actions as set out under Chapter four hundred eighty-nine (489) of the Code, 1935.

Senator Breen moved the previous question on the amendment by Senator Doran and on the main bill.

Roll call was requested on the amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 14:

Augustine	Dewey	Gillette	Kirketeg
Beardsley	Doran	Harvey	Mowry
Bekman	Edwards	Hopkins	Shaw
Cromwell	Faul		

Nays, 17:

Baldwin	Elthon	Henningsen	Lundy
Breen	Evans	Hoeven	Parker
Corwin	Forsling	Husted	Talbott
Donohue	Geske	Levis	Zeigler
Ellis			

Absent or not voting, 19:

Benson	Hart	Miller	Smith
Berg	Hill	Moore	Stewart
Byers	Leo	Pelzer	Vrba
Dean	Martin	Schadt	Whitehill
Guernsey	Mighell	Sjulin	

The amendment was lost.

Further action was deferred.

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 House File 89, a bill for an act to provide for the distribution of proceeds from tax on moneys and credits.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Smith, House File 89 was returned to the House.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 it has examined and finds correctly enrolled House File 204.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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, House File 204.

BILL SENT TO THE GOVERNOR

Senator Benson, 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, 1939, sent to the Governor for his approval, Senate Joint Resolution 2. RALPH E. BENSON, *Chairman*

Passed on file.

On motion of Senator Hoeven, the Senate recessed until 1:45 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

CONSIDERATION OF SENATE FILE 68

By unanimous consent, on request of Senator Mowry, action

on Senate File 68 was deferred and the bill was allowed to retain its place 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 59, a bill for an act relating to marriage, and requiring complete physical examination.

Also: That the House has concurred in Senate amendments to and has passed House File 229, a bill for an act to provide for a special fund known as the use tax fund. . . . A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 59, a bill for an act to amend Chapter four hundred sixty-nine (469), Code, 1935, relating to marriage, requiring complete physical examination and standard microscopic and serological tests for syphilis of all persons making application for license to marry in this state, and prohibiting the clerk of any district court in this state from issuing a license to anyone unless presented with a certificate signed by an Iowa licensed physician to the effect that both parties to the proposed marriage are free from syphilis or if so infected are not in a stage of this disease whereby it may become communicable, requiring such examination and test of persons married outside the state and establishing residence in the state within six months thereafter, and requiring treatment of any such persons suffering from syphilis, and providing penalties for violation of this act.

Read first and second times and passed on file.

INTRODUCTION OF BILLS

Senate File 256, by Senator Doran, a bill for an act to amend Chapter two hundred eight (208), Code 1935, relating to the severance of territory from school districts and providing the procedure therefor.

Read first and second times and passed on file.

Senate File 257, by Senator Elthon, a bill for an act to amend section thirty-seven hundred eighty-two (3782), Code, 1935, relating to the qualifications of the members of the board of parole.

Read first and second times and passed on file.

Senate File 258, by Senator Evans (Hultman), a bill for an act

to legalize the corporate acts and proceedings of the Farmers Mercantile Company of Red Oak, Iowa, and to provide for the renewal thereof and amended and substituted Articles of Incorporation of said Farmers Mercantile Company.

Read first and second times and passed on file.

Senate File 259, by Senator Leo (Dvorak), a bill for an act to amend Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, by providing for a homestead tax credit for certain Indian lands held in trust.

Read first and second times and passed on file.

Senate File 260, by Senator Forsling, a bill for an act to amend section seven thousand two hundred five (7205), Code, 1935, relating to lien of personal tax, and providing that such tax shall be a lien on certain kinds of personal property from date of levy.

Read first and second times and passed on file.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Smith, Senate File 1, a bill for an act to repeal Chapter two hundred and thirty-five (235) of the Acts of the Forty-seventh (47) General Assembly, creating a State Planning Board, and providing for the return to the state of Iowa any property and money that said Board now has in its possession, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend Senate File 1 by inserting the word "the" after the word "in" in line one (1) of section two (2).

The amendment was adopted.

Senator Donohue offered the following amendment:

Amend Senate File 1 by adding thereto as section 3 the following: "Sec. 3. That Chapter two hundred eighty (280), Acts of the 47th General Assembly, is hereby repealed."

Also, amend the title to Senate File 1 by striking the period (.) following the word "possession" in the last line of the title and inserting a comma (,) and adding the following: "by repealing Chapter two hundred eighty (280), Acts of the 47th General Assembly, creating the greater Iowa commission."

Senator Donohue moved that action on Senate File 1 be deferred, and that the bill be allowed to retain its place on the calendar.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall action be deferred?" the vote was:

Ayes, 31:

Augustine	Donohue	Hart	Levis
Baldwin	Edwards	Harvey	Mighell
Bekman	Elthon	Henningsen	Mowry
Berg	Evans	Hill	Schadt
Byers	Faul	Hoeven	Stewart
Corwin	Forsling	Hopkins	Talbott
Cromwell	Geske	Kirketeg	Vrba
Dean	Guernsey	Leo	

Nays, 17:

Beardsley	Gillette	Moore	Sjulin
Breen	Husted	Parker	Smith
Dewey	Lundy	Pelzer	Whitehill
Doran	Miller	Shaw	Zeigler
Ellis			

Absent or not voting, 2:

Benson	Martin
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The motion prevailed and action was deferred.

By unanimous consent, on request of Senator Mighell, Senate File 170, a bill for an act to legalize and validate the acts done and proceedings taken by the board of park commissioners of the city of Le Mars, in Plymouth county, Iowa, in expending funds of said city for park purposes, in authorizing and providing for the issuance and delivery of park bonds of said board, and in making provisions for the levy and collection of taxes to pay the principal of said bonds and the interest thereon, was taken up and considered.

Consideration of Senate File 170 was ruled out of order because there was no proof of publication on file.

On motion of Senator Bekman, Senate File 103, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa relating to unemployment compensation; to modify the law providing for appeal and judicial review of disputed claims; to clarify the

definition of the term "employer" as used herein; to change the classes of employments included within the provisions hereof; and to repeal any acts, or parts of acts, in conflict herewith, 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 section two (2) thereof by adding thereto at the end thereof, and within the double quotes, the following words: "The commission may also, in its discretion, certify to such".

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 103 by striking from line four (4) of section two (2) the figures "19-20-21", and inserting in lieu thereof the following, "19 and 20 and to the period (.) in line 21".

The amendment was adopted.

Senator Levis moved that action be deferred on Senate File 103 until 10 a. m. Thursday, and that the Senate at that time resolve itself into a committee of the whole for the consideration of Senate File 103 and Senate Files 99, 100, 101, 102 and 104.

The motion prevailed.

Senator Byers took the chair at 3:25.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

	Committee
H. F. 59.....	Public Health
S. F. 242.....	Judiciary 1
S. F. 243.....	Military Affairs
S. F. 244.....	Motor Vehicles
S. F. 245.....	Agriculture
S. F. 246.....	Judiciary 1
S. F. 247.....	Ways and Means
S. F. 248.....	Judiciary 2
S. F. 249.....	Judiciary 2
S. F. 251.....	Judiciary 1
S. F. 254.....	Compensation of Public Officers
S. F. 255.....	Livestock and Dairying
S. F. 256.....	Public Schools

S. F. 257.....	Board of Control
S. F. 258.....	Judiciary 1
S. F. 259.....	Ways and Means
S. F. 260.....	Judiciary 2

REPORTS OF COMMITTEES

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 135, a bill for an act to legalize a special election held in the incorporated town of Thornton, Cerro Gordo county, Iowa, on the 27th day of October, 1938, relating to the issuance of bonds of said town and declaring bonds issued pursuant to said election to be enforceable obligations of 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 46, a bill for an act to amend the Military Code, Chapter 28-F1, Code, 1935, by providing that the judge advocate shall become an assistant attorney general during the period when the National Guard is in state service, 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 211, a bill for an act to provide an emergency appropriation for traveling and expenses of the judges of the district court to June 30, 1939, begs leave to report it has had the same under consideration and recommends the same do pass, subject to favorable recommendation by the appropriation committee. *A. J. SHAW, Chairman.*

Ordered passed on file.

Senator Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 211, a bill for an act to provide an emergency appropriation for traveling and expenses of the judges of the district court to June 30, 1939, begs leave to report it has had the same under consideration and recommends the same do pass. *L. H. DORAN, Chairman.*

Ordered passed on file.

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to whom was referred Senate File 133, a bill for an act to amend section seven thousand two hundred seventy-nine (7279) and section seven thousand two hundred

eighty (7280), Code of Iowa, 1935, relating to notice of expiration of right of redemption from tax sale and providing for service of such notice on mortgagees and record holders of mortgages, 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 whom was referred Senate File 178, a bill for an act to amend sections ten thousand thirty-one (10031) and ten thousand eighteen (10018), Code of Iowa, 1935, relating to fees to be collected for filing certain instruments affecting personal property and relating to the releases of such instruments, 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 whom was referred Senate File 190, a bill for an act to amend Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, providing for a chief, a first and second assistant and for supervisory officers, and providing for the hearing to be granted to patrolmen on dismissal, and providing for the salaries of patrolmen, 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 whom was referred Senate File 191, a bill for an act to amend section one thousand four hundred twenty-two (1422), Code of 1935, providing for workmen's compensation for highway patrolmen, 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.

AMENDMENTS FILED

Amend Senate File 200 by striking all following the colon in line 4 in section 1 thereof and substituting the following:

"A landlord shall have a lien for his rent upon:

"1. All crops grown upon the leased premises.

"2. All of such increase from livestock on the leased premises as is raised or maintained from the crop, pasture, and forage production on the leased premises during the term.

"3. All other personal property of the tenant kept and used on the leased premises during the term which is not exempt from execution, except as exempted by section two (2) of this act."

Sec. 2. All personal property owned, kept, or used on the premises leased after July 4, 1939, by a tenant primarily engaging the premises in an agricultural pursuit, shall be exempt from a landlord's lien except as provided in subsections one (1) and two (2) of section one (1) hereof.

Sec. 3. In order for any lien to be effective against an innocent purchaser of agricultural products there must be filed with the county recorder of the county in which the rented land is situated a written lease or copy thereof, or in the event there be no written lease, then a general statement showing the rent reserved, verified by the owner or his agent, and stating that said owner claims a lien for such rent.

WINFRED MIGHELL.

MR. PRESIDENT: Amend House File 114 as follows:

By striking all of section 33 and enacting in lieu thereof the following:

"Sec. 33. There is hereby appropriated from the general fund of the state, not otherwise appropriated, to the farm-to-market road fund the sum of six hundred fifty-eight thousand, two hundred and sixty-four dollars (\$658,264.00), said sum to be used to match the federal allotment for farm-to-market roads for the fiscal year ending June 30, 1938. There shall be appropriated in each succeeding fiscal year a sum from the general fund to the farm-to-market road fund necessary to match the federal allotment for that year.

LESTER S. GILLETTE.

MR. PRESIDENT: Amend House File 114 as follows:

Amend section 31 of House File 114 by striking all of lines 4 and 5 thereof.

LESTER S. GILLETTE.

MR. PRESIDENT: Amend Senate File 41 by striking everything after the enacting clause and substituting the following:

Section 1. Sections fifty-one hundred twenty-five (5125) and fifty-one hundred twenty-six (5126), Code, 1935, are hereby repealed and the following enacted as a substitute therefor:

Sec. 2. Compensation of Supervisors. Each member of the board of supervisors shall receive for his annual salary in counties having a population of:

1. Less than fifteen thousand, seventeen hundred dollars, exclusive of mileage.

2. Fifteen thousand and less than twenty thousand, nineteen hundred dollars, exclusive of mileage.

3. Twenty thousand and less than thirty thousand, twenty-one hundred dollars, exclusive of mileage.

4. Thirty thousand and less than forty thousand, twenty-two hundred dollars, exclusive of mileage.

5. Forty thousand and less than sixty thousand, twenty-three hundred dollars, exclusive of mileage.

6. Sixty thousand and less than one hundred thousand, twenty-four hundred dollars, exclusive of mileage.

7. One hundred thousand and over, twenty-five hundred dollars, exclusive of mileage.

Sec. 3. Each member of the board of supervisors shall be allowed five cents for every mile traveled in going to and from regular, special, and adjourned sessions thereof, and in going to and from the place of performing committee service. When the board is in continuous session, mileage for only one trip in going to and from the session shall be allowed.

Sec. 4. This act, being deemed of immediate importance, shall be in full force and effect from and after publication in the Cascade Pioneer, a weekly newspaper published at Cascade, Iowa, and in the Dubuque Leader, a weekly newspaper published at Dubuque, Iowa.

H. C. BALDWIN.

MR. PRESIDENT: Amend Senate File 194, by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. It shall be unlawful for any person, except a licensed pharmacist, to sell, give away, dispense or deliver any article hereinafter enumerated in this section, all of which, for the purpose of this act, are designated as poisons:

Alkaloids and/or salts: aconitine; arecoline; atropine; brucine; colchicine; coniine; delphinine; gelsemine; homatropine; hyoscyne; hyoscyamine; lobeline; nicotine; physostigmine; sabadine; scopolamine; sparteine; staphisagrine; strychnine; veratrine.

Crude drugs and/or preparations: aconite; belladonna; black hellebore; cantharides; cocculus indicus; colchicum corm; croton; curare; delphinium; digitalis; ergot; euphorbium, cotton root bark; hyoscyamus; ignatia; nux vomica; physostigma; sabadilla; scopola; squill; staphisagraria; stramonium; strophathus; veratrum viride.

Inorganic chemicals: hydrobromic acid; hydrochloric acid; hydrofluoric acid; hydrocyanic acid; hydrosilicofluoric acid; hypophosphorous acid; hypochlorous acid; oxalic acid and its soluble salts; sulphuric acid; antimony compounds; arsenic; its salts, compounds and preparations; stronger ammonia water; barium compounds, (except barium sulphate); bromine; copper: salts and compounds; chromic acid and soluble chromates; soluble fluorides; iodine and preparations; lead; all salts, compounds and preparations except pigments used in paints; mercury: salts and preparations; phosphorus; potassium hydroxide, permanganate and sulfocyanate; sodium hydroxide; silver arsenite, nitrate and sulphate; thallium compounds; uranium: acetate, nitrate and sulphate; zinc: acetate, bromide, chloride and nitrate.

Organic chemicals and/or derivatives: glacial acetic acid; anhydride acetic; trichloroacetic acid; amyl nitrite; arsphenamine; benzene (benzol); bromoform; benzaldehyde; benzenesulfonamide; cresol; creosote; chloral hydrate; chloroform; cyanides; croton oil; cacodylates; carbon tetrachloride; carbon disulphide; dinitrophenol; ethyl ether; formaldehyde; oil bitter almond; oil mustard; oil of pennyroyal; oil of savin; oil of tansy; paraldehyde; phenol; picrotoxin; phenyl cinchoninic acid; pyrazolon; pyragallol; spirits of nitroglycerin; tetrachlorethylene; trinitrophenol. Except as otherwise noted, such drugs, chemicals and preparations shall bear the poison label.

Sec. 2. It shall be unlawful for any registered pharmacist to sell, give

away, dispense or deliver any of the following enumerated poisons, to wit:

acids: hydrocyanic, hydrofluoric and hydrosilicofluoric; aconite: root, leaves and all preparations, and aconitine; arsenic: metallic or elemental and all compounds and preparations; atropine; catharides: powder, and all preparations; cocculus indicus or fish berry; crude drug and preparations and picrotoxin; croton: seeds and croton oil; curare; cyanides; chloral hydrate; mercury and mercury bichloride, iodide and nitrate; nux vomica: crude drug and preparations; strychnine and salts; brucine and salts; oil of bitter almond: natural or artificial; volatile oil of mustard; phenol or carbolic acid; physostigma or calabar bean: drug and all preparations, and physostigmine; strophanthus: crude drug, preparations and strophanthin; unless and until he shall have ascertained that the purchaser is aware of the character of the poison, and the purchaser has represented to him that it is to be used for a proper purpose.

Every sale, gift or delivery of any poison enumerated in this section shall be entered in a book kept for that purpose to be known as a "Poison Register" which shall show (a) the date of the sale and delivery, (b) the name and place of residence of the person obtaining such poison, (c) the name of the poison and the quantity sold, (d) the purpose for which it was represented to be purchased, and (e) the name of the dispenser. Each of such entries shall be signed by the person to whom the poison is delivered. The poison register shall be open for inspection by the pharmacy examiners or by any magistrate or peace officer of the state, and shall be preserved for at least five (5) years.

Sec. 3. Except as otherwise provided, it shall be unlawful to vend, sell, dispense, or give away any poison enumerated in sections one (1) and two (2) hereof, and/or calcium, sodium, or potassium chlorate and/or crude carbolic acid, or any other poisons, without affixing to the bottle, box, vessel, or package containing the same, a label containing the name of the poison either printed or plainly written, and the word "Poison" printed in red ink, and the name and place of business of the distributor, manufacturer, wholesaler or dealer; and every package or container which contains ammonia water, concentrated lye, denatured alcohol, formaldehyde, commercial hydrochloric, nitric, sulphuric or oxalic acid, shall be labeled with the name of the poison, which label shall bear the name and place of business of the distributor, manufacturer, wholesaler, or dealer, the most available antidote and the word "Poison" printed in red ink in a conspicuous place thereon.

Sec. 4. Nothing in sections one (1), two (2) and three (3) inclusive, shall apply:

1. To patent medicines or domestic remedies, provided they do not contain poisons enumerated in sections one (1) and two (2) hereof and which are not in themselves poisonous and are sold in original unbroken packages.

2. To the filling of prescriptions of or the sale to licensed physicians, dentists, osteopaths or veterinarians; or sales to another pharmacist or to hospitals; or to drugs dispensed by licensed physicians, dentists, osteopaths or veterinarians as personally supplied to their patients.

3. To completely denatured alcohol, fly sprays, or to insecticides and

fungicides and commercial feeds if they do not contain any of the poisons enumerated in sections one (1) and two (2) of this act; or to stock dips sold in bulk or otherwise, the containers of which need not have printed on the label the most available antidote.

4. To functions of the state or federal government acting to control destructive, insect and rodent life, fungus and bacterial diseases.

5. To sales by licensed general dealers or itinerant vendors of articles which their respective permits or licenses permit them to sell, provided such sales are made in compliance with the terms of their respective licenses or permits and the law and regulations governing the same.

Sec. 5. It shall be unlawful for any person in this state to sell or deliver any poison to any person known to be of unsound mind, or under the influence of intoxicants, and it shall likewise be unlawful for any person in this state to sell or deliver any poison enumerated in section two (2) hereof to any person under sixteen (16) years of age except upon a written order signed by some responsible person known to the person selling or delivering the same, which said written order shall contain all of the information required to complete the entry in the poison register under the provisions of section two (2) of this act.

Sec. 6. This act shall be executed and enforced by the pharmacy examiners.

Sec. 7. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and punished as provided in Chapter one hundred forty-seven (147), Code, 1935.

Sec. 8. Sections one (1) to six (6) inclusive, of Chapter one hundred fifteen (115), Acts of the Forty-seventh (47th) General Assembly are hereby repealed.

ROBT. W. HARVEY.

On motion of Senator Breen, the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 16, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Wallace Essingham, pastor of St. Luke's Episcopal Church of Des Moines.

The Journal of February 15th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senators Berg and Corwin, from Drake University students, favoring the bill providing for pre-marital examination.

By Senator Breen, from U. M. W. of A. Local Union 393, of Otho, opposing enactment of Senate Files 99, 100, 101, 102 and 103, and House Files 322, 323, 324, 325 and 326.

By Senator Leo, from citizens of Tama county, favoring enactment of a bill requiring gasoline propelled vehicles to stop before crossing railroad tracks that are not protected by gates, signals or other means of self-protection.

By Senator Beardsley, from citizens of his district, favoring enactment of Senate File 169, providing for local option.

By Senator Martin, from citizens of Scott county, opposing House File 96.

By Senator Hill, from Wright and Hardin counties, opposing any legislation connecting the sale and distribution of beer with the control of hard liquor.

By Senator Dewey, from citizens of Washington county, favoring enactment of the bill providing for local option.

By Senator Dewey, from citizens of Henry county, opposing enactment of Senate File 92.

By Senator Dewey, from members of Kalona Alpha Club.

favoring enactment of the bill providing for pre-marital and pre-natal examinations.

By Senator Augustine, from teachers of Oskaloosa, favoring teachers' annuity legislation.

By Senator Harvey, from taxpayers of the Independent School District of Mapleton and members of the Farmer's School Tax Association, of Monona county, requesting legislation relieving farm lands in school districts from excessive tax burdens.

By Senator Cromwell, from citizens of Burlington, favoring enactment of legislation permitting the board of supervisors of any county to enter into contract with any licensed chiropractor or chiropractic physician for the care and treatment of its indigent sick.

By Senator Cromwell, from citizens of Burlington, favoring enactment of the bill providing for local option.

By Senator Doran, from Local Union No. 2433, U. M. W. of A., of Ogden, opposing enactment of Senate Files 99, 100, 101, 102 and 103.

By Senator Doran, from the City Council of Ames, opposing enactment of House File 168.

By Senator Dean, from members of the First Baptist Church of Mason City, favoring enactment of the bill providing for local option.

By Senator Dean, from citizens of Cerro Gordo county, favoring enactment of the bill providing for local option.

By Senator Dean, from the school board of Chapin, favoring enactment of Senate File 2 and House File 112.

By Senator Edwards, from teachers of Afton Public Schools, favoring teachers' annuity.

By Senator Moore, from teachers of Hazel Dell Township, Pottawattamie county, favoring teachers' annuity.

By Senator Husted, from citizens of Independence, favoring a proposed temperance bill.

By Senator Husted, from citizens of Madison county, favoring local option.

INTRODUCTION OF BILLS

Senate File 261, by Senators Hoeven, Gillette, Forsling, Harvey, Elthon, Shaw, Benson, Breen, and Mighell, a bill for an act to repeal Chapter thirty-five-A two (35-A2) of the Code, 1927, to apportion the State of Iowa into senatorial districts and to provide the time when state senators shall be elected.

Read first and second times and passed on file.

Senate File 262, by Senator Baldwin, a bill for an act to amend section fourteen (14), Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, relating to establishing of tax credits on homesteads and providing for the publication of the description of property, valuation, and name of owner of homestead.

Read first and second times and passed on file.

Senate File 263, by Senator Vrba, a bill for an act to amend section five thousand four hundred eleven (5411), Code of Iowa, 1935, relating to official newspapers.

Read first and second times and passed on file.

Senate File 264, by Senators Doran, Breen, and Hill, a bill for an act to amend section fifty-five hundred seventy-three (5573), Code, 1935, and to repeal section fifty-six hundred sixty-nine (5669), Code, 1935, and to enact a substitute therefor all relating to the compensation of assessors and deputies.

Read first and second times and passed on file.

Senate File 265, by committee on appropriations, a bill for an act to provide an emergency appropriation to the department of justice for the purpose of law enforcement, and for the salaries, support, and maintenance of said department.

Read first and second times and placed on the calendar.

Senate File 266, by committee on cities and towns, a bill for an act to amend Chapter two hundred eighty-nine (289), Code, 1935, and Chapter one hundred fifty-six (156) of the Laws of the Forty-seventh General Assembly of Iowa, relating to civil service in certain cities.

Read first and second times and placed on the calendar.

Senate File 267, by Senator Hill, a bill for an act to amend Chapter one hundred sixty-four (164) Code of Iowa, 1935, providing for the licensing of vending machines and mechanical amusement devices by the department of agriculture, and providing a penalty for the violation thereof.

Read first and second times and passed on file.

Senate file 268, by committee on consolidation and co-ordination, a bill for an act to amend Chapter two hundred forty-one-B one (241-B1), Code, 1935, and requiring the highway commission to submit estimate for the support of the commission, engineering, inspection, administrative work, and maintenance of the primary road system, and providing that expenditures for such purposes shall only be made on authorization by the General Assembly.

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 House was asked:

Senate File 182, a bill for an act defining the words "assessed valuation."

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 exemption from taxation of property belonging to veterans of military service.

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 venereal diseases and providing blood tests for pregnant women.

Also: 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 providing for the reporting of persons failing to take treatment for venereal diseases.

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 Bang's disease.

A. C. GUSTAFSON, *Chief Clerk.*

SENATE CONCURRENT RESOLUTION 8

Be It Resolved by the Senate, the House Concurring: That Louis Pelzer, Professor of History at the State University of Iowa, be invited

to give an address on the life of Washington before a joint session of the House and Senate on the 22nd of February, 1939.

By unanimous consent, on request of Senator Schadt, Senate Concurrent Resolution 8 was taken up and considered.

On motion of Senator Schadt, the resolution was adopted.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Doran, Senate File 211, a bill for an act to provide an emergency appropriation for traveling and expenses of the judges of the district court to June 30, 1939, with report of committee on judiciary 1 recommending passage, was taken up, considered, and the report of the committee adopted.

The report of the committee on appropriations recommending passage was taken up, considered, and the report of the committee adopted.

By unanimous consent, on request of Senator Doran, the enacting clause was amended by inserting after the word "Assembly" the words "of the State".

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, 41:

Augustine	Edwards	Henningsen	Mowry
Baldwin	Ellis	Hill	Parker
Beardsley	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Benson	Faul	Kirketeg	Shaw
Breen	Geske	Leo	Sjulin
Corwin	Gillette	Levis	Smith
Cromwell	Guernsey	Lundy	Stewart
Dean	Hart	Mighell	Vrba
Donohue	Harvey	Moore	Whitehill
Doran			

Nays, none.

Absent or not voting, 9:

Berg	Forsling	Martin	Talbott
Byers	Husted	Miller	Zeigler
Dewey			

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

Senator Doran moved that the title be amended by inserting before the word "expenses" in line two (2), the word "hotel".

The amendment was adopted, and the title as amended 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.

By unanimous consent, on request of Senator Doran, Senate File 211 was messaged to the House immediately.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on February 16, 1939, he had approved the following:

Senate Joint Resolution 2, proposing the printing of names, salaries, residence and personnel of all state departments, boards and commissions in pamphlet form.

COMMITTEE OF THE WHOLE

On motion of Senator Bekman, the Senate resolved itself into a committee of the whole, as provided by the motion of Senator Levis found on page 313 of the Journal.

On motion of Senator Bekman, the President of the Senate was designated chairman of the committee of the whole.

Senator Baldwin moved that the committee recess until 1:30 p. m.

On the substitute motion of Senator Doran, the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

The committee reconvened, President Hickenlooper presiding.

President pro tem Hoeven took the chair at 1:15.

President Hickenlooper took the chair at 2:12.

On motion of Senator Hoeven, the committee of the whole arose.

INTRODUCTION OF BILLS

Senate File 269, by Senator Shaw (Hocum), a bill for an act

to provide for the dredging of Storm Lake in Buena Vista county, Iowa, 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 passed on file.

Senate File 270, by Senator Leo, a bill for an act to amend sections ten thousand eight hundred five (10805), and ten thousand eight hundred eleven (10811), Code, 1935, relating to expenses of judges and court reporters of the district court when on duty in county other than that of their residence.

Read first and second times and passed on file.

Senate File 271, by Senator Faul, a bill for an act to amend section six thousand fifty-one-c one (6051-cl), Code, 1935, relating to paving, repaving, constructing, reconstructing, resurfacing, repairing, or maintaining streets or thoroughfares over which street railways or passenger carriers operate trackless-trolley passenger busses or motor-driven passenger busses over fixed routes wholly within cities under the commission form of government having a population of one hundred twenty-five thousand or over; imposing license fees or taxes therefor on said street railways or passenger carriers so operated; providing for the payment of such license fees or taxes for the paving, repaving, constructing, reconstructing, resurfacing, repairing, or maintaining the streets and roadways over which any such street railways or passenger carriers shall operate such trackless-trolley passenger busses or motor-driven passenger busses, and for the reconstruction, repair, servicing, and maintenance of sewers and catch basins serving said streets and roadways; providing that the license fees or taxes so imposed shall be in lieu of all other taxes or license fees, general, special or local, except motor vehicle fuel license fees, to which such motor driven passenger busses or trackless-trolley passenger busses may be subject, and shall also be in lieu of all special assessment taxes for the paving, repaving, constructing, reconstructing, resurfacing, repairing, or maintaining the streets and roadways over which said busses are operated or for the construction, reconstruction, repair, or maintenance of sewers serving said streets and roadways; and repealing all laws or parts of laws in conflict herewith.

Read first and second times and passed on file.

Senate File 272, by Senator Faul, a bill for an act to amend section twelve thousand five hundred ninety-two (12592), Code of Iowa, 1935, relating to the amount of bond to be given by a guardian upon the sale or mortgage of real estate.

Read first and second times and passed on file.

Senate File 273, by Senator Faul, a bill for an act to amend sections seventy-two hundred ten (7210), seventy-two hundred eleven (7211), and seventy-two hundred fourteen (7214), Code, 1935, to permit counties to accept real estate taxes in quarterly installments, upon action by the county board of supervisors as provided herein; and to adjust the dates of delinquency and the interest penalty accordingly.

Read first and second times and passed on file.

Senate File 274, by Senator Faul, a bill for an act to amend section eleven thousand nine hundred thirty-three (11933), Code of Iowa, 1935, relating to the posting of a bond on the sale or mortgage of real estate in an estate for the purpose of satisfying the debts and charges.

Read first and second times and passed on file.

Senate File 275, by Senators Shaw and Faul, a bill for an act to promote the public health, convenience and welfare by giving cities and towns the power to create housing assessment districts; to provide for the alteration, removal, repair and improvement of unsanitary and unsafe dwellings, houses, apartments and tenements; to provide sewer and water facilities for homes; where a shortage of houses for people with low incomes exists to provide for the construction of houses for such people; to provide for the assessment and collection of the costs and expenses of such improvements and issuing improvement certificates or issuing and selling bonds therefor.

Read first and second times and passed on file.

By unanimous consent, on request of Senator Gillette, his vote was recorded as "aye" on Senate File 186, on page 307 of the Journal.

By unanimous consent, on request of Senator Donohue, Senate File 178 was rereferred to the committee on judiciary 2.

HOUSE MESSAGES CONSIDERED

House File 57, a bill for an act to amend Chapter one hundred nine (109), Code, 1935, relating to venereal diseases, requiring licensed physicians or other authorized persons attending pregnant women to take a blood sample of each woman so attended at the time of first examination, and, in certain instances, of the father or person responsible for pregnancy, submitting such sample for standard serological tests for syphilis to the state bacteriological laboratory of the State University of Iowa at Iowa City or such other laboratories cooperating with and approved by the state department of health; and further amending said Chapter by exempting certain persons from the operation of said law.

Read first and second times and passed on file.

House File 52, a bill for an act to amend section twenty-six hundred forty-four (2644), Code, 1935, relating to the definition of infectious and contagious diseases of live stock, and providing for the inclusion of Bang's disease in this classification.

Read first and second times and passed on file.

House File 58, a bill for an act to amend sections twenty-two hundred eighty-five (2285), twenty-three hundred five (2305), and twenty-two hundred eighty-seven (2287), Code, 1935, relating to reports by the state department of health to local boards of health of those persons infected with venereal diseases who have failed to report for treatment; and to amend Chapter one hundred nine (109), Code, 1935, by exempting certain persons from the operation of said law; and to provide penalties for violation of the provisions of this act.

Read first and second times and passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson 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 Joint Resolution 4; House Files 22, 49, 95, 209 and 229.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 Joint Resolution 4, House Files 22, 49, 95, 209 and 229.

AMENDMENTS FILED

MR. PRESIDENT: Amend section 3 of Senate File 103 by striking therefrom lines 6 and 7 thereof substituting in lieu thereof the following:

"(7). Any employing unit which has in its employ any employee who is not covered by the unemployment compensation law of any other state and which employee is subject to the Title IX Federal Social Security Act."

E. K. BEKMAN.

MR. PRESIDENT: Amend the amendment to Senate File 200 which is printed on pages 315 and 316 of the Senate Journal by adding thereto a new section as follows:

"Sec. 4. Any lease or contract, oral or written, express or implied, executed after July 4, 1939, by a tenant primarily engaging the premises in an agricultural pursuit, providing for additional security for rent other than as herein provided shall be invalid and unenforceable."

W. MIGHELL.

MR. PRESIDENT: Amend Senate File 111 by striking all of section 24 on page 25 and inserting in lieu thereof the following:

Funeral Expenses: On the death of any person receiving old age assistance there shall be paid to such person as the board directs, the sum of one hundred dollars, (\$100), which shall be applied toward the funeral expenses of the old age assistance recipient.

E. P. CORWIN.

MR. PRESIDENT: Amend Senate File 206 as follows:

Amend by striking out the word "company" in line two (2), section four (4), and inserting in lieu thereof the word "carrier".

GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 207 as follows:

Amend by striking out the word "company" in line two (2), section four (4), and inserting in lieu thereof the word "carrier".

GEORGE M. FAUL.

On motion of Senator Bekman, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 17, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. James Owen Smith, Methodist minister of Des Moines.

The Journal of February 16th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Berg for the day, on request of Senator Levis; Senator Leo for the day, on request of Senator Levis; Senator Donohue for the day, on request of Senator Levis; Senator Byers for the day, on request of Senator Hart; Senator Martin for the day, on request of Senator Geske.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Martin, from citizens of Davenport, opposing enactment of House File 96.

By Senator Henningsen, from teachers of Afton, favoring enactment of Senate File 120.

By Senator Henningsen, from teachers of Sumner, favoring enactment of Senate File 120.

By Senator Henningsen, from gasoline dealers of Clinton, opposing House File 96.

By Senator Parker, from citizens of Delaware county, favoring enactment of House File 1.

By Senator Mowry, from citizens of Jasper county, favoring enactment of Senate File 50.

By Senator Lundy, from citizens of Marion county, opposing enactment of a State Fair Labor Standards Act.

By Senator Schadt, from citizens of North English, favoring enactment of House File 1.

By Senator Baldwin, from teachers of Sumner, favoring enactment of Senate File 120.

By Senator Baldwin, from teachers of Afton, favoring enactment of Senate File 120.

By Senator Hoeven, from the Ashton Study Circle, of Ashton, favoring enactment of the bills providing for pre-marital and pre-natal examinations.

By Senator Hoeven, from taxpayers of the Independent School District of Hartley, favoring enactment of Senate File 227.

By Senator Shaw, from citizens of Humboldt county, opposing enactment of a State Fair Labor Standards Act.

By Senator Doran, from citizens of Boone county, opposing House File 96.

The following petition was presented and referred to the committee on banks and banking:

By Senator Shaw, from W. C. H. Peters, of Pocahontas county, requesting an investigation of the defunct Marathon Savings Bank.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 294, a proposed bill legalizing the proceedings of the trustees of Norway township, Humboldt county.

WALTER H. BEAM, *Secretary*.

INTRODUCTION OF BILLS

Senate File 276, by Senator Augustine, a bill for an act to require a description of chattels to be set out conspicuously in a separate part of the instrument pledging or mortgaging same, providing against extension of the pledge or mortgage to other property not so described and rendering ineffective any provisions not in compliance therewith.

Read first and second times and passed on file.

Senate File 277, by Senators Gillette and Elthon (Risse), a bill for an act to amend section seventy-six hundred eighty-one (7681), Code, 1935, relating to notice of election for members of the board of trustees of a drainage district of less than three thousand (3,000) acres.

Read first and second times and passed on file.

Senate File 278, by committee on consolidation and coordination, a bill for an act repealing or amending standing appropriation provisions in those sections of the Code, 1935, and Acts of the Forty-seventh General Assembly, and for the respective state departments as follows: section sixty-nine hundred forty-three-fifty-six (6943-f65), as amended by section eleven (11), Chapter one hundred eighty-four (184), Acts of the Forty-seventh General Assembly, relating to the board of assessment and review; sections forty-seven hundred fifty-five-b thirty-one (4755-b31) and forty-six hundred thirty-c one (4630-cl), relating to motor vehicle fees and the state highway commission; section one hundred seventy-seven (177), relating to the reporter of the supreme court and code editor; sections one hundred seventy-five (175), one hundred seventy-six (176), one hundred seventy-six-a one (176-a1) and one hundred seventy-seven (177) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to maintenance funds of the motor vehicle department and the state highway commission; and section fifty-one hundred five-a fifty-four (5105-a54), relating to fees from motor vehicle carriers, and section forty-seven hundred fifty-five-b four (4755-b4), relating to the state highway commission.

Read first and second times and placed on the calendar.

Senate File 279, by Senators Vrba, Augustine, Breen, and Baldwin, 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 having a population of 15,000 or over, and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, exercising the power of eminent domain, 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 passed on file.

Senate File 280, by Senators Vrba, Augustine, Breen, and Bald-

win, a bill for an act to authorize cities, towns, counties, and other public bodies and subdivisions to aid housing projects of housing authorities or of the United States of America by conveying or dedicating property, by furnishing parks, playgrounds, streets, roads, water, sewer or drainage facilities 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 public bodies and subdivisions to purchase bonds of housing authorities, to make agreements respecting the exercise of their powers relating to the remedying or elimination of unfit dwellings, and to make agreements relating to payments by housing authorities; and to authorize certain cities, towns and counties to pay moneys to housing authorities.

Read first and second times and passed on file.

Senate File 281, by Senators Vrba, Augustine, Breen and Baldwin, a bill for an act to provide that bonds and other obligations issued by any public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States government, shall be security for public deposits, and legal investments for the state and public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries.

Read first and second times and passed on file.

Senate File 282, by Senator Hart, a bill for an act to amend section thirteen thousand three hundred fifty-five (13355), Code, 1935, relating to fees for prosecution of prison breach and parole violation cases.

Read first and second times and passed on file.

Senate File 283, by Senator Cromwell, a bill for an act to amend section eleven thousand seven hundred and sixty (11760), Code, 1935, relating to exemption from execution of motor vehicle used for business purposes.

Read first and second times and passed on file.

Senate File 284, by Senator Cromwell (Hallagan), a bill for an act to amend sections eighty-six hundred eighty-four-e thirteen (8684-e13), eighty-seven hundred seventy-six (8776), and eleven thousand nine hundred and nineteen (11919), Code, 1935, relating to exemption of the proceeds of certain insurance policies, and to the payment of expenses of administration, last illness and burial of deceased insured persons.

Read first and second times and passed on file.

Senate File 285, by Senator Vrba, a bill for an act to amend section six thousand nine hundred fifty (6950), Code, 1935, relating to the power of the board of supervisors to exempt the property of aged or infirmed persons from taxation.

Read first and second times and passed on file.

Senate File 286, by committee on consolidation and coordination, a bill for an act to amend Chapter two hundred forty-one-B one (241-B1), Code, 1935, and requiring the highway commission to submit estimate for the support of the commission, engineering, inspection, administrative work, and maintenance of the primary road system, and providing that expenditures for such purposes shall be made only on authorization by the General Assembly.

Read first and second times and placed on the calendar.

Senate File 287, by committee on motor vehicles, a bill for an act to create a department of the state government for the administration and enforcement of the laws pertaining to vehicles and traffic and to amend Chapters one hundred thirty-four (134) and one hundred thirty-five (135) of the Acts of the 47th General Assembly.

Read first and second times and placed on the calendar.

Senate File 288, by Senator Schadt, a bill for an act to amend section three thousand six hundred fifty-three (3653), Code, 1935, relating to the providing and maintaining of homes for dependent, neglected and delinquent children.

Read first and second times and passed on file.

Senate File 289, by Senator Guernsey (Schwendemann), a bill for an act to amend section nine thousand twenty-nine (9029), Code, 1935, so as to add to the forms of insurance that may be written by mutual insurance associations, and allow the insurance of

property of minors by them; permitting such associations to insure against loss or damage from injury, sickness or death of animals and the cost of furnishing veterinary service; and against loss or damage from smoke, explosion, aircraft, vehicles and riot (including riot attending a strike); and permitting insurance of property of minors on application of an adult parent, friend or guardian who consents to become a member as representing such minor.

Read first and second times and passed on file.

Senate File 290, by Senator Evans (Hall), a bill for an act to legalize the action of the Board of Supervisors of Mills county, Iowa, in making expenditures for the purpose of providing Workmen's Compensation Insurance on employees working on roads and bridges from the secondary road maintenance fund.

Read first and second times and passed on file.

Senate File 291, by Senator Faul, a bill for an act to amend Chapter one hundred thirty-four (134), section 490, Acts of the Forty-seventh General Assembly, relating to vehicles and traffic; authorizing increased capacity registration by paying an additional prorated fee therefor.

Read first and second times and passed on file.

Senate File 292, by Senator Faul, a bill for an act to amend sections sixty-two hundred eighty-nine (6289) and sixty-two hundred ninety-three (6293), Code, 1935, relating to plats prepared and filed by the county auditor.

Read first and second times and passed on file.

Senate File 293, by Senator Faul, a bill for an act to amend and revise the law as it appears in section nine thousand eighty-seven (9087), Code, 1935, relating to the bringing of actions against certain insurance exchanges.

Read first and second times and passed on file.

Senate File 294, by Senator Shaw, a bill for an act to legalize outstanding warrants issued by Norway Township, Humboldt county, Iowa, in the construction of a community hall for the joint use of said township and the Incorporated Town of Thor, Iowa, in the Town of Thor, Iowa, and providing for the levy of taxes to pay said warrants.

Read first and second times and passed on file.

Senate File 295, by Senators Gillette and Elthon (Risse), a bill for an act to amend sections seventy-six hundred ninety (7690), seventy-six hundred ninety-two (7692), and seventy-six hundred ninety-eight (7698), Code, 1935, relating to the election of, and bonds of, trustees of a drainage district.

Read first and second times and passed on file.

Senate File 296, by Senator Evans, a bill for an act to provide for qualified life saving guards at all public swimming pools in the state of Iowa.

Read first and second times and 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 Senate is asked:

House File 154, a bill for an act to legalize the corporate acts and renewal of the East Waterloo Hotel Company.

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

House File 210, a bill for an act to legalize the action of the board of supervisors of Marshall county, Iowa.

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

House File 222, a bill for an act to legalize a special election held in the town of Thornton.

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

House File 281, a bill for an act to legalize the corporate acts of the Primghar Hotel Co.

Also: 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 an ordinance relating to regulating locations and use of buildings in the City of Des Moines.

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 to amend laws relating to motor vehicles.

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

Senate File 46, a bill for an act to legalize the action of the County Board of Supervisors of Wapello county, Iowa.

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

House Concurrent Resolution 11, relating to a survey of higher education in Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 157, a bill for an act relating to the preference for domestic products and labor.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 154, a bill for an act to legalize the corporate acts and renewal of the charter of the East Waterloo Hotel Company of Waterloo, Iowa.

Read first and second times and passed on file.

House File 210, a bill for an act to legalize the action of the board of supervisors of Marshall county, Iowa, in making transfer of funds in the years 1934, 1935, 1936, 1937 and 1938, from the Marshall county insane fund to the Marshall county poor fund.

Read first and second times and passed on file.

House File 222, a bill for an act to legalize a special election held in the incorporated town of Thornton, Cerro Gordo county, Iowa, on the 27th day of October, 1938, relating to the issuance of bonds of said town, and declaring bonds issued pursuant to said election to be enforceable obligations of said town.

Read first and second times and passed on file.

House File 281, a bill for an act to legalize the corporate acts and the renewal of the charter of the Primghar Hotel Company, Primghar, Iowa.

Read first and second times and passed on file.

House File 62, a bill for an act to legalize and validate ordinance thirty-six hundred nineteen (3619), and amendments thereof, of the city of Des Moines, Iowa, relating to regulating the location and use of buildings, structures and land for trade, industry, commerce, residence or other purposes, regulating and restricting the height of buildings, determining the area of yards and other open spaces, regulating and determining the density of use of land and lot areas and dividing the city into districts, providing for the enforcement thereof, and a board of adjustment, and prescribing

penalties for the violation thereof, and to legalize and validate all the acts and proceedings taken by the city council and its officers in the passage, publication and adoption of the form of said ordinance, and to legalize and validate the sufficiency of public hearings in relation thereto and the publicity and notice of the time and place of such hearings.

Read first and second times and passed on file.

House File 119, a bill for an act to amend sections sixty-two (62) and three hundred two (302) of Chapter one hundred thirty-four (134) of the Laws of the Forty-seventh General Assembly of the State of Iowa, relating to motor vehicles.

Read first and second times and passed on file.

HOUSE AMENDMENTS TO SENATE FILE 157

Amend Senate File 157 as follows:

1. In line seventeen (17) of section one (1) insert after the word "including" the following: "the best interests of the taxpayer and the".
2. In line twenty-one (21) of section one (1) strike the words "any or".

HOUSE CONCURRENT RESOLUTION 11

Whereas, There has been presented to the committee on consolidation and co-ordination of state government two motions which have been adopted by the board of education, which motions are as follows:

"Survey. Mr. Hall moved that a representative of the faculty committee and a representative of the finance committee be empowered to contact Dr. Samuel P. Capen about having a survey made of higher education in Iowa, with a view to eliminating needless duplication in courses and facilities and appraising the newer fields of education into which the state institutions of higher learning have been drawn, and to report back to the board. Seconded and carried."

"Survey—S. P. Capen. The chairman of the faculty committee reported that Dr. Samuel P. Capen could come to Iowa during the month of March, 1939, to make a survey of the state institutions of higher learning."

Whereas, It is the sense of the committee on consolidation and co-ordination of state government that the carrying out of said motions may contribute to the solution of the overlapping functions of our state educational institutions; now, therefore,

Be It Resolved by the House of Representatives of the Forty-eighth General Assembly, the Senate Concurring, That the state board of education report to the governor with reference to the progress made under the study contemplated by the said motions, the first report to be made not later than June 1, 1939, and each January and June first thereafter

until the convening of the Forty-ninth General Assembly, and said reports be then transmitted to the General Assembly.

COMMITTEE ON CONSOLIDATION AND CO-ORDINATION.

By unanimous consent, on request of Senator Baldwin, House Concurrent Resolution 8 was taken up and considered.

HOUSE CONCURRENT RESOLUTION 8

Be It Resolved by the House, the Senate Concurring: That the superintendent of printing be and is hereby authorized and directed to furnish one copy of the Code of 1935, and one copy of the Session Laws of the Forty-seventh General Assembly, to each of the newly elected members of the Forty-eighth General Assembly, except such as are serving as committee chairmen.

EDWARD J. MORRISSEY.

On motion of Senator Baldwin, the resolution was adopted.

SENATE RESOLUTION 10

Whereas, a movement is under way for the establishment of a National Parkway from the Gulf of Mexico to the Canadian border along the Mississippi River, and

Whereas, this Parkway would probably traverse the highways and areas in the eastern part of the State of Iowa, and

Whereas, such a Parkway would be of great recreational convenience and commercial value to Iowans and would attract a vast number of tourists, and

Whereas, there has been introduced in the Congress of the United States a bill (H. R. 3759) providing for a survey of the Mississippi River shores for the purpose of ascertaining the practicability and location of such a parkway, now

Therefore, Be It Resolved, that Congress be memorialized by the Forty-eighth General Assembly to act favorably upon said proposed survey, and

Be It Further Resolved, that the Governor of Iowa appoint a committee of ten persons representing the State of Iowa to serve on the Interstate Parkway Planning Committee which is now engaged in promoting this parkway; members of this committee to serve without compensation and to pay their own expenses at such meetings as they may attend in connection with this activity.

O. H. HENNINGSEN.

FRED CROMWELL.

STANLEY HART.

By unanimous consent, on request of Senator Henningsen, the resolution was taken up and considered.

On motion of Senator Henningsen, the resolution was adopted.

SENATE RESOLUTION 11

Whereas, Jimmy Edson, an eleven year old boy of Storm Lake, Iowa, did on the 9th day of January, 1939, at the risk of his own life, save from drowning one George Phinney by lying upon the ice and assisting the said George Phinney out of the icy waters of Storm Lake, Iowa, to a place of safety, and

Whereas, it has been the custom in the past for the Legislature of the State of Iowa to recognize and commend bravery of this kind, now therefore

Be It Resolved by the Senate of the State of Iowa: That we do hereby commend the said Jimmy Edson for the said heroic act and congratulate and extend to him our thanks and the thanks of the people of the State of Iowa for the service he has rendered not only to the said George Phinney, but to his city and to the State of Iowa, and we recommend to the Carnegie Foundation that recognition be extended by said Foundation to the said Jimmy Edson.

A. J. SHAW.

By unanimous consent, on request of Senator Shaw, the resolution was taken up and considered.

On motion of Senator Shaw, the resolution was unanimously adopted.

On motion of Senator Shaw, the boys were presented to the President of the Senate and to the Senate.

REPORT OF COMMITTEE ON CONSOLIDATION AND
COORDINATION

MR. PRESIDENT: Your committee introduced in the Senate a bill which would abolish the State Geological Board. Following the introduction of the bill, your committee through public hearings and independent inquiry gained much information regarding the activities of the said board, with the conclusion that by reason of some of its activities the board has justified its existence and that complete abandonment of the functions of the board is at this time inadvisable.

However, the committee found that the Geological Board, in addition to the appropriation made to the board by the 47th General Assembly and the further sum of \$3,000.00 granted it by the legislative interim committee, received various sums of money from the State Department of Health and the State Conservation Board, and also from the State Highway Commission. Your committee condemns the action of the Geological Board, in making requests for funds from the other departments and the action of the other departments in acceding to such requests. The committee believes that the transfer of funds between state departments without legislative authority being first obtained is contrary to good business practice and is not conducive to good government and should not be permitted in the future.

L. B. FORSLING, *Chairman.*

The report of the committee was adopted.

HOUSE AMENDMENTS CONSIDERED

By unanimous consent, Senator Lundy called up for consideration Senate File 157, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 157 as follows:

1. In line seventeen (17) of section one (1) insert after the word "including" the following: "the best interests of the taxpayer and the".
2. In line twenty-one (21) of section one (1) strike the words "any or".

The motion prevailed and the Senate concurred in the House amendments.

Senator Lundy moved that the bill be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 36:

Beardsley	Elthon	Hoeven	Schadt
Bekman	Evans	Hopkins	Shaw
Breen	Paul	Husted	Sjulin
Corwin	Forsling	Kirketeg	Smith
Cromwell	Geske	Levis	Stewart
Dean	Guernsey	Lundy	Talbott
Doran	Harvey	Miller	Vrba
Edwards	Henningsen	Mowry	Whitehill
Ellis	Hill	Pelzer	Ziegler

Nays, 3:

Augustine	Baldwin	Gillette
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Absent or not voting, 11:

Benson	Dewey	Leo	Moore
Berg	Donohue	Martin	Parker
Byers	Hart	Mighell	

The bill as amended 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.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Doran, Senate File 265, a bill for an act to provide an emergency appropriation to the department of justice for the purpose of law enforcement,

and for the salaries, support, and maintenance of said department, 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, 41:

Augustine	Edwards	Henningsen	Mowry
Baldwin	Ellis	Hill	Pelzer
Beardsley	Elthon	Hoeven	Schadt
Bekman	Evans	Hopkins	Sjulin
Benson	Faul	Husted	Smith
Breen	Forsling	Kirketeg	Stewart
Corwin	Geske	Levis	Talbott
Cromwell	Guernsey	Lundy	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler
Doran			

Nays, none.

Absent or not voting, 9:

Berg	Gillette	Martin	Parker
Byers	Leo	Moore	Shaw
Donohue			

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, Senate File 265 was messaged to the House immediately.

By unanimous consent, on request of Senator Dean, House File 222, a companion bill, was substituted on the calendar for Senate File 135.

On motion of Senator Dean, House File 222, a bill for an act to legalize a special election held in the incorporated town of Thornton, Cerro Gordo county, Iowa, on the 27th day of October, 1938, relating to the issuance of bonds of said town, and declaring bonds issued pursuant to said election to be enforceable obligations of said town, was taken up and considered.

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

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	Doran	Hart	Mighell
Baldwin	Edwards	Harvey	Miller
Beardsley	Ellis	Hill	Moore
Bekman	Elthon	Hoeven	Mowry
Benson	Evans	Hopkins	Schadt
Breen	Faul	Husted	Smith
Corwin	Forsling	Kirketeg	Talbott
Cromwell	Geske	Levis	Vrba
Dean	Gillette	Lundy	Whitehill
Dewey	Guernsey		

Nays, none.

Absent or not voting, 12:

Berg	Henningsen	Parker	Sjulin
Byers	Leo	Pelzer	Stewart
Donohue	Martin	Shaw	Zeigler

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.

By unanimous consent, on request of Senator Benson, action on Senate File 97 was deferred and the bill was allowed to retain its place on the calendar.

On motion of Senator Hill, Senate File 202, a bill for an act to amend sections five thousand ninety-three-f twenty-nine (5093-f29) and five thousand ninety-three-f thirty-one (5093-f31), Code, 1935, relating to refund of taxes paid upon purchases of motor vehicle fuel, a committee bill, was taken up and considered.

By unanimous consent, on request of Senator Hill, the word and figures "eleven (11)" immediately following the word "subsection" were stricken and the word and figures "ten (10)" substituted therefor in line three (3) of section two (2), and the figure "10" was substituted for the figure "11" in line four (4) of section two (2).

Senator Corwin moved to amend Senate File 202 by striking all of section one (1) and renumbering the remaining section.

The motion prevailed, and the amendment was adopted.

Senator Evans offered the following amendment and moved its adoption:

Amend by adding 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 *Milo Motor*, a newspaper published in Milo, Iowa, and *The Malvern Leader*, a newspaper published at Malvern, Iowa.”

The amendment was adopted.

Senator Baldwin moved that action on Senate File 202 be deferred and the bill be allowed to retain its place on the calendar.

The motion was lost.

Senator Sjulín moved the previous question.

The motion prevailed.

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, 35:

Beardsley	Evans	Hoeven	Pelzer
Bekman	Faul	Husted	Schadt
Breen	Geske	Kirketeg	Shaw
Corwin	Gillette	Levis	Sjulín
Cromwell	Guernsey	Lundy	Smith
Dewey	Hart	Mighell	Talbott
Doran	Harvey	Miller	Whitehill
Edwards	Henningsen	Mowry	Zeigler
Ellis	Hill	Parker	

Nays, 7:

Augustine	Elthon	Moore	Vrba
Baldwin	Hopkins	Stewart	

Absent or not voting, 8:

Benson	Byers	Donohue	Leo
Berg	Dean	Forsling	Martin

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

Senator Hill moved to amend the title by striking the words and figures “five thousand ninety-three-f twenty-nine (5093-f 29) and” in lines one (1) and two (2). The motion prevailed and the title as amended 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 Shaw, action on Senate File 209 was deferred and the bill was allowed to retain its place on the calendar.

On motion of Senator Gillette, Senate File 203, a bill for an act to amend section ten thousand one hundred sixty-one (10161), Code, 1935, relating to the termination of agricultural leases, a committee bill, was taken up and considered.

Senator Evans offered the following amendment and moved its adoption:

Amend Senate File 203 by striking the word "six" and the figure "(6)" in line seven (7) and inserting in lieu thereof the word "five" and the figure "(5)".

The amendment was 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 motion of Senator Gillette, the vote by which Senate File 203 passed to its third reading was reconsidered.

Senator Levis offered the following amendment and moved its adoption:

Amend Senate File 203 by striking the word "served" in line six and inserting in lieu thereof the word "given".

The amendment was adopted.

SENATE CONCURRENT RESOLUTION 9

Be It Resolved by the Senate, the House Concurring: That when adjournment is had on Tuesday, February 28th, it be to reconvene on Monday, March 6th, at 10:00 a. m.

CHAS. B. HOEVEN.
H. V. LEVIS.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 84, 182, 183.

RALPH E. BENSON, *Chairman Senate Committee.*
ALBERT STEINBERG, *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 84, 182, 183.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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, 1939, sent to the Governor for his approval, Senate Files 84, 182, 183.

RALPH E. BENSON, *Chairman.*

Passed on file.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

	Committee
S. F. 261.....	Political and judicial districts
S. F. 262.....	Judiciary 2
S. F. 263.....	Election reform
S. F. 264.....	Cities and towns
S. F. 267.....	Judiciary 1
S. F. 269.....	Appropriations
S. F. 270.....	Judiciary 2
S. F. 271.....	Public utilities
S. F. 272.....	Judiciary 2
S. F. 273.....	Judiciary 1
S. F. 274.....	Judiciary 1
S. F. 275.....	Social security
H. F. 58.....	Public health
H. F. 57.....	Public health
H. F. 52.....	Agriculture.

REPORTS OF COMMITTEES

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 120, a bill for an act creating and establishing the "Iowa State Teachers' Annuity System," 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. By inserting in line 49 of section 7 thereof, after the word "to", the words "one-half of".
2. By striking from line 53 of section 7 thereof the words and figures

"fifty dollars (\$50.00)" and inserting in lieu thereof the words and figures "thirty dollars (\$30.00)".

3. By inserting in line 57 of section 7 thereof, after the word "by", the words "one-half of"

4. By striking from line 62 of section 7 thereof the words and figures "fifty dollars (\$50.00)" and inserting in lieu thereof the words and figures "thirty dollars (\$30.00)".

5. By striking from line 91 of section 7 thereof the words and figures "nine-tenths (.9)" and inserting in lieu thereof the words and figures "four-tenths (.4)", and by striking from line 93 of section 7 thereof the words and figures "forty-five dollars (\$45.00)" and inserting in lieu thereof the words and figures "twenty-five dollars (\$25.00)".

6. By striking from line 96 of section 7 thereof the words and figures "nine-tenths of one per centum (.9%)" and inserting in lieu thereof the words and figures "four-tenths of one per centum (.4%)", and by striking from lines 101 and 102 of section 7 thereof the words and figures "forty-five dollars (\$45.00)" and inserting in lieu thereof the words and figures "twenty-five dollars (\$25.00)".

7. By striking from lines 106 and 107 of section 7 thereof the words and figures "twenty-two dollars and fifty cents (\$22.50)" and inserting in lieu thereof the words and figures "fifteen dollars (\$15.00)", and by striking from lines 109 and 110 thereof the words and figures "twenty-two dollars and fifty cents (\$22.50)" and inserting in lieu thereof the words and figures "fifteen dollars (\$15.00)".

8. By striking from line 27 of section 9 thereof the words and figures "three thousand dollars (\$3,000.00)" and inserting in lieu thereof the words and figures "two thousand dollars (\$2,000.00)".

9. By striking from line 146 of section 9 thereof the words and figures "five and eight hundredths per centum (5.08%)" and inserting in lieu thereof the words and figures "two and sixteen hundredths per centum (2.16%)".

10. By striking from lines 147 and 148 of section 9 thereof the words and figures "one million two hundred fifty thousand dollars (\$1,250,000.00)" and inserting in lieu thereof the words and figures "five hundred thirty thousand dollars (\$530,000.00)".

11. Amend section 11 thereof by changing the comma (,) after the word "contributions" in line 27 to a period (.) and by striking the remainder of the sentence.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Senator Beardsley submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File 82, a bill for an act to protect the safety of the traveling public in the use of primary roads of this state, begs leave to report it has had the same under consideration and recommends that the same be indefinitely postponed.

WM. S. BEARDSLEY, *Chairman*.

Ordered passed on file.

Senator Hopkins submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 59, a bill for an act to amend section forty-two hundred seventy-five (4275), Code, 1935, relating to public high school facilities for children cared for in a charitable institution, 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.

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 189, a bill for an act to amend section 3560, Code, 1935, relating to the manner by which an appeal may be taken by any person found to be insane and providing for trial by jury, 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 175, 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, 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 67, a bill for an act to amend section seven thousand four hundred twenty d one (7420-d1), Code, 1935, relating to deposits, 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 section 1 the following:

"Section seven thousand four hundred twenty-d one (7420-d1), Code, 1935, is amended by striking from line three (3) the word "public".

Further amend Senate File 67 by rewriting the title to read "An Act to amend sections seven thousand four hundred twenty-d one (7420-d1) and seven thousand four hundred twenty-d eight (7420-d8), Code of Iowa, 1935, relating to deposits."

A. J. SHAW, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend section one (1) of Senate File 99 by striking from line 168 the words "the twelve-month" and inserting in lieu thereof the words "his base"; also by striking from line 173 the word "twelve-month" and inserting in lieu thereof the word "base"; also by striking from line 185 the word "twelve-month" and inserting in lieu thereof the word "base".

Amend section four (4) by striking from line one (1) the word "Act" and inserting in lieu thereof the word "Acts". E. K. BEKMAN.

MR. PRESIDENT: Amend Senate File 53 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Sections four hundred twenty-nine (429) and three hundred forty-six (346), of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, are hereby repealed.

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Winnebago-Hancock Summit, a newspaper published at Forest City, Iowa, and the Northwood Anchor, a newspaper published at Northwood, Iowa.

Further amend Senate File 53 by striking the title and inserting in lieu thereof the following: "An act to repeal sections four hundred twenty-nine (429) and three hundred forty-six (346), of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to signal lamps and signal devices". LEO ELTHON.

Senator Doran moved to recess until 1:30 p. m.

Senator Breen offered as a substitute motion that the Senate adjourn until 10:00 a. m. Monday.

The substitute motion prevailed and the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 20, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. W. A. Winterstein, member of the Northwest Iowa Conference of the Methodist Episcopal Church, State Program Director, Iowa Christian Rural Fellowship, of Iowa Falls.

The Journal of February 17th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Smith, from citizens of Denver, opposing enactment of House File 96.

By Senator Smith, from citizens of Bremer county, opposing enactment of a State Fair Labor Standards Act.

By Senator Vrba, from citizens of Winneshiek county, opposing enactment of House File 96.

By Senator Hoeven, from Briar Cliff College of Sioux City, favoring enactment of Senate Files 239 and 240.

By Senator Shaw, from owners of farm lands located within the independent school districts of Fonda and Pocahontas, requesting legislation relieving said lands from excessive taxes.

By Senator Gillette, from W. C. T. U. of Spirit Lake, favoring enactment of House File 1.

By Senator Mighell, from citizens of Cherokee and Plymouth counties, opposing enactment of a State Fair Labor Standards Act.

By Senator Whitehill, from citizens of Melbourne, opposing amendment of the pre-marital and pre-natal bills to exempt persons of the Christian Science faith.

By Senator Whitehill, from citizens of Marshall county, opposing enactment of a State Fair Labor Standards Act.

By Senator Hart, from citizens of Keokuk, favoring enactment of Senate File 17.

By Senator Evans, from members of the ministerial association of Red Oak, favoring enactment of House File 1, also favoring passage of the bill to outlaw "bank nights".

By Senator Evans, from independent merchants of Malvern, favoring enactment of Senate File 17.

By Senator Dean, from Townsend Club No. 3 of Mason City, favoring a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Faul, from business and professional men of West Des Moines, opposing passage of the various proposed amendments to the State Unemployment Compensation law.

By Senator Faul, from Briar Cliff College, of Sioux City, favoring enactment of Senate Files 239 and 240.

By Senator Faul, from citizens of Polk county, opposing enactment of House File 96.

By Senator Baldwin, from citizens of Dubuque county, opposing enactment of a State Fair Labor Standards Act.

By Senator Berg, from Briar Cliff College, of Sioux City, favoring enactment of Senate Files 239 and 240.

By Senator Berg, from citizens of LaPorte City, opposing legislation to eliminate bank nights.

By Senator Doran, from citizens of Story county, favoring enactment of Senate File 169.

By Senator Corwin, from Townsend Club No. 1 of Muscatine, favoring a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Vrba, from Townsend Club No. 1 of Cresco, favoring a joint resolution memorializing Congress to enact the General Welfare Act.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

Senate File 154, a proposed bill legalizing the proceedings of the independent school district of Arion.

Senate File 170, a proposed bill legalizing the proceedings of the board of park commissioners of the city of Le Mars.

WALTER H. BEAM, *Secretary.*

By unanimous consent, on request of Senator Forsling, Senate File 268 was made a special order for 2:00 p. m.

INTRODUCTION OF BILLS

Senate File 297, by Senator Henningsen, a bill for an act to amend section fourteen hundred eighty-four (1484), Code, 1935, providing washing facilities for railroad employees.

Read first and second times and passed on file.

Senate File 298, by Senator Kirketeg, a bill for an act to amend section eleven thousand nine hundred eighty-six (11986) of the Code, 1935, relating to personal property of deceased persons and providing that a sum not exceeding three hundred dollars (\$300.00) of any amount on deposit in any bank and/or trust company and/or in any United States Post Office in an open account, and/or savings account, and/or other credit, shall be the property of the surviving spouse who may take control of, not exceeding three hundred dollars (\$300.00) of such amount, and/or withdraw same without necessity of administration on deceased estate; and providing further, that all statutes contrary are to be inoperative so far as they affect these provisions.

Read first and second times and passed on file.

Senate File 299, by committee on public schools, a bill for an act to amend section forty-two hundred twenty-six (4226), Code, 1935, relating to the length of the school year in the public schools.

Read first and second times and placed on the calendar.

Senate File 300, by Senator Hill, a bill for an act to amend section three hundred six (306) of Chapter one hundred thirty-four (134) of the Acts of the Forty-seventh General Assembly, relating to motor vehicles and damages to persons or property therefrom.

Read first and second times and passed on file.

Senate File 301, by Senator Martin, a bill for an act to amend sections seventy-four hundred twenty-a eighteen (7420-a18), and seventy-four hundred twenty-a nineteen (7420-a19), Code, 1935, relating to the state sinking fund for public deposits.

Read first and second times and passed on file.

Senate File 302, by Senator Martin, a bill for an act to amend section fifty-three hundred fifty-five (5355), Code, 1935, relating to appointment of trustees of county public hospitals.

Read first and second times and passed on file.

Senate File 303, by Senator Vrba, a bill for an act to amend section four thousand four hundred seventy-three (4473), Code, 1935, relating to the interest rate which may be charged a purchaser of school lands.

Read first and second times and passed on file.

Senate File 304, by Senator Baldwin, a bill for an act to promote the safety of employees in night switch service by requiring certain lantern light requirements and providing penalties for violations thereof.

Read first and second times and passed on file.

Senate File 305, by Senator Baldwin, a bill for an act to amend section four (4), Chapter one hundred forty-four (144), Acts of the Forty-seventh General Assembly, to provide an exemption of personal earnings of blind persons eligible to assistance under the provisions of said act and to qualify the state of Iowa for full federal participation.

Read first and second times and passed on file.

Senate File 306, by Senator Faul, a bill for an act to amend sections five thousand two hundred ninety-six-f ten (5296-f10), five thousand two hundred ninety-six-f twelve (5296-f12), five thousand two hundred ninety-six-f thirteen (5296-f13), Code, 1935, and section ten (10), Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, to provide an increase in the maximum grant of old age assistance and to qualify the state of Iowa for full federal participation; to limit responsibility of relatives; to exempt proceeds of insurance

policies on which premiums have been paid by one other than the insured and to increase personal property exclusions.

Read first and second times and passed on file.

Senate File 307, by Senator Faul, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1935, relating to investment of trust funds by fiduciaries.

Read first and second times and passed on file.

Senate File 308, by Senator Faul, a bill for an act to amend section thirteen thousand three hundred ninety-seven (13397), Code, 1935, to provide penitentiary sentence for fourth conviction of false drawing or uttering of checks under twenty dollars (\$20.00) in amount.

Read first and second times and passed on file.

Senate File 309, by Senator Faul, a bill for an act to repeal the law as it appears in section twelve thousand eight hundred fifty-g one (12850-g1), Code, 1935, relating to the filing of shorthand reporter's notes and to enact provisions in lieu thereof relating to the same subject.

Read first and second times and passed on file.

Senate File 310, by Senator Mowry, a bill for an act to amend section one (1), Chapter one hundred eighty-five (185), Laws of the Forty-seventh General Assembly, relating to personal exemptions deductible from income tax.

Read first and second times and passed on file.

Senate File 311, by Senator Cromwell, a bill for an act to repeal sections sixty-nine hundred seventy-two (6972), sixty-nine hundred seventy-six (6976), sixty-nine hundred sixty-five (6965), and sixty-nine hundred seventy-three (6973), Code, 1935, and to enact substitutes therefor, all relating to the assessment of the merchandise of merchants, and the personal property of manufacturers, and of grain, ice, coal dealers and warehousemen.

Read first and second times and passed on file.

Senate File 312, by Senator Cromwell, a bill for an act to empower courts of record to make declaratory judgments and decrees.

Read first and second times and passed on file.

Senate File 313, by Senator Zeigler, a bill for an act to amend Chapter three hundred eighty-three (383), Code, 1935, relating to rates for electric energy for general farm or residence purposes in the county outside the corporate limits of cities and towns.

Read first and second times and passed on file.

Senate File 314, by committee on farm tenancy, a bill for an act to define "emergency" and to provide for the procedure to be used by the courts in granting continuances in foreclosure actions when an emergency exists.

Read first and second times and placed on the calendar.

Senate File 315, by committee on farm tenancy, a bill for an act to levy an annual license tax on all persons, firms, partnerships, companies, associations, corporations or banks owning one hundred sixty acres (160) or more of agricultural land located in the state of Iowa; prescribing the method of collection of said tax and appropriating the funds derived therefrom; providing for penalties for violation of this act.

Read first and second times and placed on the calendar.

Senate File 316, by Senator Augustine, a bill for an act to supervise and censor all motion picture films, reels, or stereoptican views or slides shown to the public in the state of Iowa; to provide for a board of censors therefor and to provide the manner of their appointment; to provide for the collection of fees and the allocation thereof; and to provide a penalty for noncompliance with this act.

Read first and second times and passed on file.

Senate File 317, by Senator Shaw, a bill for an act to amend the Code, 1935, by striking therefrom section eleven thousand seven hundred seventy-five (11775) relating to redemption from execution where repeal or stay of execution is taken.

Read first and second times and passed on file.

Senate File 318, by Senators Bekman and Kirketeg, a bill for an act to amend section 296-e1 and section 302, Code, 1935, relating to the duties of the executive council.

Read first and second times and passed on file.

Senate File 319, by Senators Bekman and Kirketeg, a bill for an act to amend section 3 of Chapter one hundred two (102) of the acts of the Forty-seventh General Assembly; to amend section 4 (e) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; to amend section 5(e) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; to amend section 7 (c) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; to amend section 19 (p) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; and to amend section 19 (q) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; relating to unemployment compensation and the methods of the administration of such Act.

Read first and second times and passed on file.

Senate File 320, by Senators Bekman and Kirketeg, a bill for an act to amend the law as it appears in Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly, relating to unemployment compensation, so as to make the provisions thereof conform to the provisions of the Railroad Unemployment Insurance Act of the United States of America; providing for the transfer of the contributions collected under the provisions of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly from employers, as the term employer is defined in section one-a (1-a) of the Railroad Unemployment Insurance Act, and credited to the Unemployment Compensation Fund, from the account of the State of Iowa in the Unemployment Trust Fund established and maintained pursuant to section nine hundred four (904) of the Social Security Act as amended, to the Railroad Unemployment Insurance Account established and maintained pursuant to section ten (10) of the Railroad Unemployment Insurance Act; providing for the furnishing of certain records by the Iowa Unemployment Compensation Commission to the Railroad Retirement Board; providing for cooperation between the Iowa Unemployment Compensation Commission and the Railroad Retirement Board with respect to the Iowa Employment office; granting to the Iowa Unemployment Compensation Commission authority to enter into reciprocal arrangements with the Federal Government as contemplated by section twelve-g (12-g) of the Railroad Unemployment Insurance Act; providing for the exclusion from the benefits of the Iowa Unemployment Compensation Law individuals eligible for benefits

under the Railroad Unemployment Insurance Act; providing for the exclusion of individuals covered by the Railroad Unemployment Insurance Act from coverage under the Iowa Unemployment Compensation Law; and providing for the termination of benefit rights on July 1, 1939 under the Iowa Unemployment Compensation Law of individuals covered by the Railroad Unemployment Insurance Act.

Read first and second times and passed on file.

Senate File 321, by Senators Bekman and Kirketeg, a bill for an act to amend section 6 (i) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly relating to court review; also section 10 (b) of said act relating to the secretary of the commission; also section 13 (a) of said act relating to a special fund; and also section 19 of said act relating to benefit year and insured worker.

Read first and second times and passed on file.

Senate File 322, by Senator Levis, a bill for an act to amend subsection four (4) of section eleven thousand seven (11007), Code, 1935, relating to limitations of actions.

Read first and second times and passed on file.

Senate File 323, by Senator Berg, a bill for an act to amend sections one (1) and twenty-two (22), of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, defining the term "boarding house" and the term "charitable, benevolent, or fraternal institution"; and relating to a resident in an institution; and to amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, providing for the regulation of and licensing of boarding houses supplying board and/or room to recipients; all relating to the old age assistance laws of this state.

Read first and second times and passed on file.

Senate File 324, by Senator Hill, a bill for an act providing for the payment by fiduciaries of personal taxes to the county providing for the compromising of taxes by the county treasurer with the consent of the board of supervisors and providing for a certificate of payment of taxes to fiduciaries by the county treasurer.

Read first and second times and passed on file.

Senate File 325, by Senators Sjulín, Stewart, and Kirketeg, a bill for an act to provide a selected exhibit of Iowa draft horses at the Golden Gate Exposition in San Francisco, California; appropriating five thousand (\$5,000) dollars to aid in financing said exhibit; and providing the manner in which said appropriation shall be expended.

Read first and second times and passed on file.

Senate File 326, by Senator Byers, a bill for an act to amend section eight thousand three hundred eighty-five (8385), Code, 1935, relating to the inspection of stock and transfer books of corporations.

Read first and second times and passed on file.

Senate File 327, by Senator Byers, a bill for an act to amend section five thousand four hundred twelve (5412), Code, 1935, relating to official publications of boards of supervisors.

Read first and second times and passed on file.

Senate File 328, by Senator Kirketeg (Lucas), a bill for an act relating to oil and gas wells; defining commission and waste; prevention of waste; offset drilling; notice to be given commission; plugging dry and abandoned wells; log potential and plugging record to be filed; duty of lessee to have forfeited lease released, publication notice, affidavit to be recorded, notice to landowner, remedies; action to obtain release, damages, costs and attorney's fees, attachment; surrender of lease by lessee; record of surrender; record of lease as notice for definite term, extension upon contingency, affidavit; demand for release before bringing action, evidence; lien of contractor on gas and oil leasehold or pipe line for labor and material; filing of statement; lien of subcontractor or materialman on gas and oil leasehold or pipe line; lien statement for labor or materials, filing and record in district court; enforcement of liens; state or any subdivision to have authority to execute leases; alienation of oil and gas and mineral rights; enforcement of act; appeal; penalty for violations; injunction and other remedies; costs, commission to assess; invalidation.

Read first and second times and passed on file.

Senate File 329, by Senator Kirketeg (Lucas), a bill for an act to make appropriation for first producing oil well in Iowa.

Read first and second times and passed on file.

Senate Joint Resolution 5, by Senators Vrba and Baldwin, a joint resolution proposing an amendment to Article XI of the Constitution of the State of Iowa, relating to the filling of vacancies in office.

Read first and second times and 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 62, a bill for an act to legalize the proceedings as to the issuance of sewer bonds of the incorporated town of Alta Vista, Iowa.

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

Senate File 63, a bill for an act to legalize the election proceedings relating to the sale and issuance of bonds of the independent school district of New Hampton.

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 to legalize action of the board of supervisors of Lee county in the transferring of certain funds.

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 and legalize issuance of warrants by the city of Decorah to be drawn against bridge fund for certain purchases.

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

House File 221, a bill for an act to legalize the action of the board of supervisors of Story county in making certain expenditures from the insane fund.

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

House File 276, a bill for an act to make permanent temporary transfer of funds in Dickinson county.

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

House File 294, a bill for an act to legalize and validate proceedings of the council of the city of Rock Rapids.

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 to legalize the corporate acts and the renewal of the charter of the Farmer's Cooperative Exchange of Kent.

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

House File 305, a bill for an act to legalize the corporate acts and renewal of the charter of Dennis Brothers Company, of Dubuque.

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

Senate Concurrent Resolution 8, inviting Professor Louis Pelzer to give an address before a joint session of the House and Senate.

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

House File 272, a bill for an act to legalize and validate proceedings taken by the town council and officials of Bode, in calling and holding a special election.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 242, a bill for an act to legalize action of the board of supervisors of Lee County, Iowa, in transferring funds in the amount of \$680.72 from the county general fund of Lee County to the Green Bay levy fund of the Green Bay drainage district of said county in 1939.

Read first and second times and passed on file.

House File 191, a bill for an act to authorize and legalize issuance of warrants by the city of Decorah in Winneshiek County, Iowa, to be drawn against the bridge fund of the city of Decorah, Iowa, for the purpose of purchasing right of way and assisting in Federal project in the diversion of flood waters from Dry Run to the Upper Iowa River within and adjacent to the city of Decorah, Iowa.

Read first and second times and passed on file.

House File 221, a bill for an act to legalize the 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 passed on file.

House File 276, a bill for an act to make permanent the balance of a temporary transfer of funds in Dickinson county, Iowa, from the bovine tuberculosis fund to the general fund of said county.

Read first and second times and passed on file.

House File 294, a bill for an act to legalize and validate proceedings of the Council of the City of Rock Rapids, Iowa, authorizing the issuance of warrants for operation and maintenance of its Electric Light and Power Plant and System, the warrants issued pursuant thereto, proceedings authorizing the issuance and delivery of Revenue Bonds in exchange for and to retire a like amount of said warrants and pledging net earnings of the Electric Light and Power Plant and System of said city to the payment of said bonds and interest thereon.

Read first and second times and passed on file.

House File 262, a bill for an act to legalize the corporate acts and the renewal of the charter of the Farmers' Cooperative Exchange, Kent, Iowa.

Read first and second times and passed on file.

House File 305, a bill for an act to legalize the corporate acts and renewal of the charter of the Dennis Brothers Company, of Dubuque, Iowa.

Read first and second times and passed on file.

House File 272, a bill for an act to legalize and validate proceedings taken by the town council and the officials of the town of Bode, Iowa, in calling and holding a special election held in the town of Bode, Iowa, on the 4th day of November, 1938, and the election itself on the proposition of purchasing a town hall and constructing alterations thereto and contracting indebtedness and issuing bonds for such purpose not exceeding \$3,500.00 and levying an annual tax of two and one-half mills.

Read first and second times and passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 46 and 157.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 46 and 157.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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 February, 1939, sent to the Governor for his approval: Senate Files 46 and 157. RALPH E. BENSON, *Chairman*.

Passed on file.

CONSIDERATION OF SENATE FILE 103 RESUMED

Senator Bekman offered the following amendment and moved its adoption:

Amend section 3 of Senate File 103 by striking therefrom lines 6 and 7 thereof and substituting in lieu thereof the following:

“(7). Any employing unit which has in its employ any employee who is not covered by the unemployment compensation law of any other state and which employee is subject to the Title IX Federal Social Security Act.”

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend section four (4), line six (6) of Senate File 103 by striking the word “unemployment” and inserting in lieu thereof the word “employment”.

The amendment was adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend by striking section two (2) and renumbering the remaining sections.

Further action was deferred.

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 adoption of Senate Concurrent Resolution 6, the Joint Convention was called to order, Lieutenant Governor B. B. Hickenlooper, President of the Senate, presiding.

The President instructed the committee previously appointed to extend the invitation to Hon. Stephen F. Chadwick, National Commander of the American Legion, and V. F. Sieverding, State Commander of the American Legion, to now notify them that the Joint Convention was ready to receive them.

The committee waited upon Hon. Stephen F. Chadwick and V. F. Sieverding, notified them that the Joint Convention was ready to receive them and escorted National Commander Chadwick and State Commander Sieverding to the House Chamber.

President Hickenlooper presented State Commander Sieverding to the Joint Convention. State Commander Sieverding then presented National Commander Chadwick, who addressed members of the Joint Convention.

On motion by Kuester of Cass, the Joint Convention was dissolved.

The Senate returned from the House and resumed session.

By unanimous consent, on request of Senator Levis, his amendment to Senate File 103 was withdrawn.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 103 by striking therefrom the last four (4) lines of section two (2), and by substituting for the language so stricken the following:

“for the lines so stricken the following: ‘additional evidence shall be heard. In the absence of fraud any finding of fact by the commission, after notice and hearing as herein provided, shall be binding upon the court on appeal, when supported by substantial and competent evidence. The commission may also, in its discretion, certify to such’ ”.

The amendment was adopted.

Senator Bekman moved that the bill be read a third 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	Husted	Sjulin
Baldwin	Edwards	Kirketeg	Smith
Bekman	Elthon	Leo	Stewart
Benson	Evans	Martin	Talbott
Berg	Hart	Mighell	Vrba
Byers	Harvey	Parker	Whitehill
Corwin	Hill	Pelzer	Zeigler
Cromwell	Hopkins		

Nays, 2:

Doran	Faul
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Absent or not voting, 18:

Beardsley	Forsling	Hoeven	Moore
Breen	Geske	Levis	Mowry
Dean	Gillette	Lundy	Schadt
Donohue	Guernsey	Miller	Shaw
Ellis	Henningsen		

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

Senator Bekman 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 Cromwell, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President pro tem Hoeven presiding.

INTRODUCTION OF BILLS

Senate File 330, by Senator Corwin, a bill for an act to make the provisions of Chapter three hundred twenty-two-F1 (322-F1), Code, 1935, relating to retirement systems for policemen and firemen, applicable to special charter cities.

Read first and second times and passed on file.

Senate File 331, by Senator Corwin, a bill for an act to legalize the acts of special charter cities in operating under the provisions of Chapter three hundred twenty-two-F1 (322-F1), Code, 1935, providing for retirement systems for policemen and firemen, and in accepting contributions from members of the police and fire departments under the provisions of said Chapter.

Read first and second times and passed on file.

Senate File 332, by Senator Berg, a bill for an act to amend

section five thousand six hundred sixty-nine (5669), Code, 1935, to fix the compensation of assessors and their deputies in cities of the second class having a population of more than seventy-five hundred (7500).

Read first and second times and passed on file.

Senate File 333, by Senator Berg, a bill for an act to amend section sixty-four hundred seventy-four (6474), Code, 1935, relating to petitions for restricted residence districts.

Read first and second times and passed on file.

Senate File 334, by Senator Edwards, a bill for an act to amend Chapter four hundred two (402) Code of 1935, by amending section eighty-seven hundred eighty-one (8781) relating to benefits provided in certificates of membership issued by fraternal beneficiary associations, by adding thereto provisions for endowment and annuity benefits; to repeal sections eighty-seven hundred eighty-five (8785), eighty-seven hundred eighty-six (8786), eighty-seven hundred eighty-seven (8787), eighty-seven hundred eighty-eight (8788), eighty-seven hundred eighty-nine (8789) and eighty-eight hundred twenty-one (8821), and to combine the provisions of the repealed sections in new sections providing for membership requirements and beneficiaries and to enact substitutes therefor, which provide for and limit entry age, medical examination, social membership and beneficiaries; to repeal sections eighty-eight hundred forty-three (8843), eighty-eight hundred forty-six (8846) and eighty-eight hundred forty-seven (8847) relating to the segregation of funds from juvenile certificates.

Read first and second times and passed on file.

Senate File 335, by Senator Edwards, a bill for an act to amend section eighty-eight hundred twenty-nine (8829) Code of 1935 by repealing subsection one (1) of section eighty-eight hundred twenty-nine (8829), and enacting a substitute therefor with reference to Federal bonds and other evidences of Federal indebtedness; to amend subsection six (6) by changing the percentage valuation of loans on real estate from fifty per cent (50%) to sixty per cent (60%); to amend subsection eight (8) by giving the Commissioner of Insurance authority to extend time for real estate conveyance; also by striking out the words "contracts of sale," immediately following the word, "sale" in the 49th line thereof; and by striking out of the 51st line of said subsection

the word "twenty" and substituting the word "thirty"; also by adding to section eighty-eight hundred twenty-nine (8829) an additional subsection relating to substitution of contracts of sale and purchase money mortgages or purchase money deeds of trust.

Read first and second times and passed on file.

Senate File 336, by Senator Parker, a bill for an act to govern the operations of canteen stores, commissary stores and kindred activities operated at or within state institutions; and to further govern all purchases, receipts and disbursements, and disposition of amusement funds.

Read first and second times and passed on file.

Senate File 337, by Senators Shaw and Dean, a bill for an act to provide a system of Civil Service for employees in county highway maintenance and construction departments in all of the counties of the State of Iowa; to create in each county of the State of Iowa a County Highway Civil Service Commission, and to provide for the appointment of members thereof and the filling of vacancies thereon; to provide for the examination of applicants for employment in said departments, the certification of names of applicants passing examinations and the appointment from such certified list to vacancies existing in employment in said departments; to provide for preference in the promotion of employees in said departments; to provide a method of removal or discharge of employees in said departments and for appeal from removal or suspension, and to prohibit campaign contribution by any employees in said departments.

Read first and second times and passed on file.

Senate File 338, by Senator Stewart, a bill for an act to amend sections three hundred sixteen (316) and three hundred twenty (320) of Chapter one hundred thirty-four (134), Laws of the Forty-seventh General Assembly, relating to the speed of automobiles.

Read first and second times and passed on file.

Senate File 339, by Senator Stewart, a bill for an act to give retailers of petroleum products a lien on grains, seeds and feeds produced, harvested or processed with fuel or produced, sold or delivered to the producer or processor.

Read first and second times and passed on file.

Senate File 340, by Senator Hart, a bill for an act to amend section one thousand two hundred thirty-one (1231), Code, 1935, relating to the qualifications for persons taking examinations for mine inspectors.

Read first and second times and passed on file.

Senate File 341, by Senator Leo, a bill for an act to authorize each member of the General Assembly to appoint persons who shall be awarded scholarships, entitling the holder thereof to gratuitous instruction at the University of Iowa, the Iowa State College and the Iowa State Teachers College.

Read first and second times and passed on file.

Senate File 342, by Senator Schadt, a bill for an act to amend paragraph number two (2) of section forty-six hundred forty-four-eleven (4644-c11), Code, 1935, relative to optional maintenance levies.

Read first and second times and passed on file.

Senate File 343, by Senators Breen, Shaw, and Augustine, a bill for an act to abolish farm tenancy in Iowa; to provide for the establishment of the Iowa Farm Credit Board, to define the powers and duties of said board; to provide for the exercise of such powers, including the acquiring of farms in the name of the State of Iowa; to authorize the state of Iowa to become indebted in the amount of \$100,000,000 in connection therewith and to provide for the transfer of such funds to said board; to provide for the issuance and sale of bonds of said state in evidence of said indebtedness; to provide for the imposition, levy and collection of a direct annual tax sufficient to pay the principal and interest of said state bonds and to provide for the submission of this act to the people to be voted on in the year 1940.

Read first and second times and passed on file.

Senate File 344, by Senator Husted, a bill for an act to amend sections 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 sections nineteen hundred twenty-one-f one hundred twenty-one (1921-f121); to insert new sections in 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 passed on file.

Senate File 345, by Senator Augustine, a bill for an act to define a contiguous lot or tract of land in Chapter one hundred ninety-five (195), section nineteen (19), subsection b, Acts of the 47th General Assembly.

Read first and second times and passed on file.

Senate File 346, by Senator Augustine, a bill for an act to amend section one thousand eight hundred thirty-one (1831), Chapter eighty-eight (88), Code, 1935 to permit fence viewers to employ the services of a registered land surveyor.

Read first and second times and passed on file.

Senate File 347, by Senator Augustine, a bill for an act to amend section eleven (11), Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly by clarifying said section in regard to those eligible for homestead exemption.

Read first and second times and passed on file.

Senate File 348, by Senator Benson, a bill for an act to amend section four hundred seventy-one (471) and section four hundred seventy-two (472) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly of Iowa, relating to flares and warning lights for motor vehicles.

Read first and second times and passed on file.

Senate File 349, 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; 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 passed on file.

Senate File 350, by Senator Donohue, a bill for an act to legalize warrants issued by the Independent School District of New Hampton in the county of Chickasaw, state of Iowa, for the construction of a new school building and remodeling the present building and to legalize the expenditure of certain funds for the payment of the school building and remodeling of the present building in excess of the amount stated in the ballot used at the special election and to authorize the school district to levy taxes for the payment of said warrants.

Read first and second times and passed on file.

Senate File 351, by Senator Kirketeg (by request), a bill for an act to amend Chapter four hundred ninety-seven (497) of Code of 1935 as to costs to allow attorney fees in suits upon hail insurance policies, and for damages sustained by or through a motor vehicle.

Read first and second times and passed on file.

Senate File 352, by Senator Faul, a bill for an act to amend the law as it appears in section fifty-seven hundred forty-five (5745), Code, 1935, by repealing paragraph four (4) of said section and inserting in lieu thereof a new paragraph four (4), relating to the number of, regulation, licensing or prohibiting the running at large of dogs, and providing for the licensing or destruction thereof.

Read first and second times and passed on file.

Senate File 353, by Senator Sjulín (Kerr), a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Farmers Mutual Fire Insurance Association of Fremont county, Iowa, and to provide for the renewal of the charter of said Farmers Mutual Fire Insurance Association of Fremont county, Iowa.

Read first and second times and passed on file.

Senate File 354, by Senators Vrba and Breen, a bill for an act to amend section five thousand two hundred ninety-six-f5 (5296-f5), Code, 1935, relating to appointment of members to old age assistance board of a county.

Read first and second times and passed on file.

Senate File 355, by Senator Hill, a bill for an act to amend subsection fourteen (14) of section six thousand two hundred eleven (6211) of the 1935 Code, relating to the levy of a tax by cities for cemetery fund.

Read first and second times and passed on file.

Senate File 356, by Senators Husted, Levis, Gillette, Dewey, and Dean, a bill for an act to amend sections sixty-two hundred sixty-one (6261) and sixty-five hundred seventy-eight-b one (6578-b1), as amended, Code, 1935, relating to the anticipation of special taxes and the issuance of certificates or bonds authorized in said sections, and providing for a vote of the people thereon.

Read first and second times and passed on file.

Senate File 357, by Senators Elthon and Forsling, a bill for an act to amend sections one thousand nine hundred twenty-one-f one hundred five (1921-f105), one thousand nine hundred twenty-

one-f one hundred fifteen (1921-f115), and one thousand nine hundred twenty-one-g six (1921-g6), of Chapter ninety-three-F two (93-F2), Code, 1935, relating to the sale and distribution of beer and malt liquors.

Read first and second times and passed on file.

Senate File 358, by Senator Faul, a bill for an act to amend section sixty-three hundred twenty-six-f three (6326-f3), Code, 1935, relating to retirement systems and providing that same apply to deputy bailiffs in municipal courts with civil service rights in cities having a population of one hundred twenty-five thousand (125,000) or more, and providing for assessments to be paid by deputy bailiffs of municipal courts with civil service rights in cities having a population of one hundred twenty-five thousand (125,000) or more.

Read first and second times and passed on file.

Senate File 359, by Senator Faul, a bill for an act to amend section fifty-seven hundred forty-five (5745), Code, 1935, by granting additional powers to cities to regulate the seizure, collection, protection and destruction of dogs, and to enter into contracts therefor with certain societies or associations.

Read first and second times and passed on file.

Senate Joint Resolution 6, by Senators Moore, Geske and Baldwin, a joint resolution proposing an amendment to Article four (IV) of the Constitution of the State of Iowa relating to the term of office of Governor.

Read first and second times and passed on file.

Senate Joint Resolution 7, by Senators Moore, Geske and Baldwin, a joint resolution proposing an amendment to the Constitution of the State of Iowa by amending section three (3) of Article three (III) relating to the term of office of the members of the House of Representatives.

Read first and second times and passed on file.

Senate File 360, by Senator Beardsley, a bill for an act to provide state buildings for offices, and state institutions under the board of control, and to provide funds therefor by repealing section nineteen hundred twenty-one-f fifty (1921-f50), Code, 1935,

and enacting a substitute therefor relating to liquor control revenue.

Read first and second times and passed on file.

Senate File 361, by Senator Beardsley (by request), a bill for an act to amend sections ten thousand five hundred two (10502), ten thousand five hundred four (10504), ten thousand five hundred fifteen (10515), and ten thousand six hundred fifty-eight (10658), Code, 1935; to define more accurately the territorial jurisdiction of justices of the peace.

Read first and second times and passed on file.

Senate File 362, by Senator Doran, a bill for an act to provide for an automatic exception to adverse rulings on evidence in equity trials.

Read first and second times and passed on file.

Senate File 363, by Senators Doran, Sjulín, Husted and Levis, a bill for an act to create a fund to encourage the drilling and development of oil and gas wells within the State of Iowa and to provide for the administration and disposition of the fund by the retrenchment and reform committee and the executive council of the State of Iowa and to make an appropriation of forty thousand dollars (\$40,000) to the committee on retrenchment and reform to be known as the Iowa Oil and Gas Development Fund for said purpose.

Read first and second times and passed on file.

Senate File 364, by Senators Sjulín and Harvey, a bill for an act to establish a permanent market for corn and other farm products by compelling the blending of Ethyl Alcohol of not less than one hundred ninety-nine (199) proof, to be made from materials raised in this state, with gasoline in the proportion of not less than ten per cent (10%) by volume; to provide that the executive council may reduce the percentage of alcohol to be mixed with gasoline if in its discretion there is insufficient alcohol available for such purpose; to provide for an administrator to administer this act; and to provide a penalty for the violation of this act.

Read first and second times and passed on file.

Senate File 365, by Senator Cromwell, a bill for an act creating

a boiler inspection department within the commission of labor and industry, providing for the inspection of steam boilers, generators, superheaters, and creating the office of state boiler inspector, defining his duties, and providing penalties for the violation thereof.

Read first and second times and passed on file.

Senate File 366, by Senators Forsling, Baldwin, and Harvey, a bill for 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-b one (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 effected by any such agreement, 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.

Read first and second times and passed on file.

Senate File 367, by Senators Vrba, Donohue, Faul, Forsling, and Sjulín, a bill for an act to amend section sixty-nine hundred forty-four (6944), Code, 1935, providing that for a period of five (5) years from and after March 1, 1939, the first five thousand dollars (\$5000.00) of the actual valuation of all new buildings or all new improvements to buildings shall be exempt from taxation.

Read first and second times and passed on file.

Senate File 368, by Senators Berg and Baldwin, a bill for an act to provide that fire equipment of cities and towns, regardless of the type of government, may be used outside of the corporate limits of such cities and towns under regulations prescribed by the council; and to provide that firemen operating equipment outside the corporate limits of cities and towns shall have the rights and privileges provided by Chapter three hundred twenty-two (322) and three hundred twenty-two-F one (322-F1), Code, 1935.

Read first and second times and passed on file.

Senate File 369, by Senator Stewart, a bill for an act to amend Chapter four hundred thirty-two (432), Code, 1935, and enact

a substitute therefor, all relating to unfair discrimination; and defining unfair discrimination in the purchase and sale of certain commodities of commerce, and commercial services, and prohibiting such discrimination, and providing punishment and remedies therefor.

Read first and second times and passed on file.

Senate File 370, by Senator Parker, a bill for an act to define, regulate, license and tax wholesale egg and poultry dealers; to provide for the administration and enforcement of this act by the secretary of agriculture and by peace officers and magistrates; to provide for the disposition of the revenues derived from said license fees and taxes; to require wholesale egg and poultry dealers to furnish bonds conditioned to pay damages for civil liability incurred and conditioned to pay taxes; to provide for exemptions from this act and to require persons claiming exemptions to sign and swear to written statements supporting such claims; to provide civil liabilities for violation of this act; to provide for restraining by injunction violation of this act.

Read first and second times and passed on file.

Senate File 371, by Senators Gillette and Hoeven (Yager, Avery, Rovn, Johannes and Lampman), a bill for an act to make an appropriation to the Iowa conservation commission to be used in cooperation with the WPA funds to complete the project known as the "Sewer and Sewage Diversion Works, Division B", Dickinson County, Iowa.

Read first and second times and passed on file.

Senate File 372, by Senator Moore (by request), a bill for an act to number the state representative districts.

Read first and second times and passed on file.

Senate File 373, by Senators Dewey and Shaw, a bill for an act to impose a prepaid retail transaction and sales tax 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 provide funds for the administration of this act and to repeal all laws or parts of laws in conflict with this act.

Read first and second times and passed on file.

Senate File 374, by committee on judiciary 1, 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 placed on the calendar.

Senate File 375, by Senator Vrba, a bill for an act to provide for a first lien for the transportation, by motor truck, of livestock, grains, including ear and shell corn, all seeds, vegetables, including sugar beets, hauled from farm to market by any person, firm, corporation or association, having authority to haul for compensation in intrastate commerce, within the State of Iowa, and the method of perfecting said lien; and to provide the limitations of actions to enforce said lien and the procedure for the enforcement thereof.

Read first and second times and passed on file.

President Hickenlooper took the chair at 2:30.

THIRD READING OF BILLS

On motion of Senator Forsling, Senate File 268, a bill for an act to amend Chapter two hundred forty-one-B one (241-B1), Code, 1935, and requiring the highway commission to submit estimate for the support of the commission, engineering, inspection, administrative work, and maintenance of the primary road system, and providing that expenditures for such purposes shall only be made on authorization by the General Assembly, a committee bill, was taken up and considered.

Senator Breen offered the following amendment and moved its adoption:

Amend section one (1) by striking from line twenty (20) the words "be cancelled" and inserting in lieu thereof "revert to the primary road fund".

The amendment was adopted.

Senator Doran moved that action on Senate File 268 be deferred for one week and that it be made a special order of business at 2:00 p. m. Monday, February 27th.

Roll call was requested.

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

Ayes, 14:

Augustine	Doran	Guernsey	Miller
Beardsley	Ellis	Lundy	Moore
Breen	Faul	Mighell	Vrba
Dean	Geske		

Nays, 33:

Bekman	Evans	Husted	Schadt
Berg	Forsling	Kirketeg	Shaw
Byers	Hart	Leo	Sjulin
Corwin	Harvey	Levis	Smith
Cromwell	Henningsen	Martin	Stewart
Dewey	Hill	Mowry	Talbott
Donohue	Hoeven	Parker	Whitehill
Edwards	Hopkins	Pelzer	Zeigler
Elthon			

Absent or not voting, 3:

Baldwin	Benson	Gillette
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The motion was lost.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 268 by adding thereto the following:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Hardin County Index, a newspaper published at Eldora, Iowa, and the Clinton Herald, a newspaper published at Clinton, Iowa.

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption.

Amend section one (1) by adding after line 18, the following:

"On or before March 10, 1939, the commission shall submit in detail its asking for the following biennium."

The amendment was adopted.

Senator Forsling 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:

Beardsley	Cromwell	Faul	Henningsen
Bekman	Dewey	Forsling	Hill
Berg	Donohue	Gillette	Hoeven
Byers	Edwards	Hart	Hopkins
Corwin	Elthon	Harvey	Husted

Kirketeg	Mighell	Schadt	Stewart
Leo	Mowry	Shaw	Talbott
Levis	Parker	Sjulin	Whitehill
Lundy	Pelzer	Smith	Zeigler
Martin			

Nays, 10:

Augustine	Doran	Guernsey	Moore
Breen	Ellis	Miller	Vrba
Dean	Geske		

Absent or not voting, 3:

Baldwin	Benson	Evans
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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.

By unanimous consent, on request of Senator Hill, Senate File 268 was messaged to the House immediately.

By unanimous consent, on request of Senator Forsling, Senate File 278 was made a special order of business for Tuesday at 10:00 a. m.

On motion of Senator Bekman, Senate File 100, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to fix and determine eligibility conditions for such unemployment benefits; and to repeal section four (e) and all other acts, or parts of acts, in conflict herewith, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend section two (2) of Senate File 100 by striking from line four (4) the word "sentence" and writing in lieu thereof the words "two sentences".

The amendment was adopted.

Senator Bekman moved that the bill be read a third 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:

Beardsley	Donohue	Leo	Sjulin
Bekman	Edwards	Levis	Smith
Benson	Elthon	Martin	Stewart
Berg	Harvey	Mowry	Talbott
Corwin	Hill	Parker	Whitehill
Cromwell	Husted	Shaw	Zeigler
Dewey	Kirketeg		

Nays, 12:

Augustine	Doran	Forsling	Hopkins
Breen	Ellis	Gillette	Moore
Dean	Faul	Guernsey	Vrba

Absent or not voting, 12:

Baldwin	Geske	Hoeven	Miller
Byers	Hart	Lundy	Pelzer
Evans	Henningsen	Mighell	Schadt

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

Senator Bekman 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 Bekman, Senate File 101, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to specify and define certain disqualifications for unemployment benefits; to designate and describe employees engaged in their respective customary self-employments; and to repeal all acts, or parts of acts, in conflict herewith, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman moved that the bill be read a third 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:

Beardsley	Edwards	Kirketeg	Shaw
Bekman	Elthon	Leo	Sjulin
Benson	Forsling	Martin	Smith
Berg	Hart	Moore	Stewart
Corwin	Harvey	Mowry	Talbott
Cromwell	Hill	Parker	Whitehill
Dewey	Husted	Pelzer	Zeigler
Donohue			

Nays, 13:

Augustine	Doran	Geske	Hopkins
Breen	Ellis	Gillette	Levis
Dean	Faul	Guernsey	Vrba

Absent or not voting, 9:

Baldwin	Henningsen	Lundy	Miller
Byers	Hoeven	Mighell	Schadt
Evans			

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

Senator Bekman 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 Bekman, Senate File 102, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to provide for voluntary contributions to the Unemployment Compensation Fund, construing such payments so made as having been required under said Chapter one hundred two (102); to provide that unfavorable benefit experiences due to certain specified causes shall not increase future rates; to repeal paragraph (5) of section seven (c) of said Chapter one hundred two (102), and to enact a substitute therefor, and to repeal all other acts or parts of acts in conflict herewith, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman 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, 23:

Baldwin	Edwards	Husted	Sjulin
Bekman	Elthon	Kirketeg	Stewart
Benson	Evans	Leo	Talbott
Corwin	Hart	Martin	Whitehill
Cromwell	Harvey	Parker	Zeigler
Dewey	Hill	Pelzer	

Nays, 26:

Augustine	Doran	Henningsen	Miller
Beardsley	Ellis	Hoeven	Moore
Berg	Faul	Hopkins	Mowry
Breen	Forsling	Levis	Shaw
Byers	Geske	Lundy	Smith
Dean	Gillette	Mighell	Vrba
Donohue	Guernsey		

Absent or not voting, 1:

Schadt

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Bekman, Senate File 104, a bill for an act to amend the law as it appears in Chapter 102 of the Acts of the Forty-seventh General Assembly of Iowa, relating to Unemployment Compensation, and the methods of administration of such act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman moved that the bill be read a third 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	Hill	Mowry
Beardsley	Doran	Hoeven	Parker
Bekman	Edwards	Hopkins	Pelzer
Benson	Ellis	Husted	Shaw
Berg	Elthon	Kirketeg	Sjulin
Breen	Evans.	Leo	Smith
Byers	Faul	Levis	Stewart
Corwin	Guernsey	Lundy	Talbott
Cromwell	Hart	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Dewey	Henningsen	Moore	Zeigler

Nays, none.

Absent or not voting, 6:

Baldwin	Geske	Martin	Schadt
Forsling	Gillette		

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

Senator Bekman 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 Bekman, action on Senate File 99 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Harvey, Senate File 154, a bill for an act to legalize a special school election held in the Independent School District of Arion, Crawford County, Iowa, on the first day of October, 1938, relating to the issuance of bonds of said school district and declaring bonds issued pursuant to said election to be enforceable obligations of said school district, 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, 46:

Augustine	Doran	Hill	Mowry
Baldwin	Edwards	Hoeven	Parker
Beardsley	Ellis	Hopkins	Pelzer
Bekman	Elthon	Husted	Shaw
Benson	Evans	Kirketeg	Sjulin
Byers	Paul	Leo	Smith
Breen	Geske	Levis	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler
Donohue	Henningesen		

Nays, none.

Absent or not voting, 4:

Berg	Forsling	Lundy	Schadt
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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.

By unanimous consent, on request of Senator Shaw, Senate File 154 was messaged to the House immediately.

On motion of Senator Benson, Senate File 97, a bill for an act to authorize counties to expend any balance remaining from primary road bond issues authorized or sold for road purposes, 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 Senate File 97 by inserting at the end of line one (1) of section one (1), following the comma (,) the following:

"and any county which according to the 1930 Federal census had a population in excess of forty thousand (40,000) and which since January 1, 1929,"

The amendment was adopted.

Senator Benson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 48:

Augustine	Donohue	Henningsen	Moore
Baldwin	Doran	Hill	Parker
Beardsley	Edwards	Hoeven	Pelzer
Bekman	Ellis	Hopkins	Schadt
Benson	Elthon	Husted	Shaw
Berg	Evans	Kirketeg	Sjulin
Breen	Faul	Leo	Smith
Byers	Geske	Levis	Stewart
Corwin	Gillette	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler

Nays, none.

Absent or not voting, 2:

Forsling Mowry

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

Senator Benson 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 Benson 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 62 and 63.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 62 and 63.

Senator Evans moved to adjourn until 10:00 a. m. Tuesday.

Senator Breen offered as a substitute motion that the Senate recess until 5:00 p. m.

The substitute motion prevailed and the Senate recessed until 5:00 p. m.

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 376, by Senator Dean, a bill for an act to legalize the corporate acts and the renewal of The Portland Cooperative Company, Portland, Iowa.

Read first and second times and passed on file.

Senate File 377, by Senator Dean, a bill for an act to provide for the dredging and improvement of Clear Lake in Cerro Gordo County, Iowa, 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 passed on file.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 102 failed to pass the Senate.

E. P. DONOHUE.

BILLS ASSIGNED TO COMMITTEES

President Hickenlooper reported the following assignment of bills to committees:

	Committee
S. F. 297.....	Railroads
S. F. 298.....	Judiciary 2
S. F. 299.....	Public Schools
S. F. 300.....	Judiciary 1
S. F. 301.....	Judiciary 1
S. F. 302.....	Public Health
S. F. 303.....	Public Lands and Buildings
S. F. 304.....	Railroads
S. F. 305.....	Social Security
S. F. 306.....	Social Security
S. F. 307.....	Judiciary 2
S. F. 308.....	Judiciary 1
S. F. 309.....	Judiciary 2
S. F. 310.....	Ways and Means
S. F. 311.....	Manufacturing, Commerce and Trade
S. F. 312.....	Judiciary 2
S. F. 313.....	Public Utilities
S. F. 314.....	Farm Tenancy
S. F. 315.....	Farm Tenancy

S. F. 316.....	Judiciary 2
S. F. 317.....	Judiciary 1
S. F. 318.....	Judiciary 2
S. F. 319.....	Social Security
S. F. 320.....	Social Security
S. F. 321.....	Social Security
S. F. 322.....	Judiciary 2
S. F. 323.....	Judiciary 1
S. F. 324.....	Judiciary 1
S. F. 325.....	Appropriations
S. F. 326.....	Judiciary 2
S. F. 327.....	Printing
S. F. 328.....	Mines and Mining
S. F. 329.....	Appropriations
S. F. 330.....	Cities and Towns
S. F. 331.....	Cities and Towns
S. F. 332.....	Cities and Towns
S. F. 333.....	Cities and Towns
S. F. 334.....	Insurance
S. F. 335.....	Insurance
S. F. 336.....	Board of Control
S. F. 337.....	Consolidation and Co-ordination
S. F. 338.....	Motor Vehicles
S. F. 339.....	Judiciary 1
S. F. 340.....	Mines and Mining
S. F. 341.....	Educational Institutions
S. F. 342.....	County and Township Affairs
S. F. 343.....	Agriculture
S. F. 344.....	Judiciary 1
S. F. 345.....	Judiciary 1
S. F. 346.....	County and Township Affairs
S. F. 347.....	Judiciary 1
S. F. 348.....	Motor Vehicles
S. F. 349.....	Banks and Banking
S. F. 350.....	Judiciary 2
S. F. 351.....	Judiciary 2
S. F. 352.....	Cities and Towns
S. F. 353.....	Judiciary 1
S. F. 354.....	Social Security
S. F. 355.....	Cities and Towns
S. F. 356.....	Cities and Towns
S. F. 357.....	Judiciary 2
S. F. 358.....	Social Security
S. F. 359.....	Cities and Towns
S. F. 360.....	Public Lands and Buildings
S. F. 361.....	Judiciary 1
S. F. 362.....	Judiciary 1
S. F. 363.....	Appropriations
S. F. 364.....	Motor Vehicles
S. F. 365.....	Labor

S. F. 366.....	Tax Revision
S. F. 367.....	Ways and Means
S. F. 368.....	Cities and Towns
S. F. 369.....	Judiciary 1
S. F. 370.....	Livestock and Dairying
S. F. 371.....	Appropriations
S. F. 372.....	Political and Judicial Districts
S. F. 373.....	Tax Reduction
S. F. 374.....	Judiciary 1
S. F. 375.....	Judiciary 2
S. F. 376.....	Appropriations
S. F. 377.....	Judiciary 2
S. J. R. 5.....	Constitutional Amendments
S. J. R. 6.....	Constitutional Amendments
S. J. R. 7.....	Constitutional Amendments
H. F. 242.....	Judiciary 2
H. F. 191.....	Judiciary 2
H. F. 221.....	Judiciary 1
H. F. 276.....	Judiciary 1
H. F. 294.....	Judiciary 2
H. F. 262.....	Judiciary 1
H. F. 305.....	Judiciary 2
H. F. 272.....	Judiciary 2

REPORTS OF COMMITTEES

Senator Martin submitted the following report :

MR. PRESIDENT: Your committee on boundary bridges, to which was referred Senate File 15, a bill for an act to amend section sixty-nine hundred forty-four (6944) of the Code of Iowa, 1935, relating to exemptions from taxation, and to provide for the exemption from taxation of certain interstate bridges, 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 all of sub-section (b) of part 2 of section 1.

FRANK D. MARTIN, *Chairman.*

Ordered passed on file.

Senator Beardsley submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File 137, a bill for an act to amend section forty-nine (49) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh (47th) General Assembly, by adding thereto an additional exemption to certain types of vehicles, 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 period at the end of sub-section five of section one and insert the following: "for not more than one thousand feet".

WM. S. BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 158, a bill for an act granting cities authority to license and regulate the installation and construction of warm air heating systems to and from any air conditioning unit, 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 105, a bill for an act giving the supreme court of Iowa power to prescribe, by general rules, for the Iowa supreme court, district courts, municipal courts, and superior courts of Iowa, a general system of court practice in all civil actions at law and in equity, 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 118, a bill for an act to amend Chapter 488, Code, 1935, place of bringing actions, 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 197, a bill for an act to legalize acts and proceedings of the State Conservation Commission of the State of Iowa and the Executive Council of the State of Iowa, in authorizing and directing the Secretary and Governor of the State of Iowa to convey certain premises to the city of Sioux City, Iowa, and to legalize the said conveyance, 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. In line four (4) of the title insert after the word "Secretary" the words "of State".

2. In line four (4) under the first "Whereas", strike the word "following" and insert in lieu thereof the word "hereinafter", and in line five (5) strike the semi-colon following the word "and".

3. In line four (4) under the second "Whereas" after the word "Iowa", insert the word "of".

4. In line twenty-seven (27) under the second "Whereas" the word "and" from line twenty-eight (28) is placed at the end of line twenty-seven (27), and the comma (,) stricken.

5. In line five (5) under the third "Whereas" the semi-colon after the word "and" is stricken.

6. In line two (2) under the fourth "Whereas" the comma after the

word "Iowa" is stricken, and after the word "now" a comma (,) is inserted, and after the word "therefore" the colon (:) is stricken and a comma (,) is inserted.

A. J. SHAW, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend the amendment to Senate File 200 by adding to section 3 thereof the following:

"It is also hereby provided that no lien shall be effective for the collection of any rent in excess of one-half the production of the farm for the current year when farmed in a workmanlike manner." EARL DEAN.

MR. PRESIDENT: Amend Senate File 203 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Where an agreement is made fixing the time of termination of the tenancy, it shall cease at the time agreed upon without notice. Where tenancies involve farm land, the notice must fix the termination date as the first day of March except in cases of mere croppers whose leases shall expire when the crop is harvested; if the crop is corn, it shall be the first day of December unless otherwise agreed upon. In the case of tenants at will occupying and cultivating farms where the lease covers an acreage of forty (40) acres or more, the tenure of such lease shall automatically continue from year to year unless written notice for termination is given by either party to the other not later than September first."

Also amend by striking the title and inserting in lieu thereof the following:

"An act to repeal sections ten thousand one hundred sixty (10160) and ten thousand one hundred sixty-one (10161), Code, 1935, relating to the termination of agricultural liens.

L. S. GILLETTE.

A. J. SHAW.

MR. PRESIDENT: Amend Senate File 193 by striking from line thirteen of the title the following: "ten (10)" and insert in lieu thereof the following: "four (4)".

Also amend line five (5) of section seven (7) by striking therefrom the following: "ten (10)" and insert in lieu thereof the following "four (4)".

J. BERG.

MR. PRESIDENT: Amend the amendments filed by Senator Harvey and found on pages 317 to 319 of the Senate Journal for February 15th, to Senate File 194 by striking from line nine (9) in paragraph four (4) of section one (1) the word "otassium" and inserting in lieu thereof the word "potassium".

Further amend the amendments filed by Senator Harvey and found on pages 317 to 319 of the Senate Journal for February 15th, to Senate File 194 by striking all of paragraph one (1) of section four (4) and inserting in lieu thereof the following:

"1. To patent or proprietary medicines or domestic remedies which are not in themselves poisonous, are sold in original unbroken packages and labeled in compliance with federal and state laws.

WM. S. BEARDSLEY.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 21, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Earle A. Munger, pastor of Plymouth Congregational Church of Waterloo.

The Journal of February 20th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stewart for the day, on request of Senator Baldwin; Senator Parker for the day, on request of Senator Whitehill; Senator Elthon for the day, on request of Senator Whitehill; Senator Sjulín for the day, on request of Senator Whitehill; Senator Bekman for the day, on request of Senator Kirketeg.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Cromwell, from the Ministerial Association of Des Moines county, favoring Morrow local option bill.

By Senator Cromwell, from citizens of Sanders, favoring chain store tax.

By Senator Cromwell, from the Sac County Girls' 4-H committee, favoring building program of state and county fairs.

By Senator Benson, from citizens of Carroll county, opposing diversion of primary road funds.

By Senator Guernsey, from citizens of Centerville, favoring Senate File 238.

By Senator Baldwin, from the Sac County Girls' 4-H committee, favoring building program of state and county fairs.

By Senator Baldwin, from Medical Associates of Dubuque, opposing \$2.00 maximum fee for examination as set by House File 59.

By Senator Harvey, from independent merchants of Denison, favoring chain store tax.

By Senator Harvey, from members of Mapleton Woman's Club, favoring pre-marital and pre-natal legislation.

By Senator Hoeven, from citizens of Boyden, favoring Senate File 227.

By Senator Hoeven, from citizens of Sioux City, favoring Senate File 227.

By Senator Doran, from citizens of Story county, favoring local option bill.

By Senator Doran, from citizens of Story county, favoring Senate File 146.

By Senator Edwards, from citizens of Union and Ringgold counties, favoring farm-to-market road bill.

By Senator Berg, from students of Drake, favoring Senate File 27.

By Senator Beardsley, from members and friends of the Norwalk Church of Christ, favoring the local option bill.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

House File 282, a proposed bill making temporary transfers of funds in Monroe county permanent.

House File 291, a proposed bill legalizing the proceedings of the board of park commissioners of Le Mars.

House File 334, a proposed bill legalizing proceedings of the city council of the city of Fort Madison. WALTER H. BEAM, *Secretary*.

By unanimous consent, on request of Senator Forsling, Senate File 278 was removed as a special order of business, but the bill was allowed to retain its place on the calendar.

On motion of Senator Hoeven, Senate Concurrent Resolution 9 was taken up and considered.

SENATE CONCURRENT RESOLUTION 9

Be It Resolved by the Senate, the House Concurring: That when adjournment is had on Tuesday, February 28th, it be to reconvene on Monday, March 6th, at 10:00 a. m.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate Concurrent Resolution 9 by striking the words and figures "Tuesday, February 28th" and inserting in lieu thereof the words and figures "Saturday, February 25th".

The amendment was adopted.

On motion of Senator Hoeven, the resolution was adopted.

By unanimous consent, on request of Senator Hoeven, Senate Concurrent Resolution 9 was messaged to the House immediately.

THIRD READING OF BILLS

On motion of Senator Shaw, Senate File 209, a bill for an act to amend section one thousand nine hundred twenty-one-g four (1921-g4), Code, 1935, relating to possession of liquor at the place of business of class "B" permittees, and prescribing penalties for violation thereof, a committee bill, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 209 by striking lines five (5), six (6), and seven (7) and inserting in lieu thereof the following:

" , and any person violating the provisions of this section shall be fined not to exceed one hundred dollars (\$100.00), or shall be imprisoned in the county jail not to exceed thirty (30) days."

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, 41:

Augustine	Edwards	Henningsen	Miller
Beardsley	Ellis	Hill	Moore
Benson	Evans	Hoeven	Mowry
Berg	Faul	Hopkins	Pelzer
Breen	Forsling	Husted	Schadt
Byers	Geske	Kirketeg	Shaw
Cromwell	Gillette	Leo	Smith
Dean	Guernsey	Levis	Talbott
Dewey	Hart	Lundy	Vrba
Donohue	Harvey	Mighell	Zeigler
Doran			

Nays, 2:

Baldwin **Corwin**

Absent or not voting, 7:

Bekman	Martin	Sjulin	Whitehill
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.

On motion of Senator Evans, Senate File 184, a bill for an act to amend, revise and codify section five thousand ninety-three-fifty-two, (5093-f20) of the Code of Iowa, 1935, relating to the operation of conveyances transporting motor vehicle fuel without a transport license, so as to place a limitation upon the capacity of conveyances that may be operated for the transportation of motor vehicle fuel in bulk, and providing a penalty for violations thereof, a committee bill, was taken up and considered.

Senator Evans offered the following amendment and moved its adoption:

Amend Senate File 184 by inserting after the word "state" in line ten (10) the following: "after January 1, 1940".

The amendment was 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, 32:

Baldwin	Donohue	Guernsey	Lundy
Beardsley	Doran	Hart	Moore
Benson	Edwards	Henningsen	Mowry
Berg	Ellis	Hill	Schadt
Byers	Evans	Husted	Smith
Corwin	Forsling	Kirketeg	Talbott
Cromwell	Geske	Leo	Whitehill
Dewey	Gillette	Levis	Zeigler

Nays, 5:

Faul	Martin	Miller	Pelzer
Hopkins			

Absent or not voting, 13:

Augustine	Elthon	Mighell	Sjulin
Bekman	Harvey	Parker	Stewart
Breen	Hoeven	Shaw	Vrba
Dean			

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.

By unanimous consent, on request of Senator Evans, Senate File 184 was messaged to the House immediately.

Senator Beardsley took the chair at 11:17.

By unanimous consent, on request of Senator Mighell, Senate File 170, a bill for an act to legalize and validate the acts done and proceedings taken by the board of park commissioners of the city of Le Mars, in Plymouth county, Iowa, in expending funds of said city for park purposes, in authorizing and providing for the issuance and delivery of park bonds of said board, and in making provisions for the levy and collection of taxes to pay the principal of said bonds and the interest thereon, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mighell moved that the bill be read a third 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	Harvey	Miller
Baldwin	Doran	Henningsen	Moore
Beardsley	Edwards	Hill	Mowry
Benson	Ellis	Hoeven	Schadt
Berg	Evans	Hopkins	Shaw
Breen	Faul	Husted	Smith
Byers	Forsling	Kirketeg	Talbott
Corwin	Geske	Leo	Vrba
Cromwell	Gillette	Lundy	Whitehill
Dean	Guernsey	Martin	Zeigler
Dewey	Hart	Mighell	

Nays, none.

Absent or not voting, 7:

Bekman	Levis	Pelzer	Stewart
Elthon	Parker	Sjulin	

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

Senator Mighell 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 Mighell, Senate File 170 was messaged to the House immediately.

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 121, a bill for an act relating to the licensing of persons engaged in used motor vehicles business in the state.

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

House File 78, a bill for an act relating to trials on appeals from the local board of review.

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 failure to report income in income tax returns.

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

House Concurrent Resolution 12, providing for a joint convention of the House and the Senate Tuesday, March 7th, and extending an invitation to the Pioneer Lawmakers Association to present a program on that occasion.

Also: That the House has concurred in the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 9, providing for a recess from February 25th to March 6th.

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

Senate File 161, a bill for an act relating to the budget.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 12

Whereas, The Legislature is advised of a meeting of the Pioneer Lawmakers Association to be held in the historical building on March 7, and of their custom of calling formally on the General Assembly; therefore,

Be It Resolved by the House, the Senate Concurring: That the General Assembly meet in joint session in the House Chamber on Tuesday, March 7, 1939, at 2 p. m., and that the Pioneer Lawmakers be invited to attend and present a program on that date.

President Hickenlooper took the chair at 11:49.

On motion of Senator Donohue, the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

HOUSE MESSAGES CONSIDERED

House File 121, a bill for an act to amend section two (2), three (3), four (4), six (6), nine (9) and fourteen (14) of Chapter one hundred thirty-five (135), Acts of the Forty-seventh General Assembly, all relating to the licensing and regulation of persons engaged in the business of, at retail, selling, bartering, or otherwise dealing in new and used motor vehicles within this state; to define the place of business of such persons; to exempt retail sales made for the purpose of realizing on security; to provide for the withholding of motor vehicle dealer's license for a period not exceeding thirty days; to provide additional grounds for the denial of such license; and to change the penalties prescribed in such chapter for the violation of section three (3) thereof.

Read first and second times and passed on file.

House File 78, a bill for an act to amend the law as it appears in section seventy-one hundred thirty-four (7134), Code, 1935, relating to trials on appeals from the local board of review and the fixing of assessments and collection of court costs, fees and expenses on appeals from the local board of review, and the distribution thereof among the various taxing bodies affected by said appeals.

Read first and second times and passed on file.

BILLS SENT TO THE GOVERNOR

Senator Benson from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 21st day of February, 1939, sent to the Governor for his approval Senate Files 62 and 63.

RALPH E. BENSON, Chairman.

Passed on file.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on February 20, 1939, he had approved the following: Senate File 84, legalizing the corporate acts and the renewal of the charter of the Farmers Elevator and Exchange, Wapello, Iowa.

COMMUNICATION FROM BISHOP BERGAN

The following communication was received and read:

DIOCESE OF DES MOINES
Chancery Office

611 High St.

Des Moines, Iowa

Feb. 17, 1939

The Honorable B. B. Hickenlooper,
Lieutenant Governor of the State of Iowa,
Des Moines, Iowa.

My Dear Lieutenant Governor:

I should like the Senate of Iowa to know how deeply appreciative the bishops, priests and Catholics of Iowa are in the passage of Senate Resolution 9, on the death of the Holy Father.

It was most thoughtful and gracious on their part and we extend our most heartfelt thanks.

With all best wishes, I am,

Sincerely yours,
G. T. BERGAN,
Bp. Des Moines.

THIRD READING OF BILLS

On motion of Senator Berg, Senate File 193, a bill for an act to prohibit opening, establishing, operating and maintaining pharmacies and drug stores without licenses or permits obtained from the pharmacy examiners; providing the method of making application for such licenses and permits and the conditions under which they shall be granted; authorizing the pharmacy examiners to make rules and regulations with reference thereto; providing fees and annual fees for such licenses and permits; providing the grounds upon which licenses and permits may be refused or revoked after they have been granted. The act also provides for the issuance of permits to general dealers in small towns and villages where no pharmacy is in operation, and not less than ten (10) miles distant from a regular licensed pharmacy or drug store, permitting them to sell under such rules and restrictions as may be prescribed by the pharmacy examiners, certain simple household

remedies, enumerated in the act and providing for application for such permits and the fees and renewal fees therefor; also authorizing the pharmacy examiners to refuse to grant such permits or to renew the same or to revoke them for the reasons stated in the act. Also providing that the district court of the county in which a licensee has his place of business shall have jurisdiction of the proceedings to revoke or suspend his license or permit. The act also makes any violation of the provisions of this act a misdemeanor, punishable as provided by Chapter one hundred forty-seven (147), Code, 1935, and is made a part of Chapter one hundred twenty-three (123), Code, 1935, to follow what is now section twenty-five hundred eighty-two-d two (2582-d2) of said Chapter, a committee bill, was taken up and considered.

President pro tem Hoeven took the chair at 2:47.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 193 by striking from line thirteen of the title the following: "ten (10)" and inserting in lieu thereof the following "four (4)".

Also amend line five (5) of section seven (7) by striking therefrom the following: "ten (10)" and inserting in lieu thereof the following: "four (4)".

The amendment was adopted.

Senator Corwin offered the following amendment and moved its adoption:

Amend the title by striking from line thirteen (13) the words and figure "four (4) miles" and inserting in lieu thereof the word and figures "300 feet".

Further amend by striking from section seven (7), line five (5) the words and figure "four (4) miles" and inserting in lieu thereof the word and figures "300 feet".

The amendment was adopted.

Further action was deferred.

REPORTS OF COMMITTEES

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 210, a bill for an act to permit local subdivisions of

the state to make appropriations for the expenses of Memorial day services, begs leave to report it has had the same under consideration and recommends 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 213, a bill for an act to amend sections six thousand six hundred six (6606) and six thousand six hundred seven (6607), Code, 1935, by inserting the words "exhibition halls" in both sections, begs leave to report it has had the same under consideration and recommends 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 212, a bill for an act to amend section five thousand seven hundred ninety-eight (5798), Code, 1935, relating to the control of city parks located within or without a city, begs leave to report it has had the same under consideration and recommends 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 214, a bill for an act to amend section six thousand five hundred eighty (6580), Code, 1935, relating to the leasing of city property, begs leave to report it has had the same under consideration and recommends 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 162, a bill for an act amending section five thousand seven hundred eighty-nine (5789) of the Code, 1935, relating to bonds for park commissioners, begs leave to report it has had the same under consideration and recommends the same do pass.

J. BERG, *Chairman.*

Ordered passed on file.

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File 69, a bill for an act to provide for the clearing of checks drawn on state banks at par, 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 69 by striking Section 1 and substituting in lieu

thereof: "Section 1. Checks drawn on any banking institution organized under the laws of the state of Iowa must be cleared at par by the banking institution on which they are drawn."

Further amend Sec. 2 by adding the word "a" at the end of line two.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File 57, a bill for an act to amend subsection six (6) of section eight thousand nine hundred twenty-seven (8927), Code, 1935, relating to investments by insurance companies formed for the purpose of insurance other than life insurance to permit investment of the capital and funds of such insurance companies in the corporate stock of such company in furtherance of a general savings and investment plan for employees, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE M. FAUL, *Chairman*.

Ordered passed on file.

Senator Hopkins submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 198, a bill for an act to amend section four thousand two hundred thirty-three E-four (4233-E4), Code, 1935, relating to transportation of school children, and providing for transportation of high school students in certain cases, 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 all after the enacting clause and by substituting therefor the following:

"Section 1. Section four thousand two hundred thirty-three-e four (4233-e4), Code, 1935, is amended by adding thereto the following:

"The board may provide transportation for children enrolled in and living more than three miles from an approved high school."

2. By striking from lines one (1) and two (2) of the title: "Section four thousand two hundred thirty-three E-four (4233-E4)" and by inserting in lieu thereof the following: "section four thousand two hundred thirty-three-e four (4233-e4)".

GEO. M. HOPKINS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 50, a bill for an act to repeal that part of section four thousand two hundred seventy-seven (4277), Chapter two hundred fifteen (215), Code of 1935, which prohibits the free transportation of non-resident high school pupils, 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: Amend Senate File 193 by striking subsection "C" in section 6. H. C. BALDWIN.

MR. PRESIDENT: Amend Senate File 213 by striking all of the title following the comma (,) in line three (3) and inserting in lieu thereof the following: "relating to powers of cities and towns". J. BERG.

MR. PRESIDENT: Amend Senate File 296 by striking all of lines two (2) to six (6), inclusive, and substituting therefor the following:

"shall mean a person who has completed the American National Red Cross water safety instructor's course and shall annually take a water safety examination to be given by the field representative of the first aid and life saving service of the American National Red Cross and hold an American National Red Cross life saving certificate". K. A. EVANS.

Senator Zeigler moved that the Senate recess until 3:15 p. m.

Senator Breen offered as a substitute motion that the Senate adjourn until 10:00 a. m. Wednesday.

The substitute motion prevailed, and the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 22, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Cyrus W. Cleveland, pastor of the Methodist Church of Beaman.

The Journal of February 21st was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from Drake University students, favoring enactment of House File 59.

By Senator Kirketeg, from Conway Consolidated Schools, favoring enactment of teachers' annuity, and opposing enactment of House File 89.

By Senator Hoeven, from taxpayers of Sioux Center, favoring enactment of Senate Files 49 and 227.

By Senator Lundy, from citizens of Marion county, favoring enactment of House File 1.

By Senator Faul, from employees of the Wood Brothers Thresher Company of Des Moines, opposing enactment of Senate Files 99, 100, 101, 102 and 103.

By Senator Husted, from citizens of Madison county, favoring enactment of House File 1.

By Senator Breen, from citizens of Fort Dodge, Sioux City and Cherokee, favoring enactment of Senate File 82.

By Senator Husted, from citizens of Fontanelle, favoring enactment of House File 1.

By Senator Doran, from citizens of Story county, favoring enactment of Senate File 169.

INTRODUCTION OF BILLS

Senate File 378, by committee on railroads, a bill for an act to amend Chapter three hundred eighty-three (383), Code, 1935, relating to the change in name of the board of railroad commissioners to Iowa state commerce commission.

Read first and second times and placed on the calendar.

Senate File 379, by committee on consolidation and co-ordination, a bill for an act to create a department of public safety, and to provide for the centralization of all state peace officers therein, and to provide centralization of all state officers activities, and to repeal the following sections of the 1935 Code of Iowa: Thirteen thousand four hundred seven (13407), thirteen thousand four hundred eight (13408), thirteen thousand four hundred nine (13409), thirteen thousand four hundred ten (13410), thirteen thousand four hundred twelve (13412), thirteen thousand four hundred thirteen (13413), thirteen thousand four hundred fourteen (13414), thirteen thousand four hundred fifteen (13415), thirteen thousand four hundred seventeen (13417), sixteen hundred twenty (1620), sixteen hundred twenty-one (1621), sixteen hundred twenty-two (1622), sixteen hundred twenty-three (1623), sixteen hundred twenty-three-c one (1623-c1), sixteen hundred fifty-five (1655), fifty hundred ninety-three-d fourteen (5093-d14); and to repeal section sixteen hundred nineteen (1619), Code, 1935, and to enact a substitute therefor, and to repeal section sixteen hundred seventy-four (1674), Code, 1935, and to enact a substitute therefor; and to repeal the following sections of Chapter one hundred thirty-four (134) of the Acts of the Forty-seventh General Assembly: thirty (30), thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40), forty-one (41), forty-two (42), forty-three (43), forty-four (44), forty-five (45), forty-six (46), and forty-seven (47); also to amend sections fifty-one hundred eighty-two (5182), thirteen thousand four hundred five (13405), thirteen thousand four hundred sixteen (13416), thirteen thousand four hundred seventeen-b one (13417-b1), thirteen thousand four hundred and seventeen-d one (13417-d1), thirteen thousand four hundred seventeen-d two (13417-d2), thirteen thousand four hundred seventeen-d three (13417-d3), thirteen thousand four hundred seventeen-d four (13417-d4), thirteen

thousand four hundred seventeen-d five (13417-d5), also to amend sections nineteen hundred twenty-one-f sixteen (1921-f16), nineteen hundred twenty-one-f ninety-four (1921-f94), thirty-two hundred twenty-seven (3227), fifteen hundred fourteen (1514), sixteen hundred twenty-four (1624), sixteen hundred twenty-eight (1628), sixteen hundred twenty-nine (1629), sixteen hundred thirty (1630), sixteen hundred thirty-one (1631), sixteen hundred thirty-two (1632), sixteen hundred thirty-three (1633), sixteen hundred forty-five (1645), sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred fifty (1650), sixteen hundred fifty-one (1651), sixteen hundred fifty-four (1654), sixteen hundred sixty-four (1664), sixteen hundred sixty-five (1665), sixteen hundred sixty-six (1666), sixteen hundred sixty-eight (1668), sixteen hundred sixty-nine (1669), sixteen hundred seventy (1670), sixteen hundred seventy-one (1671), sixteen hundred seventy-five (1675), sixteen hundred seventy-six (1676), sixteen hundred seventy-seven (1677), twenty-eight hundred fifty-three (2853), forty-nine hundred eighty-five (4985), forty-nine hundred eighty-six (4986), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-one (4991), fifty hundred sixty-six (5066), fifty hundred ninety-three-d one (5093-d1), fifty hundred ninety-three-d seven (5093-d7), fifty hundred ninety-three-d thirteen (5093-d13), fifty-one hundred five-a two (5105-a2), fifty-one hundred five-a three (5105-a3), fifty-one hundred five-a eighteen (5105-a18), fifty-one hundred five-a twenty-nine (5105-a29), fifty-one hundred five-a thirty (5105-a30), fifty-one hundred five-a thirty-eight (5105-a38), fifty-one hundred five-c two (5105-c2), fifty-one hundred five-c three (5105-c3), fifty-one hundred five-c eight (5105-c8), fifty-one hundred five-c fifteen (5105-c15), fifty-one hundred five-c sixteen (5105-c16), fifty-one hundred five-c seventeen (5105-c17), fifty-one hundred five-c twenty-three (5105-c23), fifty-one hundred five-c twenty-five (5105-c25), thirty-two hundred forty-four-b six (3244-b6), and thirty-two hundred fifty-one (3251), Code, 1935; also to amend sections one (1), fourteen (14), fifteen (15), sixteen (16) twenty (20), twenty-five (25), twenty-six (26), two hundred five (205), two hundred nineteen (219), two hundred twenty-three (223), two hundred seventy-two (272), two hundred seventy-six (276), and four hundred two (402), of Chapter one hundred thirty-four (134) of the Forty-seventh General Assembly; and to further amend by adding sections thirteen thousand four hundred sev-

enty-nine-a one (13479-a1), sixteen hundred fifty-five (1655), and section forty-nine hundred ninety-eight-a one (4998-a1).

Read first and second times and placed on the calendar.

Senate File 380, by committee on consolidation and co-ordination, a bill for an act to amend section sixty-nine hundred forty-three-c eleven (6943-c11), sixty-nine hundred forty-three-c twelve (6943-c12), sixty-nine hundred forty-three-c thirteen (6943-c13), sixty-nine hundred forty-three-c fourteen (6943-c14), sixty-nine hundred forty-three-c sixteen (6943-c16), sixty-nine hundred forty-three-c eighteen (6943-c18), sixty-nine hundred forty-three-c nineteen (6943-c19), sixty-nine hundred forty-three-c twenty (6943-c20), sixty-nine hundred forty-three-c twenty-one (6943-c21), sixty-nine hundred forty-three-c twenty-two (6943-c22), sixty-nine hundred forty-three-c twenty-three (6943-c23), sixty-nine hundred forty-three-c twenty-four (6943-c24), sixty-nine hundred forty-three-c twenty-five (6943-c25), sixty-nine hundred forty-three-c twenty-six (6943-c26), sixty-nine hundred forty-three-c twenty-seven (6943-c27), sixty-nine hundred forty-three-c twenty-eight (6943-c28), sixty-nine hundred forty-three-c twenty-nine (6943-c29), sixty-nine hundred forty-three-c thirty (6943-c30), sixty-nine hundred forty-three-c thirty-one (6943-c31), and sixty-nine hundred forty-three-c thirty-three (6943-c33), all of Chapter three hundred twenty-nine-C two (329-C2), Code, 1935, to change the name of the board of assessment and review to "state tax commission", and enlarging the powers and duties thereof.

Read first and second times and placed on the calendar.

SENATE FILES WITHDRAWN

By unanimous consent, on request of Senator Forsling, Senate File 93 was withdrawn from further consideration of the Senate.

By unanimous consent, on request of Senator Forsling, Senate File 286 was withdrawn from further consideration of the Senate.

EXTRA COPIES

By unanimous consent, on request of Senator Dewey, 2500 additional copies of Senate File 373 were ordered printed.

By unanimous consent, on request of Senator Faul, 500 additional copies of Senate File 138 were ordered printed.

By unanimous consent, on request of Senator Breen, 500 additional copies of Senate File 65 were ordered printed.

By unanimous consent, on request of Senator Schadt, the Senate agreed to meet in joint convention with the House at 10:30 to hear an address by Prof. Louis Pelzer.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Vrba, House File 191, a bill for an act to authorize and legalize issuance of warrants by the city of Decorah in Winneshiek county, Iowa, to be drawn against the bridge fund of the city of Decorah, Iowa, for the purpose of purchasing right of way and assisting in Federal project in the diversion of flood waters from Dry Run to the Upper Iowa river within and adjacent to the city of Decorah, Iowa, was substituted for Senate File 167, a companion bill, on which the report of the committee recommending passage was adopted, and was taken up and considered.

Senator Vrba moved that the bill be read a third 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	Henningsen	Moore
Baldwin	Edwards	Hill	Mowry
Beardsley	Ellis	Hoeven	Pelzer
Benson	Evans	Hopkins	Schadt
Berg	Faul	Husted	Shaw
Breen	Forsling	Kirketeg	Smith
Byers	Geske	Leo	Stewart
Corwin	Gillette	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler
Donohue			

Nays, none.

Absent or not voting, 5:

Bekman	Levis	Parker	Sjulin
Elthon			

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

Senator Vrba 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.

A committee from the House notified the Senate the House was ready to receive the Senate in joint convention.

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

JOINT CONVENTION

In accordance with the adoption of Senate Concurrent Resolution 8, the Joint Convention was called to order, Lieutenant-Governor B. B. Hickenlooper, President of the Senate, presiding.

The President appointed as a committee to escort Prof. Louis Pelzer, professor of history at the State University of Iowa, to the Speaker's station: Senator Schadt of Iowa and Representative Morrison of Johnson.

The committee waited upon Professor Pelzer and escorted him to the Speaker's station where he addressed the House.

Mrs. C. E. Larson of Des Moines, Iowa, who is the daughter of the late Oley Nelson, former sergeant-at-arms in the House, was presented to the Joint Convention by Representative Moore of Shelby.

On motion by Lucas of Taylor, the Joint Convention was dissolved.

The Senate reconvened, President Hickenlooper presiding.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Faul, House File 61, a bill for an act to legalize and validate ordinance forty-two hundred twenty-seven (4227) of the city of Des Moines, Iowa, passed June 25, 1934, relating to and providing for fire limits and regulations covering the construction, alteration, equipment, occupancy, repair, use and removal of buildings and other structures, regulating the installation of heating apparatus and providing for the regulation of inflammable liquids, partition fences, fire escapes and standpipes, providing for the inspection of the same and the issuance of permits and fees to be charged therefor, and providing a penalty for the violation thereof, and to legalize all the acts and proceedings connected with said ordinance by the city council of said city and its officers in the passage, publication and adoption of the form of said ordinance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul moved that the bill be read a third 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	Dewey	Hill	Mowry
Baldwin	Doran	Hoeven	Pelzer
Beardsley	Edwards	Hopkins	Schadt
Bekman	Ellis	Leo	Shaw
Berg	Evans	Levis	Smith
Breen	Faul	Lundy	Stewart
Byers	Geske	Martin	Talbott
Corwin	Gillette	Mighell	Vrba
Cromwell	Harvey	Miller	Whitehill
Dean	Henningesen	Moore	

Nays, none.

Absent or not voting, 11:

Benson	Forsling	Husted	Sjulin
Donohue	Guernsey	Kirketeg	Zeigler
Elthon	Hart	Parker	

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

Senator Faul 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 passed the following bill in which the concurrence of the Senate is asked:

House File 384, a bill for an act relating to the state highway commission.
A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 384, a bill for an act repealing standing-appropriation provisions in sections of the Code, 1935, and Acts of the Forty-seventh General Assembly, and for the respective state departments as follows: Section sixty-nine hundred forty-three-fifty-five (6943-f65), as amended by section eleven (11), Chapter one hundred eighty-four (184), section eighteen (18), Chapter one hundred ninety-six (196), and section twenty-four (24), Chapter one hundred ninety-eight (198), Acts of the Forty-seventh General Assembly, relating to the board of assessment and review;

sections forty-seven hundred fifty-five-b thirty-one (4755-b31), and forty-six hundred thirty-c one (4630-c1), relating to motor vehicle fees and the state highway commission; section one hundred seventy-seven (177), relating to the reporter of the supreme court and code editor; sections one hundred seventy-five (175), one hundred seventy-six (176), one hundred seventy-six-a one (176-a1) and one hundred seventy-seven (177) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to maintenance funds of the motor vehicle department and the state highway commission; and section fifty-one hundred five-a fifty-four (5105-a54), relating to fees from motor vehicle carriers, and section forty-seven hundred fifty-five-b four (4755-b4) relating to the state highway commission.

Read first and second times and passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson 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 222 and Senate File 60.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 222 and Senate File 60.

BILL SENT TO THE GOVERNOR

Senator Benson 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 February, 1939, sent to the Governor for his approval, Senate File 60.

RALPH E. BENSON, *Chairman.*

Passed on file.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Lundy, Senate File 175, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lundy offered the following amendment and moved its adoption:

Amend section three (3), line three (3), by inserting the word "Albia" before the word "Union".

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, 44:

Augustine	Donohue	Henningsen	Moore
Baldwin	Doran	Hill	Mowry
Beardsley	Edwards	Hoeven	Pelzer
Bekman	Ellis	Hopkins	Schadt
Berg	Evans	Kirketeg	Shaw
Breen	Faul	Leo	Smith
Byers	Forsling	Levis	Stewart
Corwin	Geske	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler

Nays, none.

Absent or not voting, 6:

Benson	Gillette	Parker	Sjulin
Elthon	Husted		

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.

By unanimous consent, on request of Senator Lundy, Senate File 175 was messaged to the House immediately.

By unanimous consent, on request of Senator Berg, action on Senate Files 193, 194 and 195 was deferred, the bills to be placed at the foot of the calendar.

By unanimous consent, on request of Senator Gillette, action

on Senate File 203 was deferred and the bill was allowed to retain its place on the calendar.

On motion of Senator Beardsley, Senate File 218, a bill for an act to amend section one (1) and section three hundred sixteen (316) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, defining residence and suburban districts in cities and towns and for the purpose of regulating motor vehicle traffic therein, a committee bill, was taken up and considered.

Senator Dean offered the following amendment and moved its adoption:

Amend by striking lines five (5), six (6), and seven (7) of section 2 and inserting in lieu thereof the following:

"4. Forty-five (45) miles per hour in any suburban district."

The amendment was 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 motion of Senator Doran, the vote by which Senate File 218 passed to its third reading was reconsidered.

Senator Doran offered the following amendment and moved its adoption:

Amend section one (1) by striking from line nine (9) the words "district or a" and inserting in lieu thereof the words ", suburban or".

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 218 by adding thereto the following:

"Sec. 3. Section three hundred two (302) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, is hereby repealed."

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

CONSIDERATION OF SENATE FILE 218 RESUMED

By unanimous consent, on request of Senator Donohue, his amendment was withdrawn.

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, 43:

Augustine	Doran	Hill	Moore
Baldwin	Edwards	Hoeven	Mowry
Beardsley	Ellis	Hopkins	Pelzer
Bekman	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Breen	Forsling	Leo	Smith
Corwin	Geske	Levis	Stewart
Cromwell	Gillette	Lundy	Talbott
Dean	Guernsey	Martin	Whitehill
Dewey	Hart	Mighell	Zeigler
Donohue	Henningesen	Miller	

Nays, none.

Absent or not voting, 7:

Benson	Elthon	Parker	Vrba
Byers	Harvey	Sjulin	

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.

HOUSE FILE 61 RECONSIDERED

Senator Faul moved to take from the table his motion to reconsider the vote by which House File 61 passed the Senate, which motion prevailed.

Senator Faul moved that the Senate reconsider the vote by which House File 61 passed the Senate, which motion prevailed.

Senator Faul moved to reconsider the vote by which House File 61 passed to its third reading, which motion prevailed.

Senator Faul offered the following amendment and moved its adoption:

Amend House File 61 by striking all of section two (2) thereof. Also amend by renumbering the succeeding section.

The amendment was adopted.

Senator Faul moved that the bill be read a third 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	Harvey	Miller
Baldwin	Doran	Hill	Moore
Beardsley	Edwards	Hoeven	Mowry
Bekman	Ellis	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Breen	Faul	Kirketeg	Shaw
Byers	Forsling	Leo	Stewart
Corwin	Geske	Levis	Talbott
Cromwell	Gillette	Lundy	Vrba
Dean	Guernsey	Martin	Whitehill
Dewey	Hart	Mighell	

Nays, none.

Absent or not voting, 7:

Benson	Henningsen	Sjulin	Zeigler
Elthon	Parker	Smith	

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

Senator Faul 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, House File 61 was messaged to the House immediately.

On motion of Senator Beardsley, Senate File 219, a bill for an act to amend section four hundred ninety-one (491), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relative to operating and moving certain vehicles upon the highways and providing conditions under which permits may be issued for said purpose, a committee bill, was taken up and considered.

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, 46:

Augustine	Benson	Byers	Dean
Beardsley	Berg	Corwin	Dewey
Bekman	Breen	Cromwell	Donohue

Doran	Hart	Levis	Schadt
Edwards	Harvey	Lundy	Shaw
Ellis	Henningsen	Martin	Smith
Evans	Hill	Mighell	Stewart
Faul	Hoeven	Miller	Talbott
Forsling	Hopkins	Moore	Vrba
Geske	Husted	Mowry	Whitehill
Gillette	Kirketeg	Pelzer	Zeigler
Guernsey	Leo		

Nays, none.

Absent or not voting, 4:

Baldwin	Elthon	Parker	Sjulin
---------	--------	--------	--------

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

On motion of Senator Hopkins, Senate File 221, a bill for an act to amend section forty-three hundred forty-one (4341), Code, 1935, relating to minimum teachers' wage, a committee bill, 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, 41:

Augustine	Edwards	Hill	Moore
Beardsley	Ellis	Hoeven	Mowry
Benson	Evans	Hopkins	Schadt
Berg	Faul	Husted	Shaw
Breen	Geske	Kirketeg	Smith
Byers	Gillette	Leo	Stewart
Corwin	Guernsey	Levis	Talbott
Cromwell	Hart	Martin	Vrba
Dean	Harvey	Mighell	Whitehill
Dewey	Henningsen	Miller	Zeigler
Doran			

Nays, none.

Absent or not voting, 9:

Baldwin	Elthon	Lundy	Pelzer
Bekman	Forsling	Parker	Sjulin
Donohue			

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 motion of Senator Hill, Senate File 230, a bill for an act to

amend section sixty-nine hundred fifty-nine (6959), Code, 1935, relating to the taxation of improvements upon real estate, a committee bill, 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.

Rule 8 was invoked.

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

Ayes, 40:

Augustine	Doran	Henningsen	Miller
Beardsley	Edwards	Hill	Mowry
Bekman	Ellis	Hoeven	Schadt
Benson	Faul	Hopkins	Shaw
Berg	Forsling	Husted	Smith
Breen	Geske	Kirketeg	Stewart
Byers	Gillette	Leo	Talbott
Cromwell	Guernsey	Levis	Vrba
Dean	Hart	Lundy	Whitehill
Dewey	Harvey	Martin	Zeigler

Nays, 7:

Baldwin	Donohue	Mighell	Pelzer
Corwin	Evans	Moore	

Absent or not voting, 3:

Elthon	Parker	Sjulin
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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.

REPORTS OF COMMITTEES

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 92, a bill for an act to amend section fifty-seven hundred thirty-nine (5739), Code, 1935, providing for the punishment by cities and towns of any public or private nuisance, begs leave to report it has had the same under consideration and returns the bill without recommendation, but reports the following proposed amendments:

Amend Senate File 92 by striking all of section 1 thereof, and substituting in lieu thereof the following:

"Section 1. Section five thousand seven hundred forty-four (5744), Code, 1935, is amended by adding thereto as a new subsection the following:

"The practice of going in and upon private residences by solicitors,

peddlers, hawkers, itinerant merchants and transient vendors of merchandise, not having been requested or invited so to do by the owner or owners, occupant or occupants of said private residence, for the purpose of soliciting orders for the sale of goods, wares and merchandise or for the purpose of disposing of or peddling or hawking the same, and to punish any person engaged in such practice. This subsection shall not apply with respect to persons owning or representing a regularly established retail place of business within a radius of thirty (30) miles. 'Regularly established place of business' shall mean any permanent building or structure at which a permanent retail business is carried on as such, in good faith."

Further amend Senate File 92 by striking the title thereto and substituting in lieu thereof the following:

"An act to amend section five thousand seven hundred forty-four (5744), Code, 1935, relating to the power of cities and towns to restrain and prohibit any public or private nuisance, and providing punishment therefor."
A. J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 140, a bill for an act to repeal sections one hundred forty-one (141) and one hundred forty-two (142) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly of the state of Iowa, and to enact a substitute therefor relating to motor vehicle registration fees and fixing the amount thereof, and providing for reduction of said fees under certain conditions, 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 140 by striking the number nine (9) of section one (1) and substituting in lieu thereof, "Sec. 2."

A. J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 146, 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, 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 Senate File 273, a bill for an act to amend sections seventy-two hundred ten (7210), seventy-two hundred eleven (7211), and seventy-two hundred fourteen (7214), Code, 1935, to permit counties to accept real estate taxes

in quarterly installments, upon action by the county board of supervisors as provided herein; and to adjust the dates of delinquency and the interest penalty accordingly, 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 277, a bill for an act to amend section seventy-six hundred eighty-one (7681), Code, 1935, relating to notice of election for members of the board of trustees of a drainage district of less than three thousand (3,000) acres, 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 290, a bill for an act to legalize the action of the board of supervisors of Mills county, Iowa, in making expenditures for the purpose of providing workmen's compensation insurance on employees working on roads and bridges from the secondary road maintenance 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 294, a bill for an act to legalize outstanding warrants issued by Norway township, Humboldt county, Iowa, in the construction of a community hall for the joint use of said township and the incorporated town of Thor, Iowa, in the town of Thor, Iowa, and providing 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.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 295, a bill for an act to amend section seventy-six hundred ninety (7690), seventy six-hundred ninety-two (7692), and seventy-six hundred ninety-eight (7698), Code, 1935, relating to the election of, and bonds of, trustees of a drainage district, 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 24, a bill for an act to amend section ten thousand two hundred sixty-nine-e one (10269-e1), Code, 1935, relating to thresherman's or cornsheller's lien, 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 title of House File 24 and insert the following:

"An act to repeal section ten thousand two hundred sixty-nine-e one (10269-e1) of the Code, 1935, relating to thresherman's or cornsheller's lien and to enact a substitute therefor providing for threshermen's, cornsheller's, combiner's, and cornhusker's liens against the grain for those operating threshing machines, cornshellers, combines and mechanical huskers."

Further amend House File 24 by striking all of section one (1) of the bill and substituting the following:

"Section 1. Section ten thousand two hundred sixty-nine-e one (10269-e1), Code, 1935, is hereby repealed and the following enacted in lieu thereof:

"Any person, firm, corporation or association engaged in operating a machine for the threshing or combining of any kind of grain or seed or for the mechanical husking or shelling of corn, and doing custom threshing, combining, mechanical husking, or corn shelling for hire shall have a first lien on grain and seed threshed or corn shelled or husked for the reasonable value of such services."

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 210, a bill for an act to legalize the action of the board of supervisors of Marshall county, Iowa, in making transfer of funds in the years 1934, 1935, 1936, 1937 and 1938, from the Marshall county insane fund to the Marshall county poor 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.

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 section fifty-seven hundred ninety-two (5792) Code, 1935, to authorize the levy of an additional tax not to exceed three-eighths of a mill by certain cities for general park purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

J. BERG, *Chairman.*

Ordered passed on file.

Senate File 183, relating to exemption from taxation of property belonging to veterans of military service.

Senate File 157, relating to preference for domestic products and labor.

THIRD READING OF BILLS

On motion of Senator Smith, Senate File 1, a bill for an act to repeal Chapter two hundred and thirty-five (235) of the Acts of the Forty-seventh (47) General Assembly, creating a State Planning Board, and providing for the return to the state of Iowa any property and money that said Board now has in its possession, was taken up and considered.

Senator Smith offered the following amendment and moved its adoption:

Amend Senate File 1 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. It is hereby recognized and adopted, as being within the sound scope of governmental function, to be the policy of the state of Iowa to preserve and advance a sound, prosperous, and contented social and economic structure complementing the development of the state's great natural resources with the healthy growth of business and industry, thereby bringing into greater harmony the production and consumption of goods, effecting a reduction in agricultural surplus, assisting in the re-employment of idle workers, increasing the purchasing power of the citizenry and preserving to the consumer the maximum of goods at the minimum cost; and, to those ends, to encourage scientific advance in agricultural products, diversification of agricultural crops, the development of sound conservation principles, the increased industrial use of farm products, the maintenance of harmonious relations between employer and employee, to maintain a governmental policy of welcome to business and industry through a reduction in the cost of government to the minimum consistent with efficiency, and the adoption and development of a system of taxation which shall be neither punitive nor discriminatory, but shall, at all times, recognize the necessity, for the economic welfare of our state, to maintain the continued growth of old and new business and industry within its borders; to advertise and make known to the nation, in all legitimate ways, the advantages of Iowa's products, whether of raw materials or of finished goods, the potentialities of her raw materials for the development of new business and industry, the determination of her government to maintain fair and equitable relations between employer and employee, and to foster existing business and industry and to encourage the location of new business and industry within her borders in every legitimate way, the superiority of her educational systems, her determination to lead in homestead and farmstead ownership, and the great market afforded by her consuming power.

Sec. 2. The executive council of the state of Iowa is hereby empowered

to expend such moneys as may hereafter be appropriated to carry into effect the provisions of this act and, in so doing, to enter into such contracts and employ such assistants and employees as may be necessary to carry out the provisions of this Act and to advertise the policy of the state of Iowa as adopted in section one (1) hereof.

Sec. 3. Upon the taking effect of this Act, all funds in the possession or under the control of the State Planning Board shall immediately be delivered by said Board to the treasurer of the state of Iowa.

Sec. 4. Chapter two hundred thirty-five (235), laws of the Forty-seventh General Assembly, and Chapter two hundred eighty (280), laws of the Forty-seventh General Assembly, be and they are hereby repealed.

Sec. 5. This act, being of immediate importance, shall take effect and be in full force from and after its publication in the Clarksville Star, a newspaper published in Clarksville, Iowa, and the Evening Journal, a newspaper published at Washington, Iowa.

Further amend the title to Senate File 1 by striking the period (.) after the word "possession" and inserting in lieu thereof a comma (,) and by adding thereto the following: "and to repeal Chapter two hundred eighty (280), laws of the Forty-seventh General Assembly and proposing to establish and state a public policy for the state of Iowa; to foster and encourage the retention in Iowa of existing business and industry, the development in Iowa of new business and industry, improvement of the condition of agriculture, elimination of unemployment, the development and maintenance of harmonious relations between labor and industry; to advertise and disseminate said stand of public policy to the nation; to authorize the executive council, for the purpose thereof, to make contracts, employ assistants and employees, and to expend such moneys as may hereafter be appropriated therefor.

Whereas, It is the duty of the legislative branch of the government to be ever mindful not only of present demands, but also of the future problems of the people, and to be alert to execute into law measures truly in the interest of the general welfare whenever the need therefor shall have been suggested by the chief executive; and

Whereas, The Honorable George A. Wilson, governor of the state of Iowa, in his inaugural address delivered on January 12, 1939, to the Joint Committee of the House and Senate, did advise the Joint Committee that the stake of the state of Iowa in industry is an ever-growing one; that in several years the value of the manufactured product of the state has equalled the value of its agricultural output; that a healthy manufacturing industry and a healthy agricultural industry are each essential to each other and both must be afforded opportunity in Iowa; that the surplus problem of agriculture and the pressing problem of unemployment will be greatly relieved if existing industries may be preserved and new ones encouraged to locate in Iowa; that it is within the proper scope of governmental activity to campaign aggressively to recognize, preserve and advertise to the nation Iowa's resources and opportunities; and that the existing agencies for the development of the general welfare of the state must be co-ordinated, organized and unified in order to obtain the maximum efficiency; and

Whereas, The policies of the national government are constantly en-

couraging, even to the point of subsidizing the efforts of our sister states to compete with the agricultural, labor and manufacturing industries of Iowa; and

Whereas, Many of our neighboring states have industriously and with large expenditure of money, been advertising to the nation their opportunities and advantages as sites for future agricultural and industrial growth, to the great benefit of said states; and

Whereas, Many requests have been and will be received by this General Assembly for the appropriation of funds to be expended assertedly for the promotion of the general welfare of the state by existing agencies, whose efforts are, in a large degree, in conflict; and

Whereas, Demands have been and will be made upon this General Assembly for the appropriation of as much as two hundred seventy-five thousand dollars (\$275,000.00) for the participation of the state of Iowa in the World's Fair currently being held in New York City; and

Whereas, The chief executive and the General Assembly of this state are desirous of impressing the nation with the purpose of Iowa to preserve its existing business and industries and to bring within its borders new ones, thereby bringing to our producers of raw materials an ever-increasing home market; to our laboring people, ever-increasing employment; to our business and industry, ever-increasing favorable operating conditions; and to our general citizenry, as consumers, all those economies resulting from the close geographical juxtaposition of a healthy raw material producing industry and a satisfied and growing raw material consuming industry; and

Whereas, In order to accomplish the desired results, it is imperative that public policy be determined, that agencies for the dissemination of that policy be co-ordinated and made efficient, and that the cost of carrying out that policy be minimized, now therefore.

Senator Lundy raised the point of order that two subjects were covered in the amendment; it concerned both Chapters 235 and 280 of the Acts of the 47th General Assembly, contrary to section 29 of Article III of the Constitution of Iowa, which says "Every act shall embrace but one subject." The further point of order was raised that the proposed section 1 has no place in the law, being merely a statement of policy.

The President of the Senate asked and received unanimous consent to defer his ruling on the point of order temporarily and allow the bill to retain its place on the calendar.

On motion of Senator Gillette, Senate File 83, a bill for an act to amend section one (1) of Chapter one hundred ninety-eight (198), Acts of the 47th General Assembly, relating to the use tax, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gillette offered the following amendment and moved its adoption:

Amend Senate File 83 as follows:

1. By adding as section two (2) thereof the following:

"Sec. 2. Section one (1), of Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly is hereby amended:

a. By striking from line twenty-one (21) thereof, after the word 'processing' the word 'or', and inserting in lieu thereof a comma (,).

b. By inserting in line twenty-one (21), after the word 'current' the following: ', or is consumed as fuel in producing or growing horticultural products for ultimate sale at retail.'"

2. Amend the title:

a. By striking from line one (1) thereof the following:

"Section one (1) of chapter" and inserting in lieu thereof the following: "Chapters".

b. By inserting in line two (2) after "(198)" the following: "and one hundred ninety-six (196)".

c. By inserting in line three (3) after the word "tax" the following: "and tax on retail sales."

The amendment was 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, 39:

Augustine	Edwards	Hill	Pelzer
Beardsley	Ellis	Hoeven	Schadt
Bekman	Evans	Hopkins	Shaw
Berg	Faul	Kirketeg	Smith
Byers	Geske	Leo	Stewart
Corwin	Gillette	Levis	Talbott
Dean	Guernsey	Martin	Vrba
Dewey	Hart	Mighell	Whitehill
Donohue	Harvey	Miller	Zeigler
Doran	Henningsen	Mowry	

Nays, none.

Absent or not voting, 11:

Baldwin	Cromwell	Husted	Parker
Benson	Elthon	Lundy	Sjulin
Breen	Forsling	Moore	

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.

By unanimous consent, on request of Senator Hopkins, Senate File 148 was withdrawn.

On motion of Senator Gillette, Senate File 200, a bill for an act to repeal section ten thousand two hundred sixty-one (10261) and enact in lieu thereof a new section, a committee bill, was taken up, considered, and the report of the committee adopted.

Senator Mighell offered the following amendment and moved its adoption:

Amend Senate File 200 by striking all following the colon in line 4 in section 1 thereof and substituting the following:

"A landlord shall have a lien for his rent upon:

"1. All crops grown upon the leased premises.

"2. All of such increase from livestock on the leased premises as is raised or maintained from the crop, pasture, and forage production on the leased premises during the term.

"3. All other personal property of the tenant kept and used on the leased premises during the term which is not exempt from execution, except as exempted by section two (2) of this act."

Sec. 2. All personal property owned, kept, or used on the premises leased after July 4, 1939, by a tenant primarily engaging the premises in an agricultural pursuit, shall be exempt from a landlord's lien except as provided in subsections one (1) and two (2) of section one (1) hereof.

Sec. 3. In order for any lien to be effective against an innocent purchaser of agricultural products there must be filed with the county recorder of the county in which the rented land is situated a written lease or copy thereof, or in the event there be no written lease, then a general statement showing the rent reserved, verified by the owner or his agent, and stating that said owner claims a lien for such rent.

President pro tem Hoeven took the chair at 11:35.

Senator Zeigler moved that Senate File 200 be laid on the table.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall Senate File 200 be laid on the table?" the vote was:

Ayes, 27:

Baldwin	Evans	Hill	Moore
Bekman	Faul	Hoeven	Mowry
Berg	Forsling	Kirketeg	Pelzer
Byers	Geske	Leo	Smith
Corwin	Hart	Levis	Talbott
Donohue	Harvey	Lundy	Zeigler
Doran	Henningsen	Martin	

Nays, 17:

Augustine	Edwards	Hopkins	Shaw
Beardsley	Ellis	Mighell	Stewart
Benson	Gillette	Miller	Vrba
Breen	Guernsey	Schadt	Whitehill
Dean			

Absent or not voting, 6:

Cromwell	Elthon	Parker	Sjulin
Dewey	Husted		

The motion prevailed and Senate File 200 was tabled.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

THIRD READING OF BILLS

On motion of Senator Shaw, Senate File 241, a bill for an act to amend Chapter five hundred forty-four-A one (544-A1), Code, 1935, so as to delete the unconstitutional criminal features of a civil action to establish paternity of an illegitimate child and for judgment for its support, a committee bill, was taken up and considered.

Senator Donohue moved that action on Senate File 241 be deferred and the bill allowed to retain its place on the calendar.

The motion was lost.

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, 37:

Augustine	Edwards	Hoeven	Pelzer
Baldwin	Ellis	Kirketeg	Schadt
Beardsley	Faul	Leo	Shaw
Benson	Forsling	Levis	Smith
Berg	Gillette	Lundy	Stewart
Breen	Guernsey	Martin	Talbott
Corwin	Harvey	Mighell	Vrba
Dean	Henningsen	Miller	Whitehill
Dewey	Hill	Mowry	Zeigler
Doran			

Nays, none.

Absent or not voting, 13:

Bekman	Elthon	Hart	Moore
Byers	Evans	Hopkins	Parker
Cromwell	Geske	Husted	Sjulin
Donohue			

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 Forsling, House File 384, a bill for an act repealing standing-appropriation provisions in sections of the Code, 1935, and acts of the Forty-seventh General Assembly, and for the respective state departments as follows: Section sixty-nine hundred forty-three-f sixty-five (6943-f65), as amended by section eleven (11), Chapter one hundred eighty-four (184), section eighteen (18), Chapter one hundred ninety-six (196), and section twenty-four (24), Chapter one hundred ninety-eight (198), Acts of the Forty-seventh General Assembly, relating to the board of assessment and review; sections forty-seven hundred fifty-five-b thirty-one (4755-b31) and forty-six hundred thirty-c one (4630-c1), relating to motor vehicle fees and the state highway commission; section one hundred seventy-seven (177), relating to the reporter of the supreme court and Code editor; sections one hundred seventy-five (175), one hundred seventy-six (176), one hundred seventy-six-a one (176-a1) and one hundred seventy-seven (177) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to maintenance funds of the motor vehicle department and the state highway commission; and section fifty-one hundred five-a fifty-four (5105-a54), relating to fees from motor vehicle carriers, and section forty-seven hundred fifty-five-b four (4755-b4) relating to the state highway commission, was substituted for Senate File 278, a companion bill, and was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend House File 384 by striking in line three (3) of section five (5) the word "is" and inserting in lieu thereof the word "are".

Further amend line four (4) of section seven (7) by striking the word "proceeding" and inserting in lieu thereof the word "preceding".

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend House File 384 by inserting after Section nine (9) the following:

"Section 10. Section nine thousand one hundred thirty-seven (9137), Code, 1935, is hereby repealed and the following enacted in lieu thereof:

The salary of the Superintendent of Banking shall be five thousand dollars (\$5,000) per annum and that of the Deputy Superintendent of Banking four thousand dollars (\$4,000) per annum. The salaries of the bank examiners shall be fixed by the State Banking Board and in no event shall exceed the sum of thirty-four hundred dollars (\$3,400) each per annum.

Section 11. Section nine thousand one hundred forty-five (9145) is hereby amended by striking from lines seven (7) and eight (8) thereof the following:

“, and such salaries and expenses shall be paid from said fund”.

Section 12. Section nine thousand one hundred forty-nine (9149) is amended by striking all after the word “state” in line eight (8) of said section and inserting “to be credited to the general fund”.

Amend the title by striking the period at the end and by inserting a semicolon (;) and adding the following:

“Section nine thousand one hundred thirty-seven (9137) of the Code, 1935, is repealed and a substitute enacted therefor fixing salaries of the Superintendent and Deputy Superintendent of Banking and Bank Examiners. Amend sections nine thousand one hundred forty-five (9145) and nine thousand one hundred forty-seven (9147) of the Code relative to payment of salaries of employees of the Banking Department and to provide for payment into the general fund of the state all fees and charges collected by the Banking Department.”

Strike the figure ten (10) in line one (1) of Section ten (10) of the bill and insert the figure fourteen (14).

By unanimous consent, on request of Senator Doran, the proceedings had on the amendment were expunged from the record.

By unanimous consent, on request of Senator Doran, the amendment was withdrawn.

Senator Forsling 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, 33:

Beardsley	Byers	Doran	Forsling
Bekman	Corwin	Edwards	Hart
Benson	Dewey	Evans	Harvey
Berg	Donohue	Faul	Henningsen

Hill	Levis	Pelzer	Stewart
Hoeven	Lundy	Schadt	Talbott
Hopkins	Martin	Shaw	Whitehill
Kirketeg	Mowry	Smith	Zeigler
Leo			

Nays, 11:

Augustine	Dean	Guernsey	Moore
Baldwin	Ellis	Mighell	Vrba
Breen	Gillette	Miller	

Absent or not voting, 6:

Cromwell	Geske	Parker	Sjulin
Elthon	Husted		

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 Shaw, Senate File 151, a bill for an act to amend sections one hundred fifty-six (156) and one hundred seventy-seven (177), Code 1935, relating to certain legal publications, 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, 32:

Baldwin	Faul	Leo	Schadt
Beardsley	Gillette	Levis	Shaw
Bekman	Guernsey	Lundy	Smith
Berg	Harvey	Martin	Stewart
Breen	Henningsen	Mighell	Talbott
Dean	Hill	Miller	Vrba
Dewey	Hopkins	Mowry	Whitehill
Doran	Kirketeg	Pelzer	Zeigler

Nays, 2:

Byers	Moore
-------	-------

Absent or not voting, 16:

Augustine	Donohue	Evans	Hoeven
Benson	Edwards	Forsling	Husted
Corwin	Ellis	Geske	Parker
Cromwell	Elthon	Hart	Sjulin

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 Donohue, Senate File 160 was placed at the foot of the calendar.

On motion of Senator Mighell, Senate File 13, a bill for an act to amend Chapter fifty-three (53) of the Code, 1935, relating to the time of qualifying for certain offices, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Further action was deferred.

REPORTS OF COMMITTEES

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 32, a bill for an act to repeal sections 13186, 13187 and 13188, Code, 1935, relating to the showing of prize-fight pictures, 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 House File 154, a bill for an act to legalize the corporate acts and renewal of the charter of the East Waterloo Hotel Company of Waterloo, Iowa, 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 House File 281, a bill for an act to legalize the corporate acts and the renewal of the charter of the Primghar Hotel Company of Primghar, Iowa, 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 124, a bill for an act to amend section seven thousand one hundred ninety-three (7193), Code of Iowa, 1935, as to the lien of taxes when the tax sale is held under section seven thousand two hundred

fifty-nine (7259) or section seven thousand two hundred sixty-two (7262), both of the Code of Iowa, 1935, and to amend section seven thousand two hundred ninety-five (7295), Code of Iowa, 1935, as to the time in which certain actions can be brought as to tax sales and deeds, 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 124 by inserting after the period following the word "removed" in line 16, the following: "Provided, however, that nothing herein contained shall be applicable to actions brought or defenses made by a holder of a special assessment, if the same continues to remain a lien notwithstanding a tax deed now or hereafter issued pursuant to such tax sale."

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 125, a bill for an act to legalize certain tax sales held and conducted in accordance with section 7259 or section 7262, 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:

Amend Senate File 125 by inserting after the period following the word "conducted" in line 19, the following: "Provided, however, that no tax sale so legalized and validated shall affect a special assessment if the same continues to remain a lien notwithstanding a tax deed now or hereafter issued pursuant to such tax sale."

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 238, a bill for an act to amend section 11763, Code, 1935, relative to the exemption of personal earnings of the debtor and those of his family, 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.

Senator Talbott submitted the following report:

MR. PRESIDENT: Your committee on state planning, to which was referred Senate File 192, a bill for an act to provide a marker for the site of death and burial of Black Hawk, a Sac Indian Chief, and a marker for the site of Iowaville, and to provide an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN E. TALBOTT, *Chairman.*

Ordered passed on file.

Senator Whitehill submitted the following report:

MR. PRESIDENT: Your committee on military affairs, to which was referred House File 45, a bill for an act to amend the military code, Chapter 28-F1, Code, 1935, by providing for transfer of civil or criminal cases on file within a military district to a court outside of said district; and to provide for establishment of a military court or commission within a military district, 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 Smith submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 259, a bill for an act to amend Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, by providing for a homestead tax credit for certain Indian lands held in trust, 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 ways and means, to which was referred Senate File 239, a bill for an act to amend section three (3), Chapter one hundred ninety-six (196) of the Acts of the Forty-seventh (47th) General Assembly relating to the exemptions from the sales tax, 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 Faul submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File 293, a bill for an act to amend and revise the law as it appears in section nine thousand eighty-seven (9087), Code, 1935, relating to the bringing of actions against certain insurance exchanges, 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 after the word "individually" in line twenty (20), section one (1), thereof, the following: "on account of their connection with or membership in such reciprocal exchange".

GEORGE M. FAUL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File 289, a bill for an act to amend section nine thousand twenty-nine (9029), Code, 1935, so as to add to the forms of insurance that may be written by mutual insurance associations, and allow the insurance of

property of minors by them; permitting such associations to insure against loss or damage from injury, sickness or death of animals and the cost of furnishing veterinary service; and against loss or damage from smoke, explosion, aircraft, vehicles and riot (including riot attending a strike); and permitting insurance of property of minors on application of an adult parent, friend or guardian who consents to become a member as representing such minor, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE M. FAUL, *Chairman*.

Ordered passed on file.

Senator Forsling submitted the following report:

MR. PRESIDENT: Your committee on consolidation and co-ordination, to which was referred Senate File 138, a bill for an act creating a bureau of civil service for the State of Iowa; prescribing the powers, duties, and procedure of the Civil Service Board and the director of the state civil service in said bureau; providing for and regulating the civil service in said state; prescribing penalties for the violation of the provisions of this act; repealing certain acts and parts of acts inconsistent with the provisions of this act; and making appropriation for the support of said department, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. B. FORSLING, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on consolidation and co-ordination, to which was referred Senate File 64, a bill for an act to provide a system of civil service for employees of the state highway commission; to create a state highway commission of civil service board, and to provide for the appointment of members thereof, and the filling of vacancies; to provide for the payment of expenses of the civil service board; to provide for the examination of applicants for employment with the state highway commission, certification of names of applicants passing examination, and the appointment from such certified lists to vacancies existing in the employment of the state highway commission; to provide preference for ex-service men, and for preference to employees for positions of a higher class; to provide method of removal or discharge of employees, and for appeal from removal or suspension; to prohibit campaign contributions by state highway commission employees; to amend section four thousand six hundred twenty-six (4626) of the Code of Iowa, 1935, relating to the duties of the state highway commission; and to amend section four thousand seven hundred fifty-five-b thirty-one of the Code, relating to the maintenance fund for the state highway commission, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. B. FORSLING, *Chairman*.

Ordered passed on file.

Senator Hopkins submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 178, a bill for an act to amend paragraph three (3), section three hundred ninety-nine (399), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to the width of doors in school busses, 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: Amend the amendment to Senate File 1 by striking from the title the figures, two hundred and seventy-five thousand dollars (275,000), in the sixth (6), Whereas, line three (3), and inserting in lieu thereof, seventy thousand dollars (70,000).

H. C. BALDWIN.

MR. PRESIDENT: Amend the Smith amendments to Senate File 1 by striking all of section five (5) thereof.

Further amend by striking all after the word "Assembly" in line two (2) of section four (4), and inserting in lieu thereof a period (.).

Further amend by striking the entire paragraph following section five (5).

Further amend by striking the entire fifth "Whereas" paragraph.

HUGH W. LUNDY.

MR. PRESIDENT: Amend the amendment to Senate File 1 filed by Senator Smith on page 419 of the Senate Journal of February 22d, by striking all of section 3 and that part of section 4 immediately preceding the word "chapter" in the second line.

LESTER S. GILLETTE.

MR. PRESIDENT: Amend Senate File 92 by adding as a new section following section 1, the following:

"Section 2. The provisions of section one (1) of this Act shall not apply to the solicitation for sale or the sale of newspapers or magazines, nor to the acts of persons conducting such sale or solicitation for sale of newspapers or magazines."

Further amend Senate File 92 by renumbering the remaining sections.

A. J. SHAW.

MR. PRESIDENT: Amend Senate File 203 by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend Chapter 442, Code, 1935, by inserting as Section 10161 (a) thereof the following:

"Section 10161 (a). In the case of tenants, except croppers occupying and cultivating an acreage of forty (40) acres or more, the tenancy shall continue for the following crop year unless written notice for ter-

mination is given by either party to the other not later than September first, whereupon the tenancy shall terminate March first following."

LESTER S. GILLETTE.

L. B. FORSLING.

MR. PRESIDENT: Amend Senate File 315 as follows:

1. Strike all of section seven (7) and insert in lieu thereof the following:

"Sec. 7. All taxes collected under the provision of this act by the Iowa state board of assessment and review shall be allocated to the use of the Iowa farm tenancy commission."

2. Insert immediately following section seven (7) the following sections:

"Sec. 8. The Iowa farm tenancy commission shall consist of the secretary of agriculture, the state director of the farm security administration, and three persons living on farms, appointed by the Governor. The three members appointed by the Governor shall hold office for a period of six years, except however that the original appointments shall be for periods of two, four and six years, respectively; and shall receive ten dollars (\$10.00) per day and expenses, including mileage at the rate of three cents (3c) per mile for their services.

"Sec. 9. The farm tenancy commission shall elect a chairman, vice chairman and secretary, and adopt such rules, regulations and provisions as are necessary for carrying out the purposes of their creation, which are set forth in the following section.

"Sec. 10. The money allocated to the state farm tenancy commission shall be used for the purpose of aiding needy tenants in the purchase of Iowa farm homes. To carry out this purpose, the state commission is empowered to appoint county boards of three farmers, who shall have control of the program in their respective counties, subject to the supervision of the state commission. County boards shall be paid at the rate of three dollars (\$3.00) per day and actual expenses not to exceed three and one-half cents (3½c) per mile mileage and subsistence. The county committee shall be appointed for a term of three years except that the initial appointment shall be for one, two and three years."

3. Renumber the remaining sections.

4. Amend the title of the Act by striking the period at the end thereof and inserting in lieu thereof the following:

"and to provide for the appointment of a State Farm Tenancy Commission for the purpose of increasing farm home ownership in Iowa."

LESTER S. GILLETTE.

EARL DEAN.

On motion of Senator Lundy, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 24, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Dean Chapman, pastor of the Methodist Episcopal Church of Harlan.

The Journal of February 23rd was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cromwell for the day and Saturday, on request of Senator Evans; Senator Faul for the day and Saturday, on request of Senator Baldwin; Senator Husted for the day, on request of Senator Leo; Senator Bekman for the day, on request of Senator Breen; Senator Stewart for the afternoon, on request of Senator Beardsley; Senator Parker for the day, on request of Senator Sjulín; Senator Pelzer for the day, on request of Senator Doran; Senator Guernsey for the day and Saturday, on request of Senator Gillette.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Leo, from the Greater Vinton Club, favoring enactment of Senate File 64.

By Senator Leo, from citizens of Van Horne, favoring enactment of House File 1.

By Senator Gillette, from truckers of Clay county, favoring a reduction of licenses on farm-to-market truck operation and a repeal of the overload law.

By Senator Gillette, from the Parent-Teachers Association of Emmet Township Consolidated School District, opposing enactment of House File 89.

By Senator Hoeven, from independent merchants and professional men of Ochevedan, favoring enactment of the Iowa Community Preservation Act, Senate File 17.

By Senator Faul, from the Adult Education Council of Des Moines, favoring enactment of Senate File 252.

By Senator Faul, from the United Councils of the U. S. A., Des Moines, opposing any relief scrip plan, and favoring legislation providing for low-cost housing.

INTRODUCTION OF BILLS

Senate File 391, by committee on public schools, a bill for an act to amend section forty-two hundred fifty-five (4255), Code, 1935, and to repeal sections forty-two hundred fifty-six (4256) and forty-two hundred fifty-seven (4257), Code, 1935, and to enact a substitute therefor, all relating to mandatory subjects taught in the schools.

Read first and second times and placed on the calendar.

Senate File 392, by committee on social security, a bill for an act to amend and revise Chapter one hundred eighteen (118), Acts of the Forty-seventh General Assembly, relating to unified supervision of child welfare activities in the state, the promotion and establishment of child welfare services and the licensing, inspection and supervision of private institutions and agencies for the care and placing of children; to amend section thirty-six hundred sixty-one a-forty-three (3661 a-43), Code, 1935, relating to the definition of children's boarding homes to be licensed and inspected hereunder; to amend section thirty-six hundred sixty-one a-eighty (3661 a-80), Code, 1935, relating to annual reports of child placing agencies; to amend section ten thousand five hundred one b-two (10501 b-2), Code, 1935, relating to investigation and residence in adoption; to amend section ten thousand five hundred one b-seven (10501 b-7), relating to the commitment of children when adoptions are annulled.

Read first and second times and placed on the calendar.

HOUSE CONCURRENT RESOLUTION 12

House Concurrent Resolution 12 was taken up and considered.

Whereas, The Legislature is advised of a meeting of the Pioneer Law-makers Association to be held in the historical building on March 7, and of their custom of calling formally on the General Assembly; therefore,

Be It Resolved by the House, the Senate Concurring: That the General Assembly meet in joint session in the House Chamber on Tuesday,

March 7, 1939, at 2 p. m., and that the Pioneer Lawmakers be invited to attend and present a program on that date.

On motion of Senator Hill, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION 11

House Concurrent Resolution 11 was taken up and considered.

Whereas, There has been presented to the committee on consolidation and co-ordination of state government two motions which have been adopted by the board of education, which motions are as follows:

"Survey. Mr. Hall moved that a representative of the faculty committee and a representative of the finance committee be empowered to contact Dr. Samuel P. Capen about having a survey made of higher education in Iowa, with a view to eliminating needless duplication in courses and facilities and appraising the newer fields of education into which the state institutions of higher learning have been drawn, and to report back to the board. Seconded and carried."

"Survey—S. P. Capen. The chairman of the faculty committee reported that Dr. Samuel P. Capen could come to Iowa during the month of March, 1939, to make a survey of the state institutions of higher learning."

Whereas, It is the sense of the committee on consolidation and co-ordination of state government that the carrying out of said motions may contribute to the solution of the overlapping functions of our state educational institutions; now, therefore,

Be It Resolved by the House of Representatives of the Forty-eighth General Assembly, the Senate Concurring, That the state board of education report to the governor with reference to the progress made under the study contemplated by the said motions, the first report to be made not later than June 1, 1939, and each January and June first thereafter until the convening of the Forty-ninth General Assembly, and said reports be then transmitted to the General Assembly.

On motion of Senator Forsling, the resolution was adopted.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Hoeven, House File 281, a bill for an act to legalize the corporate acts and renewal of the charter of the Primghar Hotel Company, Primghar, Iowa, 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, 38:

Augustine	Edwards	Hill	Schadt
Baldwin	Ellis	Hoeven	Shaw
Benson	Evans	Hopkins	Smith
Berg	Forsling	Kirketeg	Stewart
Broen	Geske	Leo	Talbott
Byers	Gillette	Martin	Vrba
Corwin	Guernsey	Mighell	Whitehill
Dean	Hart	Miller	Zeigler
Dewey	Harvey	Moore	
Doran	Henningsen	Mowry	

Nays, none.**Absent or not voting, 12:**

Beardsley	Donohue	Husted	Parker
Bekman	Elthon	Levis	Pelzer
Cromwell	Faul	Lundy	Sjulin

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.

President pro tem Hoeven took the chair at 10:25.

By unanimous consent, on request of Senator Forsling, Senate File 198, a bill for an act to amend section four thousand two hundred thirty-three e-four (4233 e4), Code, 1935, relating to transportation of school children, and providing for transportation of high school students in certain cases, 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:

Strike all after the enacting clause and substitute therefor the following:

Section 1. Section four thousand two hundred thirty-three e four (4233-e4), Code, 1935, is amended by adding thereto the following:

"The board may provide transportation for children enrolled in and living more than three miles from an approved high school."

Senator Forsling offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting in section one (1) of the amendment after the word "school" the words "situate in a city having a population of more than 75000".

By unanimous consent, on request of Senator Forsling, the

figures "75000" were changed to "5000" in the amendment to the amendment.

By unanimous consent, on request of Senator Forsling, the amendment was withdrawn.

Senator Donohue offered the following substitute amendment for the committee amendment and moved its adoption:

Amend Senate File 198 by striking all of section one (1) and inserting in lieu thereof the following:

"Section 1. Section forty-two hundred thirty-three-e four (4233-e4), Code, 1935, is amended by adding thereto the following: 'The board of any school district maintaining an approved high school may provide transportation for any pupil enrolled in said high school and residing more than three (3) miles therefrom.'"

The substitute amendment was adopted.

Senator Forsling moved that the bill be read a third 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	Henningsen	Parker
Baldwin	Doran	Hill	Schadt
Beardsley	Edwards	Hoeven	Shaw
Benson	Ellis	Hopkins	Sjulin
Berg	Forsling	Leo	Smith
Byers	Geske	Martin	Talbott
Corwin	Gillette	Mighell	Vrba
Dean	Guernsey	Miller	Whitehill
Dewey	Harvey	Mowry	

Nays, none.

Absent or not voting, 15:

Bekman	Evans	Kirketeg	Pelzer
Breen	Faul	Levis	Stewart
Cromwell	Hart	Lundy	Zeigler
Elthon	Husted	Moore	

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

Senator Forsling offered the following amendment to the title, as proposed by the committee on public schools, and moved its adoption:

Strike from lines one (1) and two (2) of the title: "Section four thousand two hundred thirty-three E-four (4233-E4)", and insert in lieu thereof the following: "section four thousand two hundred thirty-three-e four (4233-e4)".

The amendment to the title was adopted, and the title as amended was agreed to.

Senator Forsling 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 Hickenlooper took the chair at 11:12.

RULING ON POINT OF ORDER

The President of the Senate held that the point of order raised by Senator Lundy on the amendment by Senator Smith to Senate File 1 yesterday was not well taken.

By unanimous consent, on request of Senator Smith, action was deferred on Senate File 1 and the bill allowed to retain its place 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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 10, extending an invitation to Hon. Harry Hopkins, United States Secretary of Commerce, to address a joint session of the Forty-eighth General Assembly, February 24, and the Speaker of the House has appointed as members of the committee on the part of the House to extend the invitation, Representatives Elliott, Johnson of Hancock, and Fishbaugh.

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

House File 271, a bill for an act to appropriate \$243.75 in payment of the loud speaker system installed in the House of Representatives.

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

House File 176, a bill for an act to provide for the defining and licensing of refrigerated locker plants.

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

House File 327, a bill for an act to transfer and vest in the governor authority to assign motor vehicles to state officers and employees.

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 to legalize a special school election held in the Independent School District of Arion, Crawford county, Iowa.

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

Senate File 268, a bill for an act requiring the highway commission to submit estimates for the maintenance of the primary road system.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 216, a bill for an act to appropriate two hundred fifty dollars to pay the expenses of the committee returning the flag of the Republic of Alsabama.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 216

Amend section one (1) by adding at the end thereof the following:

"It is hereby further authorized that such members of the Rainbow Division, who so desire, be an official part of the committee to return said flag, and do so at their own expense."

CONSIDERATION OF SENATE FILE 203 RESUMED

On motion of Senator Gillette, consideration of Senate File 203, a bill for an act to amend section ten thousand one hundred sixty-one (10161), Code, 1935, relating to the termination of agricultural leases, a committee bill, was resumed.

By unanimous consent, on request of Senator Gillette, the amendments filed by him and others were withdrawn.

Senator Gillette offered the following amendment and moved its adoption:

Amend line four (4) by inserting after the word "except" the word "that".

The amendment was adopted.

Senator Shaw moved to defer action on the bill.

Senator Gillette moved to amend the motion by adding the words "until 2:00 p. m."

The motion prevailed, and the amendment was adopted.

The motion of Senator Shaw, as amended, prevailed.

HOUSE AMENDMENT CONSIDERED

Senator Berg called up for consideration Senate File 216, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1) by adding at the end thereof the following:

"It is hereby further authorized that such members of the Rainbow

Division, who so desire, be an official part of the committee to return said flag, and do so at their own expense."

The motion prevailed and the Senate concurred in the House amendment.

Senator Berg moved that the bill be read a third time now, as amended, 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	Henningsen	Mowry
Baldwin	Edwards	Hoeven	Parker
Beardsley	Ellis	Hopkins	Schadt
Berg	Evans	Kirketeg	Shaw
Breen	Forsling	Leo	Sjulin
Byers	Geske	Lundy	Stewart
Corwin	Gillette	Martin	Talbott
Dean	Hart	Mighell	Vrba
Dewey	Harvey	Moore	Zeigler
Donohue			

Nays, none.

Absent or not voting, 13:

Bekman	Faul	Husted	Pelzer
Benson	Guernsey	Levis	Smith
Cromwell	Hill	Miller	Whitehill
Elthon			

The bill as amended 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.

MOTION TO RECONSIDER

MR. PRESIDENT: We move to reconsider the vote by which Senate File 200 was laid on the table.

G. R. HILL

CHARLES B. HOEVEN

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files 268, 154, and House File 191.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 268 and 154, and House File 191.

BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on the 24th day of February, 1939, sent to the Governor for his approval, Senate Files 268 and 154.

RALPH E. BENSON, *Chairman.*

Passed on file.

CONSIDERATION OF SENATE FILE 13 RESUMED

On motion of Senator Mighell, consideration of Senate File 13, a bill for an act to amend Chapter fifty-three (53) of the Code, 1935, relating to the time of qualifying for certain offices, was resumed.

The following committee amendment was considered:

Amend Senate File 13 by striking all of section 2.

On motion of Senator Breen, the amendment was adopted.

Senator Mighell moved that the bill be read a third 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	Harvey	Mighell
Baldwin	Doran	Henningsen	Miller
Beardsley	Edwards	Hill	Moore
Benson	Ellis	Hoeven	Mowry
Berg	Elthon	Hopkins	Schadt
Breen	Evans	Kirketeg	Shaw
Byers	Geske	Leo	Smith
Corwin	Gillette	Levis	Vrba
Dean	Hart	Martin	Zeigler
Dewey			

Nays, none.

Absent or not voting, 13:

Bekman	Guernsey	Parker	Stewart
Cromwell	Husted	Pelzer	Talbott
Faul	Lundy	Sjulin	Whitehill
Forsling			

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

THIRD READING OF BILLS

On motion of Senator Corwin, Senate File 59, a bill for an act to amend section forty-two hundred seventy-five (4275), Code, 1935, relating to public high school facilities for children cared for in a charitable institution, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Donohue offered the following amendment and moved its adoption.

Amend by striking section three (3).

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, 38:

Augustine	Doran	Hill	Moore
Baldwin	Edwards	Hoeven	Mowry
Beardsley	Ellis	Hopkins	Schadt
Benson	Elthon	Kirketeg	Shaw
Berg	Evans	Leo	Smith
Breen	Geske	Levis	Talbott
Corwin	Gillette	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler
Donohue	Henningsen		

Nays, none.

Absent or not voting, 12:

Bekman	Faul	Husted	Pelzer
Byers	Forsling	Lundy	Sjulin
Cromwell	Guernsey	Parker	Stewart

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.

CONSIDERATION OF SENATE FILE 203 RESUMED

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 203 by adding thereto after the period in line ten (10) the following:

"Where no notice has been given, however, the landlord may cancel by paying to the tenant ten per cent (10%) of the annual rental and for the fall plowing and the fall seedings sown."

Roll call was requested on the adoption of the amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 18:

Augustine	Breen	Gillette	Mighell
Baldwin	Corwin	Harvey	Schadt
Beardsley	Dean	Hoeven	Shaw
Benson	Edwards	Hopkins	Vrba
Berg	Elthon		

Nays, 17:

Byers	Geske	Levis	Smith
Dewey	Hart	Miller	Talbott
Doran	Henningsen	Moore	Whitehill
Ellis	Kirketeg	Mowry	Zeigler
Evans	Leo		

Absent or not voting, 15:

Bekman	Forsling	Lundy	Pelzer
Cromwell	Guernsey	Martin	Sjulin
Donohue	Hill	Parker	Stewart
Faul	Husted		

The amendment was adopted.

Senator Mowry offered the following amendment:

Amend Senate File 203, section one (1), by striking out the period (.) following the word "terms" in line ten (10) and adding the following: "providing the tenant pays the rent under the original lease when due."

By unanimous consent, on request of Senator Mowry, he withdrew his amendment.

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, 16:

Beardsley	Edwards	Hill	Miller
Benson	Elthon	Hoeven	Schadt
Breen	Gillette	Hopkins	Shaw
Dean	Harvey	Mighell	Vrba

Nays, 23:

Augustine	Donohue	Henningsen	Sjulin
Baldwin	Doran	Kirketeg	Smith
Berg	Ellis	Leo	Talbott
Byers	Evans	Levis	Whitehill
Corwin	Geske	Moore	Zeigler
Dewey	Hart	Mowry	

Absent or not voting, 11:

Bekman	Forsling	Lundy	Pelzer
Cromwell	Guernsey	Martin	Stewart
Faul	Husted	Parker	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

President Hickenlooper announced that a checking of the records indicated there was an error in the showing of the results of the roll call on the amendment offered by Senator Breen to Senate File 203, and that the count actually was 18 "ayes", 18 "nays", and 14 "absent or not voting". The results announced therefore should have indicated the amendment was lost.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 203 failed to pass the Senate.

A. E. AUGUSTINE.

THIRD READING OF BILLS

On motion of Senator Breen, Senate File 65, 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 without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Breen moved the adoption of the amendment offered by himself and Senator Hopkins, found on pages 215-218 of the Senate journal of February 8th.

The amendment was 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, 38:

Augustine	Donohue	Henningsen	Moore
Baldwin	Doran	Hill	Mowry
Beardsley	Edwards	Hoeven	Shaw
Benson	Ellis	Hopkins	Sjulin
Berg	Elthon	Kirketeg	Smith
Breen	Evans	Lundy	Talbott
Byers	Geske	Martin	Vrba
Corwin	Gillette	Mighell	Whitehill
Dean	Hart	Miller	Zeigler
Dewey	Harvey		

Nays, none.

Absent or not voting, 12:

Bekman	Forsling	Leo	Pelzer
Cromwell	Guernsey	Levis	Schadt
Faul	Husted	Parker	Stewart

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 motion of Senator Breen, Senate File 72, a bill for an act to make the office of superintendent of public instruction appointive, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 72 by striking from line six (6) of section two (2) the words "a majority" and inserting in lieu thereof the words and figures "a two-thirds (%) vote of the members".

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 72 by striking from line seven (7) of section two (2) the word "six" and inserting in lieu thereof the word "four".

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.

Rule 8 was invoked.

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

Ayes, 28:

Augustine	Dean	Geske	Miller
Baldwin	Donohue	Gillette	Moore
Beardsley	Doran	Hart	Shaw
Berg	Edwards	Henningsen	Smith
Breen	Ellis	Hopkins	Talbott
Byers	Elthon	Lundy	Vrba
Corwin	Evans	Mighell	Zeigler

Nays, 14:

Benson	Hoeven	Martin	Schadt
Dewey	Kirketeg	Mowry	Sjulin
Harvey	Leo	Parker	Whitehill
Hill	Levis		

Absent or not voting, 8:

Bekman	Faul	Guernsey	Pelzer
Cromwell	Forsling	Husted	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 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 74, a bill for an act to make the office of commerce commissioner appointive and to provide certain additional educational qualifications, 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 Senate File 74 by striking all of section 2.

Senator Breen offered the following amendment to the amendment:

Amend the committee amendment to Senate File 74 by striking the word and figure "section 2" and inserting in lieu thereof the following words and figures, "lines four (4), five (5), six (6), seven (7), eight (8), and nine (9) of section two (2).

By unanimous consent, on request of Senator Breen, action was deferred until 10:00 a. m. Saturday.

HOUSE MESSAGES CONSIDERED

House File 271, a bill for an act to appropriate the sum of two hundred forty-three dollars and seventy-five cents (\$243.75) to

the Moore Radio Shop, Chariton, Iowa, in payment of the loud speaker system installed in the House of Representatives.

Read first and second times and passed on file.

House File 176, a bill for an act to provide for the defining and licensing of refrigerated locker plants, and to provide a lien upon the food stored therein in favor of the lessor.

Read first and second times and passed on file.

House File 327, a bill for an act to transfer to and vest in the Governor the authority to assign all motor vehicle units owned by the state of Iowa, to state officers and employees, and state departments, commissions, bureaus, and offices; to create the positions of state car dispatcher and assistants to carry out the provisions of this act; to provide for periodical inspection of all state-owned motor vehicles and for keeping a record of their mileage and costs; to provide for making rules for their purchase and operation; to grant allowances to state officers and employees for the use of their own personal motor vehicles operated on state business, and to provide a penalty for violations thereof, and related matters.

Read first and second times and passed on file.

By unanimous consent, on request of Senator Levis, Mr. Walter L. Stewart introduced the new football coach at the University of Iowa, Dr. Edwin N. Anderson, who addressed the Senate briefly.

REPORTS OF COMMITTEES

Senator Guernsey submitted the following report:

MR. PRESIDENT: Your committee on constitutional amendments, to which was referred Senate Joint Resolution 7, a joint resolution proposing an amendment to the Constitution of the state of Iowa by amending section three (3) of Article three (III) relating to the term of office of the members of the House of Representatives, 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 from line 1 of Sec. 2. the words and figures "section two (II)".
2. Further amend by enclosing lines 3, 4 and 5 of Sec. 2 in quotation marks.
3. Further amend by inserting the word "as" between the words "being" and "nearly" in line 4 of Sec. 2.

HUGH G. GUERNSEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on constitutional amendments, to which was referred Senate Joint Resolution 5, a joint resolution proposing an amendment to Article XI of the Constitution of the State of Iowa, relating to the filling of vacancies in office, begs leave to report it has had the same under consideration and returns the bill without recommendation.

HUGH G. GUERNSEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on constitutional amendments, to which was referred Senate Joint Resolution 6, a joint resolution proposing an amendment to Article four (IV) of the Constitution of the State of Iowa relating to the term of office of Governor, begs leave to report it has had the same under consideration and recommends the same do pass.

HUGH G. GUERNSEY, *Chairman.*

Ordered passed on file.

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 22, a bill for an act to create a permanent claims committee to hear and consider claims against the State of 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:

1. Strike the words "Board of Investigation" in line eight (8) of section two (2) thereof, and insert in lieu thereof the words "Bureau of Criminal Investigation".

2. Amend section three (3) thereof by adding thereto the following: "In their consideration of claims, the committee shall make and file in the office of the Attorney General a complete report of each claim which shall include a summary of the evidence of each witness and a finding as to the facts."

3. Amend section four (4) by striking all of lines one (1), two (2), three (3), and the word "December" in line four (4) and inserting in lieu thereof the following: "The permanent claims committee shall meet at the State House in Des Moines, Iowa, commencing on the first Monday in January, April, July and October."

4. Amend section six (6) by striking all after the comma (,) following the word "therefor" in line five (5) and substituting in lieu thereof the following: "and shall file such report in the office of the Attorney General who shall submit a copy of said report to each house of said General Assembly on the second day of its regular session."

5. Amend section eight (8) by striking all of line four (4) thereof after the word "mileage" and inserting in lieu thereof the following: "to and from the place of meeting and for their reasonable expenses while attending. No additional compensation or mileage shall be allowed to a member of the committee during the sessions of the legislature."

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 31, a bill for an act to prohibit the inclusion of a chattel mortgage or chattel mortgage clause in any real estate mortgage or other instrument affecting real property, 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 sections one (1) and two (2) and insert in lieu thereof the following:

"Section 1. No chattel mortgage upon crops shall be valid when included in or made a part of any real estate mortgage or deed of trust or any instrument encumbering or affecting real property.

"Sec. 2. This act shall not affect any mortgage in existence on the effective date of this act."

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Senator Kirketeg submitted the following report:

MR. PRESIDENT: Your committee on labor, to which was referred Senate File 365, a bill for an act creating a boiler inspection department within the commission of labor and industry, providing for the inspection of steam boilers, generators, superheaters, and creating the office of state boiler inspector, defining his duties, and providing penalties for the violation thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

O. J. KIRKETEG, *Chairman.*

Ordered passed on file.

Senator Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 227, a bill for an act to create an agricultural land credit fund; to provide for the appropriation of funds to apply as a credit on taxes on agricultural lands; prescribing the procedure whereby said funds are allocated by the state treasurer to the county treasurers of the several counties; and providing a method of allotting tax credits on agricultural lands in special charter cities; to prescribe the procedure for the making of such credit; to define agricultural lands and providing for the making of claims for credit as provided in this act; and to provide a method of appeal from the act of the boards of supervisors of the several counties relating to the said agricultural land credit, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 363, a bill for an act to create a fund to encourage the drilling and development of oil and gas wells within the State of Iowa and to provide for the administration and disposition of the fund

by the retrenchment and reform committee and the executive council of the State of Iowa and to make an appropriation of \$40,000 to the committee on retrenchment and reform to be known as the Iowa Oil and Gas Development Fund for said purpose, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *Chairman.*

Ordered passed on file.

Senator Corwin submitted the following report:

MR. PRESIDENT: Your committee on railroads to which was referred Senate File 110, a bill for an act to amend section four thousand six hundred twenty-six (4626), Code, 1935, by adding two new paragraphs thereto giving the State Highway Commission power to require removal or alteration of lights within three hundred (300) feet of grade railway crossings or within three hundred (300) feet of primary road intersections, on or adjacent to primary roads, 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 110 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section four thousand two hundred twenty-six (4226), Code, 1935, is amended by adding thereto the following:

"10. Order the removal or alteration of any lights, other than railroad signals or crossing lights, whether on public or private property, located adjacent to a primary road, except extensions of primary roads within the corporate limits of any city or town, and within three hundred (300) feet of a railroad crossing at grade, which in any way interfere with the vision of or may be confusing to a person operating a motor vehicle on such highway in observing the approach of trains or in observing signs erected for the purpose of giving warning of such railroad crossing.

"11. Order the removal or alteration of any lights, whether on public or private property, located adjacent to a primary road, except extensions of primary roads within the corporate limits of any city or town, and within three hundred (300) feet of an intersection with another primary road, which in any way interfere with the vision of or may be confusing to a person operating a motor vehicle on such highway in observing the approach of other vehicles or signs erected for the purpose of giving warning of such intersection." E. P. CORWIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on railroads, to which was referred Senate File 106, a bill for an act to amend Chapter three hundred sixty-eight (368), Code, 1935, by adding a new section following section seven thousand eight hundred seventy-four (7874), giving to the Iowa state commerce commission authority to require the removal or alteration of lights used for the illuminating of advertising signs when such lights interfere with observation of railroad signals, 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 the title by striking line five (5) and inserting in lieu thereof the following: "used for illuminating purposes when such lights".

Also amend by striking lines five (5) and six (6) of said bill and inserting in lieu thereof the following: "the removal or alteration of any lights erected for illuminating purposes whether on public or".

E. P. CORWIN, *Chairman*.

Ordered passed on file.

Senator Beardsley submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred House File 121, a bill for an act to amend section two (2), three (3), four (4), six (6), nine (9) and fourteen (14) of Chapter one hundred thirty-five (135) Acts of the Forty-seventh General Assembly, all relating to the licensing and regulation of persons engaged in the business of used car motor vehicles in the state, begs leave to report it has had the same under consideration and recommends that the same do pass.

WM. S. BEARDSLEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File 244, a bill for an act to amend the law as it appears in Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, etc., begs leave to report it has had the same under consideration and recommends that the same do pass.

WM. S. BEARDSLEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File 291, a bill for an act to amend Chapter one hundred thirty-four (134), section 490, Acts of the Forty-seventh General Assembly, relating to vehicles and traffic; authorizing increased capacity registration by paying an additional prorated fee therefor, begs leave to report it has had the same under consideration and recommends that the same do pass.

WM. S. BEARDSLEY, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend the Smith amendment to Senate File 1, page 418 Senate Journal, by striking the word and figure "Section 1", and inserting in lieu thereof the word "Whereas", and then insert all of said paragraph before the first "Whereas" paragraph as found on page 419 of the Senate Journal.

Further amend the Smith amendment to Senate File 1, by renumbering the remaining sections.

Further amend the Smith amendment to Senate File 1 by striking all

after the word "appropriated" in line two of section 2, and inserting in lieu thereof the following: "to encourage scientific advance in agricultural products, diversification of agricultural crops, the development of sound conservation principles, and the increased industrial use of farm products."

HUGH W. LUNDY.

MR. PRESIDENT: Amend section one (1) of Senate File 293 by striking out the period (.) following the word "provided" in line twenty-one (21) and adding the following: " , however the provisions of this act shall not restrict the right of any one to maintain and prosecute his or her cause of action against the person liable for the injury or damage and the service of notice of the commencement of action upon such person in the manner provided for the commencement of actions as set out under Chapter four hundred eighty-nine (489), of the Code, 1935."

ROSS R. MOWRY.

MR. PRESIDENT: Amend Senate File 354 by rewriting the title to read "An Act to amend section ten (10), Chapter one hundred fifty-one (151), Acts of the Forty-seventh General Assembly, relating to appointment of members to county board of social welfare of a county.

2. Further amend Senate File 354 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section ten (10), Chapter one hundred fifty-one (151), Acts of the Forty-seventh General Assembly, is hereby amended by adding thereto the following: "No person shall be appointed to membership on such board if he is related to any recipient of old age assistance either by consanguinity or affinity within first degree."

EDWARD H. VRBA.

EDWARD BREEN.

MR. PRESIDENT: Amend Senate File 379 as follows:

1. Strike from line three (3) of section twenty-five (25) the figures "13479-11."

2. Strike all of section seventy (70).

3. Strike all of section seventy-one (71).

4. Strike all of section seventy-two (72).

5. Strike from section seventy-three (73) all of line one (1) and the word and figures "Code, 1935" from line two (2) and insert in lieu thereof the following:

"Sec. 73. Section ninety-seven (97) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly"; Further amend said section by striking the following from line three (3), "five (5)", and insert "three (3)".

6. Strike all of section seventy-five (75).

L. B. FORSLING.

MR. PRESIDENT: Amend Senate File 74 by striking from line twelve (12) the words "consent of the Senate" and inserting in lieu thereof the following: "approval of a two-thirds vote of the members of the Senate in executive session."

E. P. DONOHUE.

MR. PRESIDENT: Amend Senate File 140 as follows:

1. Strike out lines thirty-six (36) and thirty-seven (37) of sub-section

three (3) of section one (1) and insert in lieu thereof the words "said certificate showing that said policy insuring the registrant is in full force and effect."

2. Insert before the words "the insurance" in line thirty-nine (39) thereof the words "or the insurance coverage shall terminate."

3. Insert before the first word "the" in line forty-seven (47) thereof the words "or of the termination of the insurance coverage."

L. H. DORAN.

Senator Breen moved that the Senate recess until after the joint convention.

Senator Doran offered as a substitute motion that at the close of the joint convention, the Senate adjourn until 10:00 a. m. Saturday.

The substitute motion prevailed.

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 adoption of Senate Concurrent Resolution 10, the Joint Convention was called to order, Lieutenant-Governor B. B. Hickenlooper presiding.

The President instructed the committee previously appointed in accordance with Senate Concurrent Resolution 10 to notify the Honorable Harry L. Hopkins, secretary of commerce of the United States, that the Joint Convention was ready to receive him.

Senator Breen from the committee appointed to receive the Honorable Mr. Hopkins reported that it had performed its duty. The report was accepted and the committee was instructed to escort the Honorable Mr. Hopkins to the rostrum.

President Hickenlooper presented United States Secretary of Commerce Harry L. Hopkins to the Joint Convention, who then addressed the convention.

Senator Hoeven moved that the Joint Convention be now dissolved. Motion prevailed and the convention stood dissolved.

On the motion of Senator Doran previously adopted, the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 25, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Paul M. McDade, pastor of the Asbury Methodist Church of Des Moines.

The Journal of February 24th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Berg for the day, on request of Senator Zeigler; Senator Henningsen for the day, on request of Senator Donohue; Senator Geske for the day, on request of Senator Corwin; Senator Hoeven for the day, on request of Senator Hart.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Breen, from citizens of Lehigh, favoring enactment of House File 1.

By Senator Gillette, from citizens of Clay county, favoring enactment of House File 1.

By Senator Hopkins, from The Child Study Club of Adel, favoring enactment of House File 1.

By Senator Baldwin, from patrons of Lowell School District of Sioux City, favoring enactment of Senate File 120.

By Senator Talbott, from citizens of Keokuk county, opposing enactment of Senate Files 193, 194 and 195.

By Senator Corwin, from citizens of Muscatine, favoring enactment of House File 155.

By Senator Corwin, from the Muscatine Lions Club, opposing enactment of House File 287.

INTRODUCTION OF BILLS

Senate File 393, by committee on judiciary 1, a bill for an act to repeal section three thousand eight hundred thirteen (3813) of the

1935 Code; amend section three thousand eight hundred seventeen (3817) of the 1935 Code; repeal section three thousand eight hundred eighteen (3818) of the 1935 Code and to enact a substitute in lieu thereof; to repeal section three thousand eight hundred twenty-two (3822), Code, 1935, and to enact a substitute in lieu thereof, relating to the granting of pardons, suspension or commutations of sentences and remission of fines by the Governor and to provide for the giving of notice of any application therefor prior to the granting thereof and to provide for the disposition of all papers and documents relating thereto.

Read first and second times and placed on the calendar.

SENATE RESOLUTION 12

Senator Leo offered the following resolution and moved its adoption:

Be It Resolved by the Senate: That, we the members of the Senate, extend our sincere sympathy to our colleague, Senator Husted, in his sorrow in the loss of his brother, H. C. Husted.

The resolution was unanimously 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 48, a bill for an act relating to motor trucks operated upon the highways.

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

House File 217, a bill for an act to exempt certain trade-in property from retail sales tax.

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 to authorize nonprofit corporations to contract to furnish hospital service.

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

House File 377, a bill for an act to legalize the corporate acts and proceedings of the Farmers Mercantile Company of Red Oak, Iowa.

Also: That the House has concurred in Senate Amendments to and passed House File 61, a bill for an act to legalize and validate ordinance 4227 of the city of Des Moines, Iowa.

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

Senate File 170, a bill for an act to legalize the acts and proceedings of the Park Commissioners of the city of LeMars, Iowa.

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

Senate File 145, a bill for an act to legalize the election by the Consolidated School District of Climbing Hill, Iowa.

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

House File 439, a bill for an act legalizing the corporate acts and proceedings in connection with the renewal of the corporate existence of the Farmers Mutual Fire Insurance Association.

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

House File 421, a bill for an act to legalize the action of the board of supervisors of Mills county, Iowa.

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

House File 412, a bill for an act to legalize acknowledgments by notaries public.

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

House File 334, a bill for an act legalizing the action of the city council of Ft. Madison, Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 159, a bill for an act to legalize the corporate acts and proceedings of the Chickasaw County Equity Co-operative Association.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 159

Amend the title by striking all of said title following the word "Iowa" in line 3 and substituting in lieu thereof the following, "since the date of the expiration of its articles of incorporation, and to provide for the renewal of the articles of incorporation of said Chickasaw County Equity Co-operative Association."

HOUSE MESSAGES CONSIDERED

House File 307, a bill for an act to authorize nonprofit corporations to contract to furnish hospital service to subscribers and to contract with hospitals to furnish hospital service; to provide for the regulation and supervision thereof; to fix and declare their rights, powers and duties; to declare such corporation to be

a charitable and benevolent institution; to prescribe the powers and duties of the commissioner of insurance with reference thereto.

Read first and second times and passed on file.

House File 217, a bill for an act to amend section three (3) of Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly, and section three (3) of Chapter one hundred ninety-eight (198), Acts of the Forty-seventh General Assembly, so as to exempt certain trade-in property and the gross receipts from the sale thereof from retail sales tax and use tax.

Read first and second times and passed on file.

House File 412, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public, additional to section ten thousand eighty-five (10085) of the Code.

Read first and second times and passed on file.

House File 334, a bill for an act to legalize action of the city council of the city of Fort Madison, Iowa, in transferring funds in the amount of \$10,000 from the emergency fund to the general fund, and expending this \$10,000 from the general fund in excess of appropriations and anticipated revenues for such fiscal year, and to make such expenditures legal, binding and valid obligations of the city of Fort Madison, Iowa.

Read first and second times and passed on file.

House File 439, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Farmers Mutual Fire Insurance Association of Fremont County, Iowa, and to provide for the renewal of the charter of said Farmers Mutual Fire Insurance Association of Fremont County, Iowa.

Read first and second times and passed on file.

House File 421, a bill for an act to legalize the action of the board of supervisors of Mills County, Iowa, in making expenditures for the purpose of providing workmen's compensation insur-

ance on employees working on roads and bridges from the secondary road maintenance fund.

Read first and second times and passed on file.

House File 377, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Farmers Mercantile Company, of Red Oak, Iowa, and to provide for the renewal of the charter of said Farmers Mercantile Company.

Read first and second times and passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 216.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 216.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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, 1939, sent to the Governor for his approval, Senate File 216.

RALPH E. BENSON, *Chairman.*

Passed on file.

REPORTS OF COMMITTEES

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 262, a bill for an act to legalize the corporate acts and the renewal of the Farmers' Cooperative Exchange, 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 Senate File 258, a bill for an act to legalize the corporate acts and proceedings of the Farmers Mercantile Company of Red Oak, Iowa, and to provide for the renewal thereof and Amended and Substituted Articles of Incorporation of said Farmers Mercantile Company, 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 221, 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.

Also :

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 276, a bill for an act to make permanent the balance of a temporary transfer of funds in Dickinson county, Iowa, from the bovine tuberculosis fund to the general fund of said county, 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 308, a bill for an act to amend section 13397, Code, 1935, to provide penitentiary sentence for fourth conviction of false drawing or uttering of checks under \$20.00 in amount, 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 317, a bill for an act to amend the Code, 1935, by striking therefrom section 11775 relating to redemption from execution where repeal or stay of execution is taken, 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 176, a bill for an act to amend section four thousand six hundred fifty-eight (4658), Code, 1935, and also section four thousand six hundred fifty-eight-a one (4658-a1), Code, 1935, relating to procedure in condemnation of land and prospection for gravel beds, 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 274, a bill for an act to amend section eleven thousand nine hundred thirty-three (11933), Code of Iowa, 1935, relating to the posting of a bond on the sale or mortgage of real estate in an estate for the purpose of satisfying the debts and charges, 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 (1) by inserting after the word "must" in line five (5) the following:

"unless relieved therefrom by order of court." A. J. SHAW, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 233, a bill for an act to make permanent the balance of a temporary transfer of funds in Dickinson county, Iowa, from the bovine tuberculosis fund to the general fund of said county, 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 246, a bill for an act to limit the use of white canes to those who are blind or partly blind, 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 116, a bill for an act to amend Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, providing additional ground for the withholding of registration of motor vehicles by the county treasurer and for the withholding by the department of motor vehicles of licenses from certain persons, begs leave to report it has had

the same under consideration and returns the bill without recommendation, but reports the following proposed amendments:

Amend Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, by inserting a period (.) after the word "treasurer" in line four (4) of the title, and by striking the remainder of the title.

Further amend by striking all of section two (2) thereof.

A. J. SHAW, *Chairman*.

Ordered passed on file.

Senator Schadt submitted the following report:

MR. PRESIDENT: Your committee on educational institutions, to which was referred Senate File 181, a bill for an act to cancel taxes on real property belonging to Tabor College located at Tabor, Fremont county, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass. FREDERICK C. SCHADT, *Chairman*.

Ordered passed on file.

Senator Moore submitted the following report:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File 91, a bill for an act to amend Chapter one hundred thirty-three (133), section twenty-eight hundred twenty-four (2824), Code, 1935, requiring suitable head covering to be worn by those engaged in the preparation of food, 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 ninety-one (91) by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section twenty-eight hundred twenty-four (2824), Code, 1935, is amended by adding thereto a new paragraph as follows:

5. All persons engaged in the preparation of food for sale in hotels, restaurants, and in all public eating places shall wear a hat, cap or suitable head covering while in the performance of their duties."

M. MOORE, *Chairman*.

Ordered passed on file.

By unanimous consent, on request of Senator Donohue, House File 305 was placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Donohue, House File 305, a bill for an act to legalize the corporate acts and renewal of the charter of the Dennis Brothers Company, of Dubuque, Iowa, 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, 34:

Augustine	Dewey	Hopkins	Schadt
Baldwin	Donohue	Kirketeg	Shaw
Beardsley	Doran	Lundy	Sjulin
Bekman	Edwards	Martin	Smith
Benson	Elthon	Mighell	Stewart
Breen	Evans	Moore	Talbott
Byers	Hart	Mowry	Vrba
Corwin	Harvey	Parker	Zeigler
Cromwell	Hill		

Nays, none.

Absent or not voting, 16:

Berg	Forsling	Henningsen	Levis
Dean	Geske	Hoeven	Miller
Ellis	Gillette	Husted	Pelzer
Faul	Guernsey	Leo	Whitehill

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.

By unanimous consent, on request of Senator Donohue, House File 242 was placed on the calendar.

On motion of Senator Donohue, House File 242, a bill for an act to legalize action of the board of supervisors of Lee County, Iowa, in transferring funds in the amount of \$680.72 from the county general fund of Lee County to the Green Bay levy fund of the Green Bay drainage district of said county in 1939, 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, 32:

Augustine	Dewey	Hill	Schadt
Baldwin	Donohue	Hopkins	Shaw
Beardsley	Doran	Kirketeg	Sjulin
Bekman	Edwards	Lundy	Smith
Benson	Elthon	Martin	Stewart
Byers	Evans	Moore	Talbott
Corwin	Hart	Mowry	Vrba
Cromwell	Harvey	Parker	Zeigler

Nays, none.

Absent or not voting, 18:

Berg	Forsling	Hoeven	Mighell
Breen	Geske	Husted	Miller
Dean	Gillette	Leo	Pelzer
Ellis	Guernsey	Levis	Whitehill
Faul	Henningesen		

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.

By unanimous consent, on request of Senator Donohue, House File 294 was placed on the calendar.

On motion of Senator Donohue, House File 294, a bill for an act to legalize and validate proceedings of the council of the city of Rock Rapids, Iowa, authorizing the issuance of warrants for operation and maintenance of its electric light and power plant and system, the warrants issued pursuant thereto, proceedings authorizing the issuance and delivery of revenue bonds in exchange for and to retire a like amount of said warrants and pledging net earnings of the electric light and power plant and system of said city to the payment of said bonds and interest thereon, 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, 32:

Augustine	Dewey	Hill	Schadt
Beardsley	Donohue	Hopkins	Shaw
Bekman	Doran	Kirketeg	Sjulin
Benson	Edwards	Lundy	Smith
Breen	Elthon	Martin	Stewart
Byers	Evans	Mighell	Talbott
Corwin	Hart	Mowry	Vrba
Cromwell	Harvey	Parker	Zeigler

Nays, none.

Absent or not voting, 18:

Baldwin	Forsling	Hoeven	Miller
Berg	Geske	Husted	Moore
Dean	Gillette	Leo	Pelzer
Ellis	Guernsey	Levis	Whitehill
Faul	Henningesen		

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.

By unanimous consent, on request of Senator Donohue, House File 272 was placed on the calendar.

On motion of Senator Donohue, House File 272, a bill for an act to legalize and validate proceedings taken by the town council and the officials of the town of Bode, Iowa, in calling and holding a special election held in the town of Bode, Iowa, on the 4th day of November, 1938, and the election itself on the proposition of purchasing a town hall and constructing alterations thereto and contracting indebtedness and issuing bonds for such purpose not exceeding \$3,500.00 and levying an annual tax of two and one-half mills, 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, 34:

Augustine	Dewey	Hopkins	Schadt
Baldwin	Donohue	Kirketeg	Shaw
Beardsley	Doran	Lundy	Sjulin
Bekman	Edwards	Martin	Smith
Benson	Elthon	Mighell	Stewart
Breen	Evans	Moore	Talbott
Byers	Hart	Mowry	Vrba
Corwin	Harvey	Parker	Zeigler
Cromwell	Hill		

Nays, none.

Absent or not voting, 16:

Berg	Forsling	Henningsen	Levis
Dean	Geske	Hoeven	Miller
Ellis	Gillette	Husted	Pelzer
Paul	Guernsey	Leo	Whitehill

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.

By unanimous consent, on request of Senator Evans, Senate File 258 was placed on the calendar.

On motion of Senator Evans, Senate File 258, a bill for an act to legalize the corporate acts and proceedings of the Farmers Mercantile Company of Red Oak, Iowa, and to provide for the renewal of the amended and substituted articles of incorporation of said Farmers Mercantile Company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent, on request of Senator Evans, House File 377, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Farmers Mercantile Company, of Red Oak, Iowa, and to provide for the renewal of the charter of said Farmers Mercantile Company, a companion bill, was substituted for Senate File 258.

By unanimous consent, on request of Senator Evans, the rules were suspended and House File 377 was read the third time the same day.

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, 34:

Augustine	Dewey	Hopkins	Schadt
Baldwin	Donohue	Kirketeg	Shaw
Beardsley	Doran	Lundy	Sjulin
Bekman	Edwards	Martin	Smith
Benson	Elthon	Mighell	Stewart
Breen	Evans	Moore	Talbott
Byers	Hart	Mowry	Vrba
Corwin	Harvey	Parker	Zeigler
Cromwell	Hill		

Nays, none.

Absent or not voting, 16:

Berg	Forsling	Henningsen	Levis
Dean	Geske	Hoeven	Miller
Ellis	Gillette	Husted	Pelzer
Faul	Guernsey	Leo	Whitehill

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.

By unanimous consent, on request of Senator Evans, Senate File 258 was withdrawn.

Senator Baldwin took the chair at 11:30.

By unanimous consent, on request of Senator Shaw, Senate File 294, a bill for an act to legalize outstanding warrants issued by Norway township, Humboldt county, Iowa, in the construction of a community hall for the joint use of said township and the incorporated town of Thor, Iowa, in the town of Thor, Iowa, and providing 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 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	Dewey	Hopkins	Schadt
Baldwin	Donohue	Kirketeg	Shaw
Beardsley	Doran	Lundy	Sjulin
Bekman	Edwards	Martin	Smith
Benson	Elthon	Mighell	Stewart
Breen	Evans	Moore	Talbott
Byers	Hart	Mowry	Vrba
Corwin	Harvey	Parker	Zeigler
Cromwell	Hill		

Nays, none.

Absent or not voting, 16:

Berg	Forsling	Henningsen	Levis
Dean	Geske	Hoeven	Miller
Ellis	Gillette	Husted	Pelzer
Faul	Guernsey	Leo	Whitehill

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 Shaw, House Files 221, 262, and 276 were placed on the calendar.

On motion of Senator Doran, House File 221, a bill for an act to legalize the 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 Story county home, 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, 34:

Augustine	Dewey	Hopkins	Schadt
Baldwin	Donohue	Kirketeg	Shaw
Beardsley	Doran	Lundy	Sjulin
Bekman	Edwards	Martin	Smith
Benson	Elthon	Mighell	Stewart
Breen	Evans	Moore	Talbot
Byers	Hart	Mowry	Vrba
Corwin	Harvey	Parker	Zeigler
Cromwell	Hill		

Nays, none.

Absent or not voting, 16:

Berg	Forsling	Henningsen	Levis
Dean	Geske	Hoeven	Miller
Ellis	Gillette	Husted	Pelzer
Faul	Guernsey	Leo	Whitehill

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.

By unanimous consent, on request of Senator Martin, Senate File 129, a bill for an act to amend section sixty-eight hundred twenty-three (6823) of the Code, 1935, relating to powers of cities acting under special charter which are bounded in part or divided by a river, and to grant such cities power to acquire, by purchase or gift, lands, and interests, and riparian rights therein, which lands lie along or near any such river, and to condemn the same, and to manage and lease any such lands, and to sell and convey the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Martin moved that the bill be read a third 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	Dewey	Kirketeg	Shaw
Baldwin	Edwards	Martin	Sjulin
Benson	Elthon	Mighell	Stewart
Breen	Evans	Moore	Talbott
Byers	Harvey	Mowry	Vrba
Corwin	Hill	Parker	Zeigler
Cromwell	Hopkins	Schadt	

Nays, none.

Absent or not voting, 23:

Beardsley	Ellis	Hart	Lundy
Bekman	Faul	Henningsen	Miller
Berg	Forsling	Hoeven	Pelzer
Dean	Geske	Husted	Smith
Donohue	Gillette	Leo	Whitehill
Doran	Guernsey	Levis	

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

Senator Martin 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 Hickenlooper took the chair at 11:54.

On motion of Senator Shaw, House File 262, a bill for an act to legalize the corporate acts and the renewal of the charter of the Farmers' Cooperative Exchange, Kent, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 31:

Augustine	Donohue	Kirketeg	Shaw
Baldwin	Doran	Lundy	Sjulin
Benson	Edwards	Martin	Smith
Breen	Elthon	Mighell	Stewart
Byers	Evans	Moore	Talbott
Corwin	Harvey	Mowry	Vrba
Cromwell	Hill	Parker	Zeigler
Dewey	Hopkins	Schadt	

Nays, none.

Absent or not voting, 19:

Beardsley	Faul	Hart	Levis
Bekman	Forsling	Henningsen	Miller
Berg	Geske	Hoeven	Pelzer
Dean	Gillette	Husted	Whitehill
Ellis	Guernsey	Leo	

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.

By unanimous consent, on request of Senator Byers, Senate File 213, a bill for an act to amend sections six thousand six hundred six (6606) and six thousand six hundred seven (6607), Code, 1935, by inserting the words "exhibition halls" in both sections, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 213 by inserting in line four (4) of section one (1) a comma (,) after the words "exhibition halls".

Further amend by inserting in line four (4) of section two (2) a comma (,) after the words "exhibition halls".

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, 29:

Augustine	Dewey	Kirketeg	Shaw
Baldwin	Donohue	Lundy	Sjulin
Bekman	Doran	Martin	Smith
Benson	Edwards	Mighell	Stewart
Breen	Evans	Mowry	Talbott
Byers	Harvey	Parker	Vrba
Corwin	Hopkins	Schadt	Zeigler
Cromwell			

Nays, none.

Absent or not voting, 21:

Beardsley	Forsling	Henningsen	Levis
Berg	Geske	Hill	Miller
Dean	Gillette	Hoeven	Moore
Ellis	Guernsey	Husted	Pelzer
Elthon	Hart	Leo	Whitehill
Faul			

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

Senator Byers offered the following amendment to the title, and moved its adoption :

Amend by striking all of the title after the figures "1935," in line three (3) and inserting in lieu thereof the following: "to give certain cities the power to establish and maintain exhibition halls in city parks, and to levy a tax therefor."

The amendment was adopted, and the title as amended 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.

HOUSE AMENDMENT CONSIDERED

Senator Donohue called up for consideration Senate File 159, amended by the House, and moved that the Senate concur in the following amendment :

Amend the title by striking all of said title following the word "Iowa" in line 3 and substituting in lieu thereof the following: "since the date of the expiration of its articles of incorporation of said Chickasaw County Equity Co-operative Association."

The motion prevailed and the Senate concurred in the House amendment.

Senator Donohue moved that the bill be read a third time now, as amended, 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	Kirketeg	Shaw
Bekman	Doran	Lundy	Sjulin
Breen	Edwards	Martin	Smith
Byers	Evans	Mighell	Stewart
Corwin	Hart	Mowry	Talbot
Cromwell	Harvey	Parker	Vrba
Dewey	Hopkins	Schadt	Zeigler

Nays, none.

Absent or not voting, 22:

Baldwin	Berg	Elthon	Geske
Beardsley	Dean	Faul	Gillette
Benson	Ellis	Forsling	Guernsey

Henningsen	Husted	Miller	Pelzer
Hill	Leo	Moore	Whitehill
Hoeven	Levis		

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.

THIRD READING OF BILLS

By unanimous consent, on motion of Senator Shaw, Senate File 162, a bill for an act amending section five thousand seven hundred eighty-nine (5789) of the Code, relating to bonds for park commissioners, 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, 30:

Augustine	Dewey	Kirketeg	Shaw
Baldwin	Donohue	Lundy	Sjulin
Bekman	Doran	Martin	Smith
Benson	Edwards	Mighell	Stewart
Breen	Evans	Mowry	Talbott
Byers	Hart	Parker	Vrba
Corwin	Harvey	Schadt	Zeigler
Cromwell	Hopkins		

Nays, none.

Absent or not voting, 20:

Beardsley	Faul	Henningsen	Levis
Berg	Forsling	Hill	Miller
Dean	Geske	Hoeven	Moore
Ellis	Gillette	Husted	Pelzer
Elthon	Guernsey	Leo	Whitehill

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 Donohue, Senate File 191, a bill for an act to amend section one thousand four hun-

dred twenty-two (1422), Code of 1935, providing for workmen's compensation for highway patrolmen, with report of committee recommending passage, was taken up and considered.

By unanimous consent, on request of Senator Donohue, action on Senate File 191 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Byers, Senate File 214, a bill for an act to amend section six thousand five hundred eighty (6580), Code, 1935, relating to the leasing of city property, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 27:

Augustine	Cromwell	Hopkins	Sjulin
Baldwin	Dewey	Kirketeg	Smith
Bekman	Doran	Mighell	Stewart
Benson	Edwards	Mowry	Talbott
Breen	Evans	Parker	Vrba
Byers	Hart	Schadt	Zeigler
Corwin	Harvey	Shaw	

Nays, none.

Absent or not voting, 23:

Beardsley	Faul	Hill	Martin
Berg	Forsling	Hoeven	Miller
Dean	Geske	Husted	Moore
Donohue	Gillette	Leo	Pelzer
Ellis	Guernsey	Levis	Whitehill
Elthon	Henningsen	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.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports

that it has examined and finds correctly enrolled Senate File 48.

RALPH E. BENSON, *Chairman Senate Committee.*
ALBERT STEINBERG, *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 48.

Senator Breen moved that, in accordance with concurrent resolution duly adopted, the Senate adjourn, to reconvene, after the recess, March 6th at 10:00 a. m.

Senator Evans offered as a substitute motion that the Senate recess until 3:00 p. m. and that, when the Senate adjourn, it adjourn to reconvene, after the recess, March 6th at 10:00 a. m. in accordance with concurrent resolution duly adopted.

The substitute motion prevailed.

The Senate reconvened with Senator Evans in the chair, by appointment of President Hickenlooper.

AMENDMENT FILED

MR. PRESIDENT: Amend Senate File 379 as follows:

1. By striking all of section four (4) and inserting in lieu thereof the following:

"Sec. 4. The commissioner, with the approval of the governor, shall appoint such deputies, inspectors, officers, clerical workers and other employees as may be required to properly discharge the duties of this department, provided, however, that all members in good standing of what is now known as the Iowa highway safety patrol shall, upon the enactment of this act, immediately become members of this department without re-appointment and the rank and salary of all members of the Iowa highway safety patrol shall remain the same as now fixed by statute, or as may be provided for in this act.

"The commissioner may delegate to the members of the Iowa highway safety patrol such additional duties in the enforcement of this act as he may deem proper and incidental to the duties now imposed upon them by law.

"The salaries of all employees and members of the department and the expenses of the department shall be fixed by the legislative appropriation therefor."

2. By inserting in section eleven (11) after the word "safety" in line seventeen (17) the following:

"except members of the present Iowa highway safety patrol who have served more than six (6) months".

3. By striking all of section twenty-eight (28) and inserting in lieu thereof the following:

"Sec. 28. Section fourteen (14), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, is amended by striking the word 'registration' in line five (5) and inserting in lieu thereof 'inspection and law enforcement'".

4. By striking all of section twenty-nine (29) and inserting in lieu thereof the following:

"Sec. 29. Section fifteen (15), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, is amended by striking all following the word 'thereof' in line six (6) and inserting in lieu thereof the following: ' provided, however, all members in good standing of the present Iowa highway safety patrol shall retain their rank, and automatically become members of this department. All other appointees of the commissioner made subsequent to the enactment of this act shall be subject to the approval of the governor.' "

5. By striking all of section thirty (30) and inserting in lieu thereof the following:

(a) "Sec. 30. Section sixteen (16), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, is amended by striking from line two (2) the words 'secretary of state' and inserting in lieu thereof 'governor'".

(b) Also by striking the last sentence and inserting in lieu thereof the following:

"All officers appointed or serving under the provisions of this chapter shall be deemed peace officers and shall have all authority vested in a peace officer of the State of Iowa."

6. By striking all of section thirty-four (34) and inserting in lieu thereof the following:

"Sec. 34. Sections thirty (30), thirty-one (31), thirty-two (32) and thirty-three (33), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, are hereby repealed and the following inserted in lieu thereof: 'The commissioner shall succeed to the administration and control of the Iowa highway safety patrol heretofore established. The commissioner is authorized to employ the members of the said patrol; however, not to exceed one hundred twenty-five (125) men, and not more than sixty per cent (60%) of the said patrol shall at any time be members of the same political party. All appointees to the patrol shall be selected after an examination as to physical and mental fitness, such examinations to be prescribed by the commissioner, and all appointees shall be residents of the state of Iowa, of good moral character, and not less than twenty-five (25) years of age.

Sec. 35. The commissioner is authorized to appoint a chief, a first and second assistant and all supervisory officers of said patrol. All appointments and promotions shall be made on the basis of seniority and merit examinations. There shall not be more than seventeen (17) supervisory officers in the said patrol unless the membership thereof is increased."

7. I move to amend Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, by repealing sections thirty-four (34) and thirty-five (35) and inserting in lieu thereof the following:

"Sec. 36. During the period of six (6) months from the appointment of any member of the Iowa highway safety patrol he shall be subject to dismissal at the will of the commissioner. After six (6) months service any member of the patrol shall be subject to suspension. However, at the time of said suspension charges must immediately be filed with the secretary of the executive council showing cause for such suspension. Upon the filing of the charges a date for hearing shall be set within thirty (30) days thereafter and the hearing shall be held before the executive council and the member shall be notified in writing of the date of the hearing. At the hearing before the executive council the appointee shall be entitled to be represented by legal counsel and a majority vote of the members of the executive council shall be necessary to warrant the dismissal of a patrolman, for cause. In the event that the dismissal is upheld by the executive council the patrolman shall have thirty (30) days time in which to appeal said dismissal and the district court of Polk county, Iowa shall have jurisdiction to hear all appeals.

"The salary of the member so suspended shall terminate on the date of his suspension. However, in the event that it is held that the patrolman was suspended without cause, he shall be immediately reinstated and paid his regular salary during the period of his suspension."

8. By striking all of sections thirty-six (36) and thirty-seven (37) and inserting in lieu thereof the following:

"Sec. 37. Sections thirty-six (36) and thirty-seven (37), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, are hereby repealed and the following inserted in lieu thereof: 'The duties of the Iowa highway patrol shall be the enforcement of the provisions of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to the regulations of motor vehicles and laws of the road and such other duties incidental to the nature of their general work as may be prescribed by the commissioner under the provisions of this act.

"Sec. 38. The commissioner is hereby authorized to set up a training school for all new appointees to the patrol and shall prescribe the rules and regulations of such school, the period of training to be required of appointees to the Iowa highway safety patrol, and may send to recognized officers' training schools such officers as the commissioner may deem advisable, for periods not to exceed one (1) month in any calendar year."

"Sec. 39. The commissioner, with the approval of the executive council, is hereby authorized to purchase uniforms and necessary equipment for the use of the patrol, and the expense of the same, and for the maintenance of the patrol, including salaries, shall be paid from the maintenance fund of the motor vehicle department.

"Sec. 40. The salaries of the patrol shall be set by the commissioner with the approval of the Governor, but shall not exceed the following:

Chief of patrol, two hundred seventy-five dollars (\$275.00).

Assistant chiefs, two hundred dollars (\$200.00).

Sergeants, one hundred seventy-five dollars (\$175.00).

Patrolmen, after one year's service as patrolmen, or a driver's license examiner, one hundred sixty dollars (\$160.00).

Patrolmen with less than one year's service, one hundred ten dollars (\$110.00).

9. Renumber the remaining sections.

E. P. DONOHUE.

In accordance with concurrent resolution previously adopted, Senator Evans, presiding, declared the Senate adjourned until 10:00 a. m. Monday, March 6th.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 6, 1939.

The senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Herbert Huffman, Jr., pastor of College Avenue Friends Church of Oskaloosa.

The Journal of February 25th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cromwell indefinitely, on request of Senator Evans; Senator Moore for the day, on request of Senator Breen; Senator Ellis for the day, on request of Senator Henningsen; Senator Lundy for the morning, on request of Senator Bekman.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Baldwin, from citizens of Dubuque county, opposing enactment of House File 1 and Senate File 169.

By Senator Doran, from citizens of Boone county, opposing enactment of House File 1 and Senate File 169.

By Senator Doran, from the independent business men of Carroll county, requesting that the chain store tax bill be brought to the floor of the Senate for consideration.

By Senator Doran, from The Iowa Conference of Seventh-day Adventists, Nevada, opposing enactment of House File 351.

By Senator Hill, from citizens of Hardin county, opposing enactment of House File 1 and Senate File 169.

By Senator Hill, from members and friends of Townsend Club No. 1 of Iowa Falls, favoring a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Hill, from independent merchants and professional

people of Wright and Hamilton counties, favoring enactment of the chain store tax bill.

By Senator Shaw, from independent merchants and professional people of Pocahontas and Buena Vista counties, favoring enactment of the chain store tax bill.

By Senator Henningsen, from citizens of Clinton county, opposing enactment of House File 1 and Senate File 169.

By Senator Leo, from citizens of Tama and Benton counties, opposing enactment of House File 1 and Senate File 169.

By Senator Leo, from the Tama County Farm Bureau, favoring the erection of a new 4-H Club building at the State Fair.

By Senator Hart, from citizens of Lee county, opposing enactment of House File 1 and Senate File 169.

By Senator Harvey, from citizens of Crawford county, opposing enactment of House File 1 and Senate File 169.

By Senator Harvey, from landowners in the Independent School District of Manilla, requesting relief from excessive taxes.

By Senator Berg, from citizens of Grundy county, opposing enactment of a State Fair Labor Standards Act.

By Senator Berg, from citizens of Black Hawk county, opposing enactment of House File 1 and Senate File 169.

By Senator Shaw, from citizens of Humboldt county, opposing enactment of House File 1 and Senate File 169.

By Senator Forsling, from independent merchants and professional people of Sioux City, favoring enactment of the chain store tax bill.

By Senator Sjulín, from Coburg Consolidated School, opposing enactment of House File 89.

By Senator Sjulín, from a committee appointed to study agricultural problems in Page county, favoring enactment of Senate File 166 and House File 347.

By Senator Sjulín, from the Clarinda Chamber of Commerce, favoring enactment of the soil conservation district bill.

By Senator Sjulín, from the county officers of Page county, favoring a four-year term for county officers.

By Senator Elthon, from citizens of Mitchell, Worth and Winnebago counties, opposing enactment of House File 1 and Senate File 169.

By Senator Stewart, from Fayette and Allamakee counties, opposing enactment of House File 1 and Senate File 169.

By Senator Breen, from citizens of Webster county, opposing enactment of House File 1 and Senate File 169.

By Senator Breen, from independent merchants of Pomeroy, favoring a tax on chain stores.

By Senator Pelzer, from citizens of Cass county, opposing enactment of House File 1 and Senate File 169.

By Senator Parker, from citizens of Delaware and Buchanan counties, opposing enactment of House File 1 and Senate File 169.

By Senator Parker, from citizens of Hopkinton, opposing enactment of House File 351.

By Senator Geske, from citizens of Clayton county, opposing enactment of House File 1 and Senate File 169.

By Senator Corwin, from citizens of Muscatine and Louisa counties, opposing enactment of House File 1 and Senate File 169.

By Senator Corwin, from the City Council of Muscatine, favoring a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Corwin, from merchants of Muscatine, opposing enactment of Senate Files 316 and 373.

By Senator Hart, from citizens of Des Moines county, opposing enactment of House File 1 and Senate File 169.

By Senator Evans, from citizens of Montgomery county, opposing enactment of House File 1 and Senate File 169.

By Senator Vrba, from citizens of Howard and Winneshiek counties, opposing enactment of House File 1 and Senate File 169.

By Senator Mighell, from the Independent School District of Holstein, favoring enactment of Senate File 227.

By Senator Whitehill, from citizens of Marshall county, opposing enactment of House File 1 and Senate File 169.

By Senator Schadt, from citizens of Johnson county, opposing enactment of House File 1 and Senate File 169.

By Senator Byers, from citizens of Linn county, favoring enactment of House File 431.

By Senator Bekman, from the retail grocers of Ottumwa, favoring enactment of Senate File 238.

By Senator Bekman, from citizens of Wapello county, opposing enactment of a State Fair Labor Standards Act.

By Senator Vrba, from citizens, merchants and taxpayers of Howard county, favoring enactment of Senate File 17, providing for tax on chain stores.

By Senator Vrba, from maintenance employees of highway commission of Howard county, favoring enactment of Senate File 64.

By Senator Hopkins, from citizens of Guthrie county, opposing enactment of House File 1 and Senate File 169.

By Senator Hopkins, from citizens of Guthrie Center, opposing bills providing for appointment of certain state officials.

By Senator Hopkins, from citizens of Linn county, favoring enactment of House File 431.

By Senator Faul, from members and friends of Townsend Club No. 6 of Des Moines, favoring passage of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Faul, from citizens of Des Moines, favoring enactment of House File 498.

By Senator Hoeven, from taxpayers of Alvord Independent District in Lyon county, favoring enactment of Senate File 227.

By Senator Hoeven, from the Independent School District of Primghar, favoring enactment of Senate File 227.

By Senator Hoeven, from taxpayers of Doon, Lyon county, favoring enactment of Senate File 227.

By Senator Hoeven, from the Independent School District of Sanborn, O'Brien county, favoring enactment of Senate File 227.

By Senator Hoeven, from taxpayers of Little Rock, Lyon county, favoring enactment of Senate File 227.

By Senator Hoeven, from taxpayers of Hull, Sioux county, favoring enactment of Senate File 227.

By Senator Hoeven, from taxpayers of Hawarden, Sioux county, favoring enactment of Senate File 227.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

Senate File 290, a proposed bill legalizing the proceedings of the board of supervisors of Mills county.

Senate File 350, a proposed bill legalizing warrants issued by the independent school district of New Hampton. *WALTER H. BEAM, Secretary.*

INTRODUCTION OF BILLS

Senate File 394, by committee on tax revision, a bill for an act to amend sections sixty-nine hundred eighty-two-d1 (6982-d1), sixty-nine hundred eighty-two-d2 (6982-d2), and seventy hundred ninety (7090), Code, 1935, relating to the time of filing statements of utility companies, and companies owning or operating transmission lines for the conduct of electricity; and relating to the time of the certification of assessment of utilities by the board of assessment and review to county auditors.

Read first and second times and referred to sifting committee.

SPECIAL ORDER

By unanimous consent, on request of Senator Forsling, Senate File 379 was made a special order of business for 10:30 a. m. Tuesday.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson 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 61 and 281.

RALPH E. BENSON, Chairman Senate Committee.
ALBERT STEINBERG, 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 61 and 281.

BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 6th day of March, 1939, sent to the Governor for his approval, Senate File 48. **RALPH E. BENSON, Chairman.**

Passed on file.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on February 25, 1939, he had approved the following:

Senate File 60, relating to penalties and interest charged for failure to report income in the income tax return.

Senate File 154, legalizing school election in Independent School District of Arion.

Senate File 161, relating to the budget.

Senate File 268, relating to appropriation by legislature to Highway Commission for certain purposes.

Also that, on February 27, 1939, he had approved the following:

Senate File 216, appropriating \$250.00 for the return of the flag of the Republic of Alabama to the State of Alabama.

EXTRA COPIES

By unanimous consent, on request of Senator Hoeven, 300 additional copies of Senate File 227 were ordered printed.

REPORTS OF COMMITTEES

Senator Leo submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 89, a bill for an act to amend section fifty-five hundred sixty-one (5561), Code, 1935, relating to power and control of township trustees over township cemeteries and to provide authority

to township trustees to establish a perpetual maintenance fund for township cemeteries, begs leave to report it has had the same under consideration and recommends the same do pass. R. V. LEO, *Chairman*.

Ordered passed on file.

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 185, a bill for an act to repeal section fifty-two hundred ninety-six-f twenty-five (5296-f25), Code, 1935, as amended by Chapter 137, Acts of the Forty-seventh General Assembly, and to enact a substitute therefor, relating to funeral expenses for persons receiving old age assistance, 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 the period and the quotation marks at the end thereof and placing a comma after the word "recipient" and adding the following: "providing, however, that the expenses of any such funeral shall not exceed two hundred dollars (\$200.00)."

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

SIFTING COMMITTEE

In accordance with Rule 40, the following committee is named as the sifting committee, namely: Senator Donohue, chairman; Senator Corwin, ranking member; Senators Baldwin, Levis, Zeigler, Evans, Hill, Sjulín, and Gillette.

Signed this 6th day of March, 1939, it being the first legislative day in March, 1939. BOURKE B. HICKENLOOPER, *President of Senate*.

Senator Hart moved that all bills now in standing and special committees be immediately referred to the sifting committee, and that all committee bills hereafter introduced and all bills on the calendar and undisposed of at the finish of business on March 6th, except Senate File 379, set for special order, and except appropriation bills originating in the appropriations committee and claim bills, be referred to the sifting committee.

Senator Smith moved to amend the motion by adding that the sifting committee may, in its discretion, decide as to whether the bills on page one of the calendar, found in the Senate Journal of February 25th, shall remain on the calendar or be sent to the sifting committee.

The amendment was adopted.

The motion as amended prevailed.

CONSIDERATION OF SENATE FILE 74 RESUMED

By unanimous consent, on request of Senator Breen, Senate File 74, a bill for an act to make the office of commerce commissioner appointive and to provide certain additional educational qualifications, was considered as unfinished business, and consideration of the amendment by Senator Breen to the committee amendment to Senate File 74, found on page 454 of the Journal, was resumed.

President pro tem Hoeven took the chair at 11:15.

By unanimous consent, on request of Senator Breen, the committee amendment and the amendment by Senator Breen to the committee amendment were withdrawn.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 74 by striking lines four (4), five (5), six (6), seven (7), eight (8), and nine (9) of section two (2).

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 27:

Augustine	Evans	Husted	Shaw
Baldwin	Geske	Kirketeg	Sjulin
Berg	Guernsey	Levis	Smith
Byers	Hart	Martin	Talbott
Corwin	Harvey	Miller	Vrba
Donohue	Henningsen	Mowry	Zeigler
Elthon	Hill	Parker	

Nays, 16:

Beardsley	Dean	Faul	Leo
Bekman	Dewey	Gillette	Schadt
Benson	Doran	Hoeven	Stewart
Breen	Edwards	Hopkins	Whitehill

Absent or not voting, 7:

Cromwell	Forsling	Mighell	Pelzer
Ellis	Lundy	Moore	

The amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 74 by striking from line ten (10) of section two (2) the figures "7865-i2" and inserting in lieu thereof the figures "7865-i1".

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 74 by striking from line twelve (12) the words "consent of the Senate" and inserting in lieu thereof the following: "approval of a two-thirds vote of the members of the Senate in executive session".

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, 26:

Augustine	Dean	Hill	Parker
Baldwin	Donohue	Husted	Shaw
Bekman	Elthon	Leo	Sjulin
Berg	Evans	Levis	Talbott
Breen	Guernsey	Martin	Vrba
Byers	Hart	Mighell	Whitehill
Corwin	Harvey		

Nays, 19:

Beardsley	Faul	Hopkins	Schadt
Benson	Geske	Kirketeg	Smith
Dewey	Gillette	Miller	Stewart
Doran	Henningsen	Mowry	Zeigler
Edwards	Hoeven	Pelzer	

Absent or not voting, 5:

Cromwell	Forsling	Lundy	Moore
Ellis			

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

Senator Breen offered the following amendment to the title and moved its adoption:

Amend the title by inserting a period (.) after the word "appointive" and striking all thereafter.

The amendment was adopted, and the title as amended 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.

CONSIDERATION OF SENATE FILE 191 RESUMED

By unanimous consent, on request of Senator Donohue, consideration of Senate File 191, a bill for an act to amend section one thousand four hundred twenty-two (1422), Code of 1935, providing for workmen's compensation for highway patrolmen, with report of committee recommending passage, was resumed, and the report of the committee adopted.

President Hickenlooper took the chair at 11:58.

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, 42:

Augustine	Doran	Hill	Mowry
Baldwin	Edwards	Hoeven	Pelzer
Beardsley	Elthon	Hopkins	Schadt
Bekman	Evans	Husted	Shaw
Benson	Faul	Kirketeg	Sjulin
Breen	Geske	Leo	Stewart
Byers	Gillette	Levis	Talbott
Corwin	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler
Donohue	Henningesen		

Nays, none.

Absent or not voting, 8:

Berg	Ellis	Lundy	Parker
Cromwell	Forsling	Moore	Smith

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.

EXECUTIVE SESSION

On motion of Senator Evans, the Senate resolved itself into executive session.

The Senate in executive session confirmed the appointment of Harold L. Davidson, of Clarinda, Page county, as Commerce Counsel, for the term of four years, beginning July 1, 1939, and ending June 30, 1943.

The Senate arose from executive session and resumed regular session.

ADDRESS BY PROF. PELZER BEFORE JOINT CONVENTION ON
WASHINGTON'S BIRTHDAY

Louis Pelzer, Professor of History at the State University of Iowa, spoke on "Washington: a Human Personality," as follows:

MR. PRESIDENT, members of the Senate, members of the House of Representatives, ladies, and gentlemen:

I am grateful for Senate Concurrent Resolution 8 and am happy to support for a brief half hour a motion in commemoration of the two hundred and seventh anniversary of the birth of George Washington.

Three American ex-presidents—Washington, Lincoln and Roosevelt—are known by their last names rather than by their full names. They have almost become common nouns in American speech. Lincoln is greater than President Lincoln. Washington stands above his military commissions and the honors of his presidency. T. Roosevelt's precepts and character will be more enduring than his record in the White House.

Of Washington's career of sixty-seven years about forty are devoted to his country. Under the English crown he took part in the French and Indian War. He served the colony and the state of Virginia. About twenty years—both of war and peace—span his period of service to the United States.

It is perhaps more true to say that Washington was a great man rather than a great general or a great president. Unlike Hamilton and Jefferson he never was the author of an ordered system or theory of government. Contrasted to Franklin he has no record of distinguished service abroad. Many of his contemporaries in an age of much public discussion, surpassed him in the art of public address.

One wonders whether or not Washington would recognize himself in the great crop of biographies which have sprouted—if not matured—the last one hundred and forty years. Would he have passed by the "Cherry Tree" legend or uprooted it from American folk lore to banish it from use at American dinner tables? Or imagine his reading his biographies by John Marshall and H. C. Lodge—rather liberally tinted by the Federalist pens. I believe he would enjoy the accounts by Hulbert and Haworth about his land explorations and purchases and about his profits and losses on his plantations. His namesake—Washington Irving—gave a literary treatment to Washington's career in five stout volumes. In P. L. Ford's *The True George Washington*, the word "True" not only raises new hopes but casts implications on previous biographers. Had Washington been able to read Rupert Hughes biography he might have been delighted at the fullness of the record—more complete perhaps than was known to any of Washington's contemporaries. It is unlikely, however, that the so-called "debunking" biography of W. E. Woodward would have appealed to the subject's sense of humor or literary appreciation.

One writer has remarked that at his death Washington did not lie in

state but that he has been lying in state ever since. There has sometimes been in the past a tendency to make our leaders supermen or superhuman. In hero-building we have had Jupiter, Wotan, King Arthur, and others. All human faults and failings tended to be discarded. "Indeed, in such characters as Washington, Franklin, and Lincoln we have practically adopted the maxim that 'the king can do no wrong.' In place of men limited by human limits and influenced by human passions we have demi-gods, so stripped of human characteristics as to make us question whether they deserved much credit for their sacrifices and deeds."

Of course during his lifetime Washington was the subject of bitter strife. While president he was accused of desiring a crown and the ugly words applied to him, "traitor", "snob", and "dictator" have not been forgotten. Thomas Paine's remarks can hardly be matched in bitterness. None of Washington's close associates, whether supporters or opponents, could or would have written in such bitter vein.

First and foremost Washington was by occupation a farmer and planter. His western land holdings in Virginia, Pennsylvania, Ohio, New York, and Kentucky at one time numbered nearly fifty thousand acres. After the Revolutionary War he went on a tour to inspect his lands in Western Pennsylvania. On his 2800 acres he found fourteen squatters who had built rude cabins, barns, stables, and fences. The farmers were somewhat frightened and asked Washington if he would sell. "I told them," he noted in his diary, "I had no intention to sell." Then he listened to their tales of hardships and agreed to sell the lands at 2½ shillings per acre to be paid in three annual installments with interest. Or, he was willing to lease the lands for 999 years. On Washington's refusing to extend a more liberal credit, the farmers said they would stand suit for the possession of the lands. Washington then directed one of his men to gather evidence that Washington had title to the land before the squatters saw it.

A French visitor at Mount Vernon in 1788 noted a large barn to contain Washington's farm products and to shelter his cattle, horses, and mules. Built of brick the structure cost \$1500. His 300 negroes were distributed in log-houses in different parts of his plantation which contained about 10,000 acres. Washington's land holdings in all parts of the country, the visitor said, were about 200,000 acres.

Everything about the house had an air of simplicity. Mrs. Washington superintended the household. The table was good but not ostentatious, and there was regularity and domestic economy.

In one of his orders to his agent in London he requested him to buy: "The newest and most approved Treatise of Agriculture—besides this send me a small piece in Octavo—called a New System of Agriculture, or a Speedy Way to Grow Rich."

Even with his great estates Washington at one time, at least, felt the need of money. "Never till within these two years," he wrote a month before he became president, "have I experienced the want of money. Short crops and other causes not entirely within my control make me feel it now very terribly. To collect money (without the intervention of suits) seems impracticable—and land which I have offered for sale, will not command action but at an under value." He desired to borrow £500 to pay

up his debts in Alexandria before leaving for New York City. "Permit me to ask," he wrote to Captain Conway, "if it is in your power to supply me with the above or a smaller sum?—any security you may best like, I can give."

Washington's writings—diaries, letters, and public documents—have been estimated in number all the way from 26,000 to 40,000. But very little record is in existence of any of his conversations. Where thousands heard the voice of Washington the voices of President Hoover and President Roosevelt have gone many times to millions of listeners. One wonders if his social talk carried any of the slang of the day. He told anecdotes but how were they related? Was his oral speech grammatical and his pronunciation correct?

He was not a maker of phrases as was Roosevelt whose "big stick", "square deal", and "strenuous life" stuck like burs in our every day speech. If there were flashes of wit from Washington's tongue they were left unrecorded. If his speech was like his diaries his words would not show any "patrician fineness of taste" as did those of his two secretaries, Jefferson and Hamilton.

Here is a letter of Washington of 1759 to his agent in London directing him to buy furnishings for his home. He desired a "Tester Beadstead" with fashionable blue and white curtains and also two window curtains of the same material. One fine bed coverlid was to match the curtains. He also ordered a "fashionable Sett of Desert Glasses and Stands for Sweetmeats Jellys & C." Another item was for four fashionable china branches and stands for candles. The order for hose included two pairs of "fashionable mixed or Marble Cold Silk Hose", six pairs of finest cotton, 6 pairs of finest thread, six pairs of middling and six pairs of worsted. "All the above," he directed, "to be long, and tolerably large."

A suit of clothes "of the finest Cloth and fashionable color" was wanted. The letter further directed the agent to buy half a dozen pair of "men's neatest shoes, and Pumps . . . & to have high heels." The six pair of Men's riding gloves were to be rather larger than the middle size. The last item in the order was a "Pipe of the best Old Wine."

An intimate snapshot of Washington as he appeared at the age of twenty-seven has been given by a brother officer. Captain George Mercer wrote that he stood straight as an Indian, measuring six feet two inches in height in his stockings and weighing one hundred and seventy-five pounds. "His frame is padded with well developed muscles, indicating great strength. His bones and joints are large, as are his feet and hands." He was wide shouldered but did not have a deep or round chest. To Captain Mercer he appeared neat waisted, broad across the hips. The arms and the legs were long. A well shaped head was gracefully poised on a "superb neck". The nose was large and straight rather than prominent. Blue gray eyes were overhung by a shaggy brow and the cheek bones were high and the chin firm. A large mouth generally closed showed some defective teeth. Dark brown hair was worn in a "Cue". His skin rather clear appeared rather pale and colorless "which sometimes burns in the sun."

"In conversation," observed Captain Mercer, "he looks you full in the face, is deliberate, deferential and engaging. His voice is agreeable

rather than strong . . . His movements are graceful, his walk majestic, and he is a splendid horseman."

Now transport yourself to the scenes of the Continental army in 1775. Read Washington's discouraging letter six months after he took command of the army. Guns were bad and wet weather was spoiling the powder. "We are without any money in our treasury, powder in our magazines, or arms in our stores . . . By and by, when we shall be called upon to take the field, [we] shall not have a tent to lie in. Apropos, what is doing with mine?" He wondered if he might not have been happier had he shouldered a musket and joined the ranks.

Added to these hardships were the evils of lax discipline and the use of language low in military importance.

"The General is sorry" reads his General Order of 1776, "to be informed that the foolish and wicked practice of profane cursing and swearing, a vice heretofore little known in the American Army, is growing into fashion. He hopes the officers will, by example as well as by influence, endeavor to check it, and that both they and the men will reflect that we can have little hope of the blessing of heaven on our aims if we insult it by our impiety and folly. Added to this, it is a vice so mean and low, without any temptation, that every man of sense and character detests and despises it."

Writing from Valley Forge about a year later he warned that the army must disperse, dissolve, or starve. Only twenty-five barrels of flour remained. There was not a hoof of any kind to slaughter. No vinegar or soap was on hand. Men were in the hospitals for want of shoes. Many troops were without blankets and were compelled to sit up all night by fires, instead of resting in the natural way.

Francois Barbe-Marbois, a notable French diplomat, visited General Washington's army headquarters in 1779 to give another picture: . . .

"He is fifty years old, well built, a little thin; he has freedom and a certain military grace in all his person. He has the male look without his features being less gentle. I have never seen in any person easier and more natural politeness. His eyes are blue and rather large, the mouth and nose regular, the forehead high . . . He asks few questions, listens attentively and replies very low and in few words . . . To-day he sometimes plays ball for whole hours with his aides-de-camp. He is pious without bigotry, abhors oaths, and punishes them with the greatest severity."

His marriage to Martha Dandridge Custis on January 6, 1759, made her the "partner of all my Domestic enjoyments." But to Washington's property was added the extensive assets of the young widow. This consisted of 15,000 acres of land of which a large portion was in the City of Williamsburg, several lots in that city, two or three hundred negroes, and perhaps £20,000 in securities. Washington managed this property and even ordered her personal clothing from handkerchiefs to "white shoes of the smallest."

Charles W. Peale, the portrait painter, painted Washington's picture about a dozen times. The General's portraits by Gilbert Stuart's brush number about forty. A sympathetic observer, John Bell, wrote in 1781: "He is a tall well-made man, rather large boned, and has a tolerably genteel address; his features are manly and bold; his eyes of a bluish

cast and very lively; his hair a deep brown; his face rather long and marked with the small-pox; his complexion sun-burnt and without much color, and his countenance sensible, composed and thoughtful."

But the cares of presidential office and the bitter criticism that came to Washington's eyes could cause him to lapse from his generally composed dignity and calm. Jefferson, secretary of state, described a cabinet meeting in 1793: "The President was much inflamed, got into one of those passions when he cannot compose himself, ran on much of the personal abuse which had been bestowed upon him; defied any man on earth to produce one single act of his since had been in the government, which was not due to the purest of motives; that he had never repented but once the having slipped the moment of resigning his office; and that was every moment; that by God he had rather be in his grave than in his present position; that he had rather be on his farm than to be made Emperor of the World; and yet they were charging him with wanting to be a king."

A fleeting incident has been preserved about Washington during the Federal Constitutional Convention in 1787. Hamilton had remarked to Gouverneur Morris and others that Washington was aristocratic and reserved and allowed no one to be familiar with him. Morris denied this. Hamilton said, "If at the next evening reception you will gently slap him on the shoulder and say: 'My dear General, how happy I am to see you look so well,' a supper and wine dinner shall be provided for you and a dozen of your friends."

A large number were present at the reception. Morris bowed to the General and shook his hand. Then laying his left hand on Washington's shoulder he said: "My dear General, I am very happy to see you look so well!" Washington then withdrew his hand, suddenly stepped back, and fixed his eye on Morris with an angry frown. Morris then escaped in the crowd and at supper remarked: "I have won the bet, but paid dearly for it, and nothing could induce me to repeat it."

At the Friday evening entertainments of Lady Washington in New York City (then a city of 30,000) could be seen the little capital's beauty, talent and distinction. Here came witty Abigail Adams, the delicate-featured Mrs. John Jay, one of Jefferson's daughters, a lustrous beauty. And here too, Secretary and Mrs. Knox, a corpulent pair moved about "like a yoke of oxen" but were social favorites. In the throng were members of Congress, dignitaries of the city, state, and nation. In various uniforms one could see the French, Dutch, and Spanish ministers. Here, too, was an elegant throng of belles with hair dressed high, "restling in gowns of satin and taffeta and accosted by beaux bew powdered and decked out as brilliant as beetles." Washington would occasionally unbend, exchange banter, and many ladies were ambitious to make the great man smile.

Watches and clocks were neither stopped nor set back by President Washington but kept exactly regulated. With an eye on the clock near the door he led his dinner guests to table—present or absent whoever might be. When lagging Congressmen came and sat down at table, the President would remark: "Gentlemen, we are too punctual for you. I

have a cook who never asks whether the company has come, but whether the hour has come."

Senator William Maclay's Journal—not very favorable or sympathetic toward the President—has left some intimate and tart accounts of Washington's dinners. The day—August 27, 1789—was disagreeably warm. The food was as varied as it was abundant: soup, fish roasted and boiled, gammon and fowl. Small images and artificial flowers graced the center of the table. The deserts were apple pies, puddings, ice creams, jellies, etc. Finally the guests ate—or at least beheld—watermelons, muskmelons, apples, peaches, and nuts.

The senator declared it was the most solemn dinner—not a health was drunk, scarce a word was said until the cloth was removed. Then the president with great formality filled a glass with wine and drank the health of every person by name around the table. Everybody imitated him and there was a general chorus of "Health, sir", "Health, madam", "Thank you, sir", and "Thank you, madam". The bottles were then passed and the ladies withdrew. The President for a time toyed with a fork in striking it against the edge of the table. Then the men retired upstairs where they drank coffee.

Cream was unusually scarce in June of this year in New York, according to Senator Maclay. At a dinner given by Washington a large dish was brought on. Washington served Mrs. Morris, one of the guests, with a good portion. She tasted the dish but quickly put her handkerchief to her mouth to rid herself of the morsel. The President changed his plate immediately after Mrs. Morris had whispered to him. The cream was unusually stale and rancid. "But", recalled Mrs. Morris later, "Mrs. Washington ate a whole heap of it."

To this Pennsylvania senator the President seemed a cold, formal man. "In stature about six feet, with an unexceptionable make, but lax appearance. His frame would seem to want filling up. His motions rather slow than lively, though he showed no signs of having suffered by gout or rheumatism. His complexion pale, nay, almost cadaverous. His voice hollow and indistinct, owing, as I believe, to artificial teeth before his upper jaw. . . ."

A Polish poet visited Washington, the year after he left the presidency and the year before his death. The general's papers or archives filled forty boxes of reports, journals of military expeditions and correspondence with Congress. Sunday was set aside to answer his mail. The visitor was shown a plow invented by Washington. A hollow cylinder was fitted into the middle of the axle. This was filled with corn. When the plow moved the cylinder turned and the kernels fell into the hollow or furrow made by the plowshare. A flat piece behind covered the grain with soil.

"The General is often censured for his reserve and taciturnity. It is true that he does not talk much; but he does not avoid conversation when one advances a subject worthy of remark." His favorite subject was agriculture and he was happy to show visitors his plantations, gardens, his mules, sheep, and pigs. Mrs. Washington, with wifely pride, displayed to the visitor a collection of medals of her husband. These ranged from a likeness coined at the evacuation of Boston and

weighing 100 ounces to another set with diamonds and presented by the French navy.

"Since his retirement," described the Polish visitor, "he pursues a quiet and uniform life. He rises at five in the morning, and reads or writes until seven. He takes his breakfast tea with a cake of Indian corn (because of his teeth), cutting it in slices, which he covers with butter and honey. He goes on his horse to see the work in the fields. . . . He comes back at two, changes his dress, and is ready for dinner. If there are guests, he likes to talk after dinner, with a glass of Madeira wine by his side. Afterwards he reads very speedily the newspapers, of which he receives quite ten of different kinds, and answers letters. Tea is given at seven; he talks until nine, and then he goes to bed."

Secretary of State Jefferson knew Washington intimately. In the heat of partisan conflicts Jefferson contributed his share of sharp criticism against the President. But time softened Jefferson's judgments and in a private letter in 1814, fifteen years after Washington's death, he gave a generous and careful judgment on the first president. The mind of Washington, he said, was great and powerful but not of the first order; it was but little aided by invention or imagination, but was sure in conclusion. His deportment was easy, erect, noble; he was the finest horseman of the age; his colloquial talents were not above mediocrity; he had no copiousness of words or ideas; in public speech he was unready, short, and embarrassed; his education was in reading, writing, arithmetic and surveying. On the whole "his character was, in its mass, perfect, in nothing bad, in few points indifferent.

General Tench Tighlman, one of Washington's aides, regarded him as the "honestest man that ever adorned human nature." And wrote Secretary of State Timothy Pickering: "to the excellency of his virtues, I am not disposed to set any limits."

America had become a better country when Washington left the presidency. The bloody Indian wars on the western frontiers had been ended. Three new states had been admitted and over three hundred laws had been enacted to carry out the new Constitution. A Supreme Court and a judicial system were created. Revenue and credit were on a sound footing. In his foreign policy he had avoided interference in European affairs; definite treaty relations with Europe were made and their terms carried out. An impartial attitude toward the warring nations of France and England was maintained. A strict, dignified policy of neutrality kept the young nation out of war.

To these services a grateful country had called him. And it is an heroic picture of sacrifice to see Washington leaving his Mt. Vernon quiet and peace to start and to guide for eight years the new federal state. Nor, did he choose to continue as president after two terms. Nothing from Washington deserves mention more than do the sentiments of his farewell address of one hundred and forty-three years ago. He pointed out the dangers of factions; urged the people to cherish public credit, peace, and harmony. "Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?" He was not insensible to his own defects and the possible errors he may have

committed. "I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life devoted to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as I myself must soon be to the mansions of rest."

At Washington's death at the age of sixty-seven; one hundred and forty years ago America mourned. His biographer and namesake voiced the young nation's lament:

"A deep sorrow spread over the nation on hearing that Washington was no more. Congress, which was in session, immediately adjourned for the day. The next morning it was resolved that the Speaker's chair be shrouded with black; that the members and officers of the House wear black during the session and that a joint committee of both Houses be appointed to consider on the most suitable manner of doing honor to the memory of the man, 'First in war, first in peace, and first in the hearts of his fellow-citizens'."

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 373 as follows:

1. In line four (4) of section three (3) strike all following the word "sell" and substitute therefor the words "for resale,".
2. Strike all of subsection three (3) of section three (3) and substitute therefor the following: "The receipts from sales of tangible personal property which this state is prohibited from taxing under the constitution of the United States or under the constitution of this state,".
3. In line five (5) of section four (4) insert after the word "taxable" the following: "transaction or".
4. In line eighteen (18), subsection (b) of section four (4) strike the word "prices" and substitute therefor the words "price is".
5. In line sixteen (16) of section five (5) insert a period (.) after the word "therefor" and strike all after said period in lines sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), and that part of line twenty-two (22) up to and including the period therein.
6. In lines twenty-eight (28) and twenty-nine (29) of section five (5) strike therefrom the word "Auditor" in each line and substitute therefor the word "Comptroller".
7. In line twenty-nine (29), section five (5) strike the word "thereupon".
8. In line thirty (30) of section five (5) strike the words "on the Treasurer of State to" and substitute therefor the words "in favor of".
9. In line forty-two (42) of section five (5) insert after the word "certify" the words "and remit".
10. In line eleven (11) of section seven (7) strike the entire line and substitute therefor the following: "officer or notary public, as to".
11. In line seventeen of section seven (7) strike the words "his agent" and insert the words "county treasurer".
12. In line twenty-five (25), section seven (7), insert after the comma (,) the word "the" and insert after the word "and" the letter "a".

13. In lines twenty (20) and twenty-two (22) of section thirteen (13) strike the word "auditor" in each line and substitute in lieu thereof the word "treasurer" in each line.

14. In line twenty-six (26) of section fifteen (15) strike the word "thirtieth (30)" and substitute therefor the word "first(1)".

A. CLAIRE DEWEY.

MR. PRESIDENT: Amend Senate File 306 as follows:

1. Amend by striking section two (2).

2. Amend by renumbering the succeeding sections.

3. Amend the title by striking from lines two (2) and three (3) thereof the following: "five thousand two hundred ninety-six-f twelve (5296-f12)," and by striking from lines eight (8) and nine (9) thereof the following: "to limit responsibility of relatives;". GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 150 as follows:

1. Amend by striking the words "in case of" from line five (5), section two (2).

2. Amend by striking the word "shall" from line six (6), section two (2).

3. Amend by striking the words "by inserting following the word 'applicants' in line seven (7) of paragraph two (2)" from lines four (4) and five (5) of section three (3) and inserting in lieu thereof the following: "by striking the period following the word 'applicants' in line seven (7), paragraph two (2), and inserting in lieu thereof a comma (,) and adding thereto".

4. Amend by inserting immediately following the word "by" in line four (4), section four (4), the following: "striking the period and".

5. Amend by inserting immediately following the word "thereof" in line four (4), section four (4), the following: "a comma (,) and".

GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 379 by striking from section 5, line 7 and all lines following up to and including the period (.) in line 26.

CHARLES B. HOEVEN.

MR. PRESIDENT: Amend Senate File 334, section one (1) by inserting in line five (5) after the word "territorial" and before the word "obligations" the following: "and dominion".

Also amend Senate File 334, section one (1) by inserting after the word "administrator" which appears in lines fourteen (14) and fifteen (15) the following: "and bonds issued by or guaranteed by the Dominion of Canada".

ROSS R. MOWRY.

MR. PRESIDENT: Amend Senate File 335 by striking out all of section one (1) and inserting in lieu thereof the following: "Section 1. That section 8781 be and the same is hereby amended by inserting immediately after the comma following the word, 'plan' in the seventh line thereof and before the word 'in' in the same line, the following: 'and certificates providing for endowment and annuity features and combinations thereof,'"

Further amend Senate File 335, section two (2) by striking out the period (.) following the word "society" and inserting the following:

“provided, however, that a declaration of insurability may be accepted only in cases, (a) of an applicant under forty-five years of age and for insurance not to exceed two thousand dollars, and, (b) of insurance on the lives of children under fifteen years of age.”

Also amend Senate File 335, section two (2) by inserting after the word “members” in line twenty-nine (29) the following: “to whom no certificate of insurance in any form shall be issued.” Ross R. Moway.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 7, 1939.

The Senate met in regular session, President pro tem Charles B. Hoeven presiding.

Prayer was offered by Rev. Thomas J. Reese, pastor of the First Baptist church of Jefferson, Iowa.

The Journal of March 6th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Kirketeg, from teachers of Sharpsburg, favoring teachers' annuity.

By Senator Hart, from citizens of Lee county, opposing any change in the pharmacy law, and opposing enactment of House Files 155, 169 and 351, and Senate File 92.

By Senator Hart, from citizens of Lee county, opposing enactment of House File 1 and Senate File 169.

By Senator Talbott, from citizens of Poweshiek county, opposing any change in the pharmacy law, and opposing enactment of House Files 155, 169 and 351, and Senate File 92.

By Senator Henningsen, from citizens of Clinton county, opposing enactment of House File 1 and Senate File 169.

By Senator Henningsen, from citizens of Clinton county, opposing enactment of a State Fair Labor Standards Act.

By Senator Geske, from citizens of Clayton county, opposing enactment of House File 1 and Senate File 169.

By Senator Schadt, from citizens of Johnson county, opposing enactment of House File 1 and Senate File 169.

By Senator Schadt, from citizens of Johnson county, opposing any change in the pharmacy law, and opposing enactment of House Files 155, 169 and 351, and Senate File 92.

By Senator Dean, from citizens of Cerro Gordo county, opposing enactment of House File 1 and Senate File 169.

By Senator Shaw, from members and friends of Townsend Club No. 1 of Albert City, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Shaw, from citizens of Humboldt county, opposing enactment of House File 1 and Senate File 169.

By Senator Pelzer, from citizens of Cass county, opposing enactment of House File 1 and Senate File 169.

By Senator Harvey, from citizens of Denison, favoring civil service for highway department employees.

By Senator Stewart, from citizens of Fayette county, opposing any change in the pharmacy law, and opposing enactment of House Files 155, 169 and 351, and Senate File 92.

By Senator Hopkins, from members of the Menlo Methodist Church, favoring enactment of House File 1 and Senate File 169.

By Senator Hopkins, from citizens of Guthrie county, opposing enactment of House File 1 and Senate File 169.

By Senator Hopkins, from citizens of Dallas county, favoring enactment of House File 375.

By Senator Baldwin, from citizens of Dubuque county, opposing any change in the pharmacy law, and opposing enactment of House Files 155, 169 and 351, and Senate File 92.

By Senator Baldwin, from citizens of Dubuque county, opposing enactment of House File 1 and Senate File 169.

By Senator Leo, from citizens of Benton county, opposing enactment of House File 1 and Senate File 169.

By Senator Parker, from citizens of Buchanan county, opposing enactment of a State Fair Labor Standards Act.

By Senator Vrba, from citizens of Howard county, opposing enactment of House File 1 and Senate File 169.

By Senator Vrba, from citizens of Winneshiek county, opposing enactment of House File 1 and Senate File 169.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Sjulín for the day, on request of Senator Husted; Senator Whitehill for the week, on request of Senator Elthon; Senator Moore for the day, on request of Senator Baldwin.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 382, a proposed bill legalizing election and proceedings relating to the sale and issuance of bonds by the Consolidated Independent School District of Dayton.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 395, by committee on county and township affairs, a bill for an act to amend Chapter five hundred sixty-four (564), Code, 1935, relating to certain fees to be charged by the sheriff.

Read first and second times and referred to sifting committee.

Senate File 396, by committee on county and township affairs, a bill for an act to amend section eleven thousand seven hundred ninety-seven (11797), Code, 1935, providing for the filing of additional liens by the holder of a sheriff's sale certificate or junior lien upon real estate.

Read first and second times and referred to sifting committee.

Senate File 397, by committee on ways and means, a bill for an act to amend section three hundred (300), Code, 1935, relating to the disposal of personal property by the executive council.

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

Senate File 196, a bill for an act to make an appropriation to the Iowa Conservation Commission.

Also: That the House has concurred in Senate amendments to and passed House File 384, a bill for an act repealing the standing appropriation provisions of certain departments of state.

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

House Concurrent Resolution 10 relating to primary roads.

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

House File 382, a bill for an act to provide for the care of war veterans.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 10

Whereas, The legislature has heretofore designated a primary road system to connect all county seat towns; and

Whereas, This system is still incomplete and breaks or gaps exist in several of the paving projects which would connect county seats if completed; and

Whereas, Said gaps or breaks seriously interfere with the use of such paved highways and prevent the traveling public from obtaining maximum benefits from such pavements; now therefore,

Be It Resolved by the House, the Senate Concurring: That the state highway commission be requested to divert no further funds allocated to said highway commission or to the primary road fund, either state or federal, to the extension of the present primary road system or to the relocation of existing pavements until the system of primary roads connecting county seats, as heretofore designated by the general assembly, be completed, and that such completion be accomplished as rapidly as funds will permit, to the end that the intent of the general assembly may be carried out and the maximum use of such highways and such paving may be made available to the traveling public.

HOUSE MESSAGES CONSIDERED

House File 382, a bill for an act to amend Chapter one hundred seventy-seven (177), Code, 1935, to provide for the care and custody and the transfer of war veterans from a state hospital to any veterans' hospital maintained within the state of Iowa.

Read first and second times and referred to sifting committee.

By unanimous consent, on request of Senator Shaw, House Concurrent Resolution 10 was taken up and considered.

Senator Berg moved that action on House Concurrent Resolution 10 be deferred until 11:00 a. m. Monday, March 13th. The motion prevailed, and action was deferred.

THIRD READING OF BILLS

The time having arrived for the special order of business, Senate File 379, a bill for an act to create a department of public safety, and to provide for the centralization of all state peace officers

therein, and to provide centralization of all state officers activities, and to repeal the following sections of the 1935 Code of Iowa: Thirteen thousand four hundred seven (13407), thirteen thousand four hundred eight (13408), thirteen thousand four hundred nine (13409), thirteen thousand four hundred ten (13410), thirteen thousand four hundred twelve (13412), thirteen thousand four hundred thirteen (13413), thirteen thousand four hundred fourteen (13414), thirteen thousand four hundred fifteen (13415), thirteen thousand four hundred seventeen (13417), sixteen hundred twenty (1620), sixteen hundred twenty-one (1621), sixteen hundred twenty-two (1622), sixteen hundred twenty-three (1623), sixteen hundred twenty-three-c one (1623-c1), sixteen hundred fifty-five (1655), fifty hundred ninety-three-d fourteen (5093-d14); and to repeal section sixteen hundred nineteen (1619), Code, 1935, and to enact a substitute therefor, and to repeal section sixteen hundred seventy-four (1674), Code, 1935, and to enact a substitute therefor; and to repeal the following sections of Chapter one hundred thirty-four (134) of the Acts of the Forty-seventh General Assembly: thirty (30), thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40), forty-one (41), forty-two (42), forty-three (43), forty-four (44), forty-five (45), forty-six (46), and forty-seven (47); also to amend sections fifty-one hundred eighty-two (5182), thirteen thousand four hundred five (13405), thirteen thousand four hundred sixteen (13416), thirteen thousand four hundred seventeen-b one (13417-b1), thirteen thousand four hundred and seventeen-d one (13417-d1), thirteen thousand four hundred seventeen-d two (13417-d2), thirteen thousand four hundred seventeen-d three (13417-d3), thirteen thousand four hundred seventeen-d four (13417-d4), thirteen thousand four hundred seventeen-d five (13417-d5), also to amend sections nineteen hundred twenty-one-f sixteen (1921-f16), nineteen hundred twenty-one-f ninety-four (1921-f94), thirty-two hundred twenty-seven (3227), fifteen hundred fourteen (1514), sixteen hundred twenty-four (1624), sixteen hundred twenty-eight (1628), sixteen hundred twenty-nine (1629), sixteen hundred thirty (1630), sixteen hundred thirty-one (1631), sixteen hundred thirty-two (1632), sixteen hundred thirty-three (1633), sixteen hundred forty-five (1645), sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred fifty

(1650), sixteen hundred fifty-one (1651), sixteen hundred fifty-four (1654), sixteen hundred sixty-four (1664), sixteen hundred sixty-five (1665), sixteen hundred sixty-six (1666), sixteen hundred sixty-eight (1668), sixteen hundred sixty-nine (1669), sixteen hundred seventy (1670), sixteen hundred seventy-one (1671), sixteen hundred seventy-five (1675), sixteen hundred seventy-six (1676), sixteen hundred seventy-seven (1677), twenty-eight hundred fifty-three (2853), forty-nine hundred eighty-five (4985), forty-nine hundred eighty-six (4986), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-one (4991), fifty hundred sixty-six (5066), fifty hundred ninety-three-d one (5093-d1), fifty hundred ninety three-d seven (5093-d7), fifty hundred ninety-three-d thirteen (5093-d13), fifty-one hundred five-a two (5105-a2), fifty-one hundred five-a three (5105-a3), fifty-one hundred five-a eighteen (5105-a18), fifty-one hundred five-a twenty-nine (5105-a29), fifty-one hundred five-a thirty (5105-a30), fifty-one hundred five-a thirty-eight (5105-a38), fifty-one hundred five-c two (5105-c2), fifty-one hundred five-c three (5105-c3), fifty-one hundred five-c eight (5105-c8), fifty-one hundred five-c fifteen (5105-c15), fifty-one hundred five-c sixteen (5105-c16), fifty-one hundred five-c seventeen (5105-c17), fifty-one hundred five-c twenty-three (5105-c23), fifty-one hundred five-c twenty-five (5105-c25), thirty-two hundred forty-four-b six (3244-b6), and thirty-two hundred fifty-one (3251), Code, 1935; also to amend sections one (1), fourteen (14), fifteen (15), sixteen (16), twenty (20), twenty-five (25), twenty-six (26), two hundred five (205), two hundred nineteen (219), two hundred twenty-three (223), two hundred seventy-two (272), two hundred seventy-six (276), and four hundred two (402), of Chapter one hundred thirty-four (134) of the Forty-seventh General Assembly; and to further amend by adding sections thirteen thousand four hundred seventy-nine-a one (13479-a1), sixteen hundred fifty-five (1655), and section forty-nine hundred ninety-eight-a one (4998-a1), a committee bill, was taken up and considered.

President Hickenlooper took the chair at 11:35.

Senator Forsling offered the following amendments and moved their adoption:

Amend Senate File 379 as follows:

1. Strike from line three (3) of section twenty-five (25) the figures "13479-i1."

2. Strike all of section seventy (70).
3. Strike all of section seventy-one (71).
4. Strike all of section seventy-two (72).
5. Strike from section seventy-three (73) all of line one (1) and the word and figures "Code, 1935" from line two (2) and insert in lieu thereof the following:

"Sec. 73. Section ninety-seven (97) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly"; Further amend said section by striking the following from line three (3), "five (5)", and insert "three (3)".

6. Strike all of section seventy-five (75).

Amendment 1 was adopted.

Amendments 2, 3, and 4 were adopted.

Amendments 5 and 6 were adopted.

Senator Hoeven offered the following amendment:

Amend Senate File 379 by striking from section 5, line 7 and all lines following up to and including the period (.) in line 26.

By unanimous consent, on request of Senator Hoeven, his amendment was withdrawn.

Senator Donohue offered the following amendment and moved its adoption:

Amend section 2 of Senate File 379 by striking from lines fifteen (15) and sixteen (16) the words and figures "three thousand six hundred dollars (\$3600.00)" and inserting in lieu thereof the words and figures "five thousand dollars (\$5000.00)".

Senator Forsling offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the words and figures "five thousand dollars (\$5000.00)" and inserting in lieu thereof the words and figures "forty-two hundred dollars (\$4200.00)".

Senator Breen offered the following substitute for all pending amendments:

Strike all after the enacting clause in Senate File 379 and insert in lieu thereof the following, which in substance is Senate File 287 by the committee on motor vehicles:

Section 1. Amend subsection thirty (30) of section one (1), Chapter one hundred thirty-four (134) of the Acts of the 47th General Assembly by striking therefrom after the word "vehicles" the words, "under the secretary of state" and inserting in lieu thereof "of this state".

Sec. 2. Amend subsection thirty-one (31) of section one (1) of Chapter one hundred thirty-four (134) of the Acts of the 47th General

Assembly by striking therefrom after the word "vehicles" the words "under the secretary of state" and substituting in lieu thereof the words "of this state".

Sec. 3. Amend Chapter one hundred thirty-four (134) of the Acts of the 47th General Assembly by striking therefrom section two (2) and substituting in lieu thereof the following:

"Sec. 2. Department created. A department of the government of this state to be known as the 'Department of Motor Vehicles' is hereby created. The department shall succeed to and is hereby vested with all the records, furnishings, powers, duties, and jurisdiction heretofore vested in the Motor Vehicles Department under the secretary of state."

Sec. 4. Amend section three (3), Chapter one hundred thirty-four (134) of the Acts of the 47th General Assembly by striking therefrom the last sentence reading as follows:

"Said officer shall be appointed and serve at the will and pleasure of the secretary of state."

Sec. 5. Amend Chapter one hundred thirty-four (134) of the Acts of the 47th General Assembly by adding thereto the following:

"Sec. 4. Appointment and term. Every six years hereafter and within sixty days after the convening of the General Assembly the governor shall appoint, subject to the approval of a two-thirds vote of the members of the senate in executive session, a commissioner of motor vehicles who shall be selected solely with regard to his qualifications and fitness to discharge the duties of this position, and whose term of office beginning July 1, 1939, shall be for six years and until his successor is appointed and qualified, except that the commissioner appointed for the term beginning July 1, 1939, may be appointed and approved hereunder any time before adjournment of this legislature, and he shall also hold office from that time until the beginning of his regular term provided herein.

"Sec. 5. Vacancy in office. In case of a vacancy the governor shall appoint for the unexpired portion of the term, and if the general assembly be not in session, the governor shall, upon the convening of the general assembly, promptly report said appointment to the senate for its approval.

"Sec. 6. Salary. The commissioner shall devote his entire time to the duties of his office, and his salary shall be four thousand dollars (\$4,000) per year."

Sec. 6. Amend section fifteen (15) of Chapter one hundred thirty-four (134) of the Acts of the 47th General Assembly by striking the last sentence thereof reading as follows:

"All of said appointees shall be subject to the approval of the secretary of state."

Sec. 7. Amend section sixteen (16) of Chapter one hundred thirty-four (134) of the Acts of the 47th General Assembly by striking from lines one (1) and two (2) thereof the following words, "subject to the approval of the secretary of state,".

Sec. 8. Amend section seventeen (17) of Chapter one hundred thirty-four (134) of the Acts of the 47th General Assembly by striking from

lines one (1) and two (2) thereof the following words, "subject to the approval of the secretary of state".

Sec. 9. Amend section nineteen (19) of Chapter one hundred thirty-four (134) of the Acts of the 47th General Assembly by striking from line one (1) the words "secretary of state" and inserting in lieu thereof the word "commissioner".

Sec. 10. Amend section one (1) of Chapter one hundred thirty-five (135) of the Acts of the 47th General Assembly by striking from line two (2) thereof the words "secretary of state of Iowa" and inserting in lieu thereof the words "commissioner of motor vehicles".

Further amend said section by striking therefrom lines three (3), four (4), five (5), and six (6).

Further amend said section by striking from line seven (7) the words "secretary of state" and inserting in lieu thereof the word "commissioner".

Further amend said section by striking from lines nine (9) and ten (10) the words "secretary of state" and inserting in lieu thereof the word "commissioner".

Further amend said section by striking therefrom lines thirteen (13) and fourteen (14) and inserting in lieu thereof the following:

"The commissioner or any other person appointed or employed by him under".

Further amend said section by striking from line nineteen (19) the words "secretary of state" and inserting in lieu thereof the word "commissioner".

Sec. 11. Amend section two (2) of Chapter one hundred thirty-five (135) of the Acts of the 47th General Assembly by striking from line six (6) the words "secretary of state" and inserting in lieu thereof the words "commissioner of motor vehicles".

Sec. 12. This act, being deemed of immediate importance, shall be in force and effect from and after its publication in two newspapers of the state as provided by law.

Senator Donohue raised the point of order that the substitute amendment was not of the same subject matter.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

President Hickenlooper ruled that the point of order raised by Senator Donohue was well taken, and that the substitute amendment was out of order.

INTRODUCTION OF BILLS

Senate File 398, by committee on pharmacy, a bill for an act to amend Chapter one hundred fifteen (115), Acts of the Forty-

seventh General Assembly, by repealing sections one (1), to six (6) inclusive, and enacting substitutes therefor, all relating to the sale and distribution of poisons.

Read first and second times and referred to sifting committee.

Senate File 399, by committee on pharmacy, a bill for an act to amend Chapter one hundred twenty-three (123), Code, 1935, relating to the practice of pharmacy; to provide for the licensing of drug stores and the terms thereof, and to provide for the issuance of permits to general dealers in towns and villages without drug stores and the terms thereof; to provide for the collection of fees and the enforcement of this act.

Read first and second times and referred to sifting committee.

Senator Berg asked and received unanimous consent to have Dean Teeters of the University of Iowa appear before the Senate at 11:00 a. m. Thursday to explain certain pharmacy bills.

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 the direction of the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with House Concurrent Resolution 12 duly adopted, the joint convention was called to order, President Hickenlooper of the Senate presiding.

President Hickenlooper announced a quorum present and the joint convention duly organized.

Blue of Wright moved that a committee of three, consisting of one member from the Senate and two members from the House, be appointed to notify the Iowa Pioneer Lawmakers' Association that the Convention was ready to receive them. Motion prevailed and the President appointed Senator Husted of Madison on the part of the Senate, and Representatives Blue of Wright and Alesch of Plymouth on the part of the House.

The committee waited upon the Iowa Pioneer Lawmakers'

Association and escorted them to the seats provided in front of the rostrum.

The committee then escorted Senator Byers of Linn and Representative Walters of Pottawattamie to the rostrum.

Senator Frank C. Byers gave the following address of welcome on the part of the Senate:

"MR. PRESIDENT and Members of the Pioneer Lawmakers Association: It is an honor and a privilege to be allowed to welcome the Iowa Pioneer Lawmakers in behalf of the Senate.

"There have been great changes in recent years. The day of the ox-cart, covered wagon, even the horse and buggy are gone, and there are many new conditions arising which require legislative consideration and regulation.

"You laid the foundations of the laws of our state wisely and well, and I presume you felt when the last session of your terms in the Legislature ended and you had adjourned that the state had all the laws it needed. You would have been correct if life had remained of the tempo of those days but in this day of the radio, airplane, automobile and the streamliner, the rule of life is change rather than stability, and it is to meet this change with its increased complexity of human relations that new enactments are constantly required.

"But one thing does not change, and that is human nature. The Proverbs of Solomon are as true today as they were three thousand years ago. The human instincts and reactions depicted in the plays of Shakespeare appeal as unerringly to human emotions today as they did three hundred years ago.

"Yet you realize as well as we that all change is not progress. It is still true as in the time of the old Chronicler that we must, 'Consider well what is proposed and hold fast to that which is good.' Though we have thus far preserved the heritage of a free people which our forefathers brought forth and you helped hand down, democracy was never as much challenged in the world as today. With England and France standing alone in a dictator ridden Europe and with highly organized pressure groups making their influence more and more felt in America there never was a time when it has been more necessary to exert every effort and strain every power at our command to maintain our Republic and transmit it unimpaired to the coming generation.

"These are the problems of today. They seem to us greater than the problems of yesterday. They may not be; they may only be closer. We take from you the inspiration, the zeal, the steadfast loyalty to the principles of the Constitution of our Country which you in your legislative careers so highly exemplified. We hope to carry on upon the same high plane of public endeavor. The future only can judge of our success.

"For the services you rendered the state, for handing down the charter of American freedom undimmed and unerasd, and for the example of useful and necessary legislation you set, I welcome you here in the name of the Senate."

Representative Herman W. Walter of Pottawattamie gave the following address of welcome on the part of the House:

MR. PRESIDENT, Pioneer Lawmakers, Assembly of Guests, Members of House and Senate:

It is indeed a great pleasure and honor to welcome you. When I recall the achievement you have attained, I feel deeply the debt of the present to the past. In welcoming your distinguished body, we do well to remember that the word Pioneer is not an isolated word, but a word that is descriptive of courage, foresight, vision and leadership. We need but pause for a moment and look into the past and realize many of the ideals of the Pioneer Lawmakers have become realities, and are so deeply entrenched in the hearts of the people of Iowa, that they can never be erased. When the forefathers of this country wrote the Declaration of Independence, they knew that man was created and endowed with certain inalienable rights, that being life, liberty and pursuit of happiness.

When the framers of our constitution gathered from all the states then in the Union, they framed a document recognized as the greatest instrument ever written by man. Embodied in this instrument was the protection of these inalienable rights so ably announced by Thomas Jefferson and which forever guaranteed to the people of this country a representative form of government. The leaders of this country formulated into law the expressions and opinions of the people of this great land, fully knowing that without recognizing human rights and liberties as paramount in government, there can be no progress.

The vision and foresight of our Iowa Lawmakers of yesteryear has made possible the erection of huge state institutions and maintenance for the care of the many unfortunates not able to take care of themselves. This is but one of the many humanitarian acts which we owe your distinguished body.

The erection of our great places of learning which can be attended by all, regardless of class, color or creed, of which Iowa might be well proud, is due only to the foresight and vision of the Pioneer lawmaker, well knowing, "that without education there can be little vision."

The achievements, which you, the Pioneer lawmakers have attained, is today a guiding light in these troubled times. An encouragement to spur us on to do our task which we have before us and which we hope we will be able to perform as courageously and ably as you. On behalf of the House of Representatives of the Forty-eighth General Assembly, I welcome you.

The program was then carried out as arranged by the Iowa Pioneer Lawmakers' Association, President John C. De Mar of the association in charge.

President De Mar then introduced the Honorable George Cosson, who addressed the Joint Convention as follows:

THIS CONFLICTING WORLD

We are at the end of a cycle and the beginning of a new. Between end and beginning is chaos. So said Oswald Spengler.

It was Thomas Huxley who said that next in importance to clear and right thinking was clear and wrong thinking, but we have neither clear and right thinking nor clear and wrong thinking.

We have a mass of confused thinking. This results from the fact of our opening statement. We are at the end of a cycle and the beginning of a new. Every intelligent person will admit the truth of this statement, but scarcely one in a million really acts accordingly.

That is true in both our domestic and international relations. It is true of the man on the street. It is true of the business man and it is true of the men who run our government.

So long as this confused thinking continues, there is not much hope for the world.

Let us pass from the general to the specific. From the dawn of civilization and even before civilization, the struggle of man has been to obtain food, clothing and shelter and the beginning of civilization is measured by the extent to which man could increase his supply of food.

It is, therefore, a matter of tremendous importance to keep in mind that we have now passed from this scarcity economy into an economy of plenty and abundance.

That does not mean that everyone has plenty and abundance, but it does mean that production and transportation have advanced to that stage where the most favored could live in unsurpassed luxury and even the humblest might have the comforts and necessities of life. Yet it is not too much to say that nine-tenths of all our action and thinking and legislation is based upon the old order; upon the scarcity economy, and strange as it may seem, this old order is not defended by the poor and ignorant, but by the educated, responsible people of society.

To use a phrase of James Trueslow Adams, it is the rich, the wise, the good. It has ever been so. It was the respectable and responsible people, that is—the rich, the wise, the good—who crucified Jesus and took the greatest exception to his teachings, and it was the cream of aristocracy of the south, that is, the large plantation owners, who were the most ardent defenders of slavery.

It is one of the tragedies of our times that so many of the most intelligent and the finest of our people still look upon the glories of our civilization which existed during the first quarter of the twentieth century, and still cling to the idea that if we could get rid of the New Deal and all its works, we could return to the status quo. That we could restore the old order.

Regardless, however, of the merits of the New Deal, which is not under discussion, as this is not the time nor place for such a discussion, and regardless of what happens to the New Deal and every individual who has been a part of the New Deal, the old order changeth. It has already changed.

The economy and the pattern of our civilization which many so ardently

desire to re-establish is gone forever, never to return to this world or the world to come.

This failure to recognize in the pattern of our everyday and business life, as well as in legislation, the fact that the scarcity economy is gone and we now have the equipment and knowledge to live in an economy of abundance and plenty, is largely responsible for our present condition.

Before proceeding to a discussion of world affairs and international relations, perhaps a few observations will help to make clear the point I wish to establish.

In a scarcity economy under the old order when there was always a scarcity of both food and industrial products, it was literally true that he who could make two blades of grass grow where one grew before, or two ears of corn grow where one grew before, was a real benefactor of the race as well as a benefactor of the agricultural class, but, as Governor Lowden pointed out, it has usually followed that the farmer's lowest income has occurred when he raised the largest crop, and, since agriculture is by far the major industry in America, between three and four times as large as any other single industry, whenever the farmer suffers, the nation suffers.

It is also true that there was some justification for special favors in order to encourage infant industries.

Speaking generally, it could be said that the saying of Thomas Jefferson and Thomas Payne that "that nation governs best which governs least" was true. The doctrine of laissez faire put a premium on initiative and enterprise.

In the scarcity economy especially, so long as there was new land to be opened up and new enterprises which needed developing there was no need to worry about over-production and exchange.

There was always the opportunity to exchange labor, money and commodities, but today, the problem, as before stated, is not that of production, not that of transportation, but the problem of exchange and distribution.

Hence, the very grave problem of unemployment. That is to say, how to exchange the labor of the ten or twelve million of unemployed. How to exchange the labor of substantially all able bodied men for money or commodities.

To this question, we have made no substantial contribution. We have not even scratched the surface. We have applied poultices, and administered bromides and anesthetics, whereas the patient indicates that no recovery can be had without a major operation.

It should be perfectly apparent to anyone who not only sees, but, as Carlisle said, who sees through, that we have not only failed to solve the problem, but because our pattern of civilization is still governed by the old philosophy of a scarcity economy, things are worse instead of better.

This follows because of the tremendous increase in debt, state, municipal and personal, and because of the enormous increase in taxes with no real improvement in unemployment.

As the debt burden and taxes increase, it follows that more and more of the small business men and private enterprises are put out of business.

Under these conditions, it is increasingly difficult for an individual or a small industry to succeed. Under these conditions more and more, the individual and the small business man is driven to the wall while those corporations with large reserves, large research departments and excellent management, able to change with changed conditions alone have a chance to succeed. It follows also that since our problem now is one of exchange and distribution, that any action which interferes with the freedom and the increased volume of exchange or trade, or which curtails labor and increases unemployment, aggravates the situation.

Hence, trade barriers, whether in the form of state legislation or national legislation in the nature of embargoes, trade quotas and excessive tariffs, aggravate our difficulties, because they all tend to limit and curtail trade, exchange and distribution and increase unemployment.

So likewise, all monopolistic practices which arbitrarily restrict production for the purpose of increasing prices and destroying competition, aggravates the situation, lessens the power of exchange and distribution and increases unemployment. This is also true with reference to labor.

Up to a certain point, an increased wage means increased purchasing power and decent standards of living. Beyond a certain point a scarcity of labor with a very high and rigid price per hour wage operates in precisely the same manner as monopolistic practices on the part of industry.

It results in the law of diminishing returns. Whatever is gained by the increased hourly wage is more than lost in the reduced monthly or annual wage, and if out of line or balance with other labor, it follows that the lower priced labor cannot buy the products of the commodities produced by the excessively high labor, so that again we have a reduction and curtailment of production, exchange and distribution.

All forms of special legislation granting special favors to particular classes or organizations as a result of pressure groups are anti-social and aggravate the situation by further curtailing exchange and distribution, for the reason that an equivalent burden must be imposed for every special favor granted and again the burden falls most heavily upon those least able to stand it.

Along with this type of legislation goes all that great mass of tax exempt securities available only to those with large surplusses; the result being that a large part of the property of the nation receives full protection and the owners receive all the advantages of a free government, yet they make little or no contribution to production, the employment of labor or the support of the government.

This again results in curtailment of labor, production, exchange and distribution.

What then, shall we say of legislation reducing taxes upon homesteads and national legislation in aid of Agriculture?

My answer is, that both, under present economy, are not only justified, but advisable. The first, because the sales tax falls most heavily upon the poor and the homestead owners. The homestead tax reduction law merely tends to equalize the sales tax which places an undue heavy burden upon the poor and the small home owner and those least able to pay.

As to national legislation in aid of the farmer, it cannot be said too often and has not yet been said often enough that agriculture is entitled to its fair share of the national income and that few times in the entire history of our country has the farmer received his full share of the national income, whether measured by population or the real contribution which he makes to the well-being of society.

I recall but one year during the past generation when the farmer received his proportion of the National income. That was in 1919. During that year the value of Agricultural products totalled \$16,640,000,000 or in round figures \$17,000,000,000, and all classes benefited thereby. The farmer directly supports one third of the population and feeds all of the population but generally speaking, receives but one-seventh to one-tenth of the National income.

Therefore, so long as we continue to grant special favors to industry and banking, the farmer is entitled to consideration in order to equalize the special favors which have been granted by our Government from its earliest history to industry and banking.

Time forbids a discussion of the question, but if we had the courage and the vision, we could adopt a program for Agriculture with little or no regimentation and in complete harmony with a program of economy of plenty by taking over 50 million acres of land and retaining and operating the same under lease, where it has become necessary to foreclose under farm credit administration loans.

Under such a system, a surplus ample to take care of food shortages as a result of drought or otherwise, could always be maintained by the Government. Men could be given an opportunity on small acreages to make a living and large numbers of men could be put to work in processing foods for relief purposes and to feed the unemployed. This plan would be in complete harmony with the pattern of an abundance or economy of plenty.

INTERNATIONAL AFFAIRS

If we now turn to International affairs we find this same confusion of thought. We profess to believe, and undoubtedly in the abstract we sincerely believe, in international law and international peace, but in action we cling to the old order; that is to say, the doctrine of isolation and self-sufficiency where each nation determines for itself what is right, refuses to cooperate with other nations for the purpose of preserving international law, and undertakes to defend and enforce its rights by its army and navy. In other words by precisely the same methods which have existed from the time the first savage tribe fought a hostile savage tribe in order to gain food or territory. These are not the methods belonging to this age, to an economy of abundance and to a high state of civilization. These methods belong to a former age, to barbarism, to savagery and to a scarcity economy.

Now as a result of the world war, the peoples of the world were so shocked by the horrors of modern warfare and its futility that they were ready to abandon the methods which had been in existence since prehistoric times and by group action undertake to promulgate, to declare

and to enforce international law and international peace. It is not too much to say that probably not less than 80% — 90% of all the civilized people of the world, including the people of our own country, believed that the time had arrived to abandon the old order and establish the new.

Accordingly, in connection with the Versailles Treaty there was established a League of Nations and an International Court of Justice, the League of Nations to promulgate and declare international law, and an international court to decide in accordance with the principles of international law so that each nation could submit its disputes and have a decision based upon law instead of force. The civilized nations of the world subscribed to this new order, some 50 in number the exceptions being Turkey and the United States.

Now, in view of what has happened in the world since the world war and in view of the conditions which we find existing in the world today we hear upon every hand that America's participation in the world war was a horrible mistake, that we sacrificed 50 thousand of our young men and billions of dollars to no end and to no purpose and that it is most fortunate that we did not adhere to the World Court or join the League of Nations. This, however, does not tell the whole story. There existed in the minds of the thoughtful people of our country when we entered the war that some way the result would be to establish a new order in the world to the end that we might have international peace and that disputes might be settled by arbitration or some peaceful method. The feelings and hopes and aspirations of the American people were clearly expressed by Woodrow Wilson when he said we are entering the war to end war and to make the world safe for democracy and yet when we hear this statement made amongst all of the classes of our people they either laugh or sneer. And yet what is more worthwhile in the world than to end war and make the world a safe place for the nations of a free people where each shall have a voice in the government; where all the great fundamental rights shall be protected and guaranteed and where individual liberty and individual initiative is preserved and encouraged and where there shall be a free interchange not only of thoughts and ideas and scientific inventions, but of goods and commodities.

I wish here and now to challenge the popular assumptions which exist amongst our people in connection with our entering the World War, and the whole American foreign policy following the World War.

First let me say boldly and unequivocally that the World War was not a failure, that our participation in the World War was not a mistake. On the contrary the World War was necessary in order to preserve the rights of smaller nations and free peoples, and it was imperative that America enter the World War in order to save its own soul.

Let me again assert the motive was worthy and laudable. Our entrance was not a mistake and the war was a success. Never before in the history of the world had there been such heroic, unselfish cooperative effort amongst the great nations of the world to bring about a new order of things in the world.

How then, shall we explain the conditions which we find in the world

today, where every nation has become an armed camp, where the preparations of war exceeds many times that which ever existed before in history, where the major thought and industry of the leading powers is to discover and increase new and better methods of killing people. And how shall we explain that we now have the most pagan and vicious forms of despotic power and totalitarian governments that ever existed? The answer is simple. The war was a success. What was sought to be accomplished so far as the war itself was concerned was accomplished, and both America and the Allies were glorious in war. The heroism and disinterested cooperation as before stated was unparalleled in the world's history, but while we were noble and glorious in war, we were ignoble and inglorious in peace.

If America and the allied nations of the world had shown the same determination, the same heroism, the same disinterested and cooperative effort following the war that existed during the war we should have accomplished precisely the purpose as stated by Woodrow Wilson, and we would have made the world a safe place for the free peoples of the earth and the smaller nations of the earth, and the dream of the ages would now be an established fact and a reality, and we could all repeat the words of the Great Teacher and the Great Law Giver, "Peace on Earth, Good Will to Men".

I repeat, the failure was not in connection with the war, the failure is the result of the fact that we deserted the cause at the very time the great influence of America was needed the most.

If argument is needed in order to establish the truth of the statements here made, we need go no further than our own history. The Revolutionary War was fought under great difficulties by the 13 separate colonies, each of which was a separate sovereign power. Suppose at the end of the Revolutionary War the colonies not only had a Patrick Henry to oppose the constitution but suppose there then existed a little group of men referred to by Woodrow Wilson as wilfull men. The highest councils, George Washington, John Marshall, John Adams, Benjamin Franklin, Thomas Jefferson and Samuel Adams had not succeeded in founding and establishing a constitution but on the contrary the Patrick Henry's and such men as Senators Lodge, Borah, Reed, Moses and others aided by a yellow press known as the Hearst Publications should have succeeded in destroying the constitution. Is there a single person in this audience who believes that the conditions which would have followed would have been even worse if possible than the conditions which have followed the destruction of the cooperative effort following the World War to establish international law and international peace. The imagination can hardly grasp the consequence which would have followed if the doctrine should have prevailed in each of the colonies of isolation and self sufficiency which was so ardently advocated by Patrick Henry and so successfully advocated by a little group of men following the World War, some actuated by honest and mistaken motives but a number actuated by sordid, political and mean motives.

I accuse William Randolph Hearst and the Hearst Publications of spreading international poison and hate and ill will throughout the world. I accuse Senators Lodge, Borah, Reed, Moses and the other group of

Senators of misrepresenting the noblest sentiments and aspirations of the American people and the peoples of the world. I accuse Senators Lodge, Borah and Reed and this little group of men of destroying not only the World Court and the League of Nations but the cooperative effort of the nations of the world to establish international law and international peace.

When President Harding said, as he did say here in the City of Des Moines: "I turn my back upon the League" he not only then turned his back upon the League but the result of his action was to destroy the usefulness of the World Court and cooperative effort of the nations of the world.

Is it not time that we should see the issues clearly? Is it not time that we should cease confusing cause and effect? Is it not time, as Carlyle said, that we should not only see but see through? There are but two methods in the world to settle difficulties. One is by force; that is the law of the jungle and anarchy. The other is by cooperative effort and some form of judicial decision. That is the method of civilization.

Sooner or later we must make a clear cut decision between one or the other of these methods. There is and can be no such thing as isolation and self sufficiency for this nation or any other nation in the world. If proof is needed witness the demonstration of 20,000 Nazi storm troupers which met in New York two weeks ago—flogged and beat up people who undertook to express an independent thought, wore the Nazi uniform, gave the Nazi salute, placed the swastika above the American flag, indulged in sneers and boos at the name of the president of the United States, and declared for friendly cooperation with Adolf Hitler. Also note the fact that Field Marshal Goering said but a few days ago in Berlin "We shall use all our power to increase our 80 million population to 100 million". He further said "Young men will stream in doubled and three-fold numbers into barracks. We intend to use every one of them." And "we must produce planes in numbers and of quality which seems unthinkable". And then he uttered the blasphemous statement "Plainly the Lord is with us."

In a recent number of the Forum magazine we are told that Germany has more, faster and better bombing airplanes than England, France and the United States combined, and that their production capacity is ten times as great as that of France.

In spite of this we still have a school of thought who profess to believe in isolation and self sufficiency and that America should be neutral and lady-like and say nothing which will offend these pagan dictators, and while these speeches are being uttered in the press and in the halls of the United States Congress, Federal juries are finding Nazi spies guilty of being members of a spy ring in the United States, hired by the German government to obtain the military secrets of the United States and carry on a propaganda of Nazi government here. At the same time we read of the solidarity of the Rome, Berlin, Tokio axis recently augmented by the Government of Hungary and the cooperation of Franco in Madrid.

As a result of this solidarity on the part of the dictators and the lack

of cooperative effort on the part of the democracies and the other nations of the world we witness a series of world aggressions on the part of these nations, each one furnishing encouragement for the other, namely, Manchuria, Manchukuo, China, Ethiopia, Austria, Czechoslovakia and Munich.

My conclusion is that trying to follow the old order leads to nothing but tragedy and disaster. That national restrictive legislation in an attempt to maintain neutrality results not in neutrality but to the advantage of the stronger and aggressive nations. That a national policy which closes its eyes to the ravishment of weaker nations and the destruction of every religious and civil right which exists among the peoples of the world is not the road to peace but the road which will inevitably lead to war. A world crisis is at hand. America must not play an ignoble part. If we are to remain free we must be bold. The world needs leadership as it never needed it before. There are many encouraging signs notwithstanding the warlike preparations of the dictator nations. Their weakness has become apparent, their shortage of food and the necessity of raw materials is even admitted by them. A new Pope has just been selected. Within 24 hours after his selection he declared to the world and over three hundred million catholics for national peace based upon justice. He refused to be intimidated by the warning of Adolph Hitler and his lieutenants and he refused to be intimidated by the warning of the Italian press. The government of America can do no less. We need not become entangled in a foreign war. We should uphold the hand of the President of the United States in letting it be known that America condemns the lawlessness and the persecution of the dictator governments and that our sympathies are with the democracies and the free governments of the world and that in any conflict we shall use every peaceful and lawful method including the furnishing of foodstuffs, raw materials and war planes and even munitions to the democracies in their contest against autocracy, despotism and paganism.

Personally I shall unhesitatingly support the new order. I unhesitatingly declare in favor of international law and international peace, and sufficient cooperation among the free nations of the world to establish and preserve international law and international peace.

Senator Doran moved that the addresses by Representative Walters, Senator Byers and ex-Senator Cosson be printed in the Journal. Motion prevailed.

On motion by Hallagan of Polk the Joint Session was dissolved.

The Senate returned to the Senate Chamber and resumed session, President Hickenlooper presiding.

On motion of Senator Talbott, former Senator Dan Mason was escorted to the rostrum by Senators Talbott and Geske, and he addressed the Senate briefly.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 145, 159, 170, and 196.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 145, 159, 170, and 196.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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 March, 1939, sent to the governor for his approval, Senate Files 145, 159, and 170.

RALPH E. BENSON, *Chairman.*

Passed on file.

REPORTS 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 397. E. P. DONOHUE, *Chairman.*

Also: MR. PRESIDENT: Your sifting committee begs leave to report that Senate Files 152, 228, 1, 250, 133, 252, 105, 118, 137 and 67 and House Files 71 and 46 remain upon the calendar and that all other bills on the calendar as of March 7, 1939, remain in the sifting committee subject to future action of the committee.

E. P. DONOHUE, *Chairman.*

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 373 as follows:

1. In line twenty-five (25) of section 1 strike the period (.) after the word "users" and insert the following: ", but shall not include fuel, heat, steam or electricity when purchased and used in the processing of tangible personal property intended to be sold ultimately at retail.

A. CLAIRE DEWEY.

MR. PRESIDENT: Amend Senate File 379 by striking from section five

(5) all of subsection four (4) being lines thirty-nine (39), forty (40), forty-one (41) and forty-two (42), and further amend Senate File 379 by striking all of sections ninety-five (95), ninety-six (96), ninety-seven (97) and ninety-eight (98) and renumbering the remaining sections.

G. R. HILL.

MR. PRESIDENT: Amend Senate File 379 by inserting as a new section following section 4-a the following:

"Section 4-b. The Attorney General may requisition not to exceed four members of the department to make investigations who while on such special assignment and so engaged shall be under his sole direction and control."

E. K. BEKMAN.

MR. PRESIDENT: Amend Senate File 379 as follows:

Amend by inserting after the period following the word "office", line twelve (12), section two (2), the following: "He shall have been for a period of at least five (5) years, immediately prior to his appointment, a resident of the state of Iowa."

GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 379 by adding the following to section four (4): "Such personnel shall be limited to persons who shall have been residents of the state of Iowa for a period of at least five (5) years immediately prior to their appointment."

GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 379 by striking all of section 36 and by inserting in lieu thereof:

"Section two hundred nineteen (219), Chapter one hundred thirty-four (134), Acts of the 47th General Assembly is amended by inserting after the word 'patrol' in line two (2) thereof the words 'or may designate the county sheriff'."

H. V. LEVIS.

MR. PRESIDENT: Amend Senate File 379 by inserting as section 13-A thereof the following:

"Sec. 13-A. The commissioner shall cooperate with any recognized agencies in the education of the public in highway safety and shall be charged with the expenditure of any monies which may be appropriated for that purpose."

L. B. FORSLING.

MR. PRESIDENT: 1. Amend the Donohue amendment to Senate File 379 by striking the following, which appears as a part of paragraph (b) of section five (5) on page 482 of the Senate Journal:

"All officers appointed or serving under the provisions of this chapter shall be deemed peace officers and shall have all authority vested in a peace officer of the state of Iowa."

2. Amend Senate File 379 by striking lines five (5) to thirteen (13) inclusive of section twenty-seven (27) and inserting in lieu thereof the following:

"'Department' means the Department of Public Safety."

3. Amend Senate File 379 by adding to section five (5) the following:

"7. To register and license motor vehicles under the provisions of Chapter 134 of the Laws of the 47th General Assembly."

4. Amend Senate File 379 by striking line twenty-eight (28) on page six (6) of said bill.

5. Amend Senate File 379 by striking sections thirty-one (31), thirty-two (32) and thirty-three (33) of said bill.

6. Amend Senate File 379 by striking section thirty (30) and inserting in lieu thereof the following:

"Section sixteen (16) of Chapter 134 of the Acts of the 47th General Assembly is hereby amended by striking from said section the words 'subject to the approval of the secretary of state,'."

7. Amend Senate File 379 by striking lines seven (7) to twenty-five (25) inclusive on page five (5) of the bill and on page six (6) the following in line twenty-six (26): "public offense is being committed in their presence."

8. Amend the Donohue amendment to Senate File 379 by striking from section six (6) of said amendment on page 482 of the Senate Journal the following:

"and not more than sixty per cent (60%) of said patrol shall at any time be members of the same political party".

9. Amend Senate File 379 by striking sections 101, 102, and 103.

10. Amend Senate File 379 by striking section 106 and substituting in lieu thereof the following:

"Section 220 of Chapter 134 of the Laws of the 47th General Assembly is hereby amended by striking from said section lines nine (9) to fourteen (14) inclusive."

11. Amend Senate File 379 by striking sections seventy (70), seventy-one (71) and seventy-two (72).

12. Amend Senate File 379 by striking sections seventy-six (76) to seventy-nine (79) inclusive.

13. Amend Senate File 379 by striking sections forty-one (41) to sixty-nine (69) inclusive.

14. Amend Senate File 379 by striking therefrom sections twenty (20) to twenty-five (25) inclusive.

15. Amend Senate File 379 by striking from section twenty-six (26) thereof lines five (5) to twelve (12) inclusive and substituting in lieu thereof the following:

" 'Commissioner' shall mean Commissioner of Public Safety."

16. Amend Senate File 379 by striking sections eighteen (18) and nineteen (19).

17. Amend Senate File 379 by striking from section twelve (12) lines five (5) and seven (7).

18. Amend Senate File 379 by striking from section five (5) thereof lines thirty-five (35) to fifty-three (53) inclusive. EDWARD BREEN.

MR. PRESIDENT: Amend Senate File 379 by inserting after the word "governor" in section two (2) line sixteen (16) the following: "with the approval of the executive council,".

A. J. SHAW.

MR. PRESIDENT: Amend Senator Donohue's amendment to Senate File 379 by adding to the first paragraph of section four (4) following the period after the word "act" the following: "Such personnel shall be

limited to persons who shall have been residents of the State of Iowa for at least five (5) years immediately prior to their appointment."

GEORGE M. FAUL.

MR. PRESIDENT: 1. Amend Senate File 379 by striking the period in line five (5) of section twelve (12) and adding the following:

"and Bureau of Identification."

2. Amend the amendment offered by Senator Donohue by inserting after the period in line eleven (11) of section six (6) thereof the following:

"Provided however the present personnel of the Highway Patrol in good standing are excepted from the provisions of this section."

L. H. DORAN.

MR. PRESIDENT: Amend Senate File 379 by adding to section 101 the following:

"But the Commissioner of Public Safety shall, upon the requisition of the Attorney General, assign to the Department of Justice such officers of the Bureau of Investigation as may be designated by the Attorney General for service in the Department of Justice." HUGH W. LUNDY.

MR. PRESIDENT: Amend section eleven (11) of Senate File 379 by striking therefrom the following: "In addition, such applicant must be a citizen of the United States of sound constitution, of good moral character, not less than twenty-five (25) years of age, and have actually and in good faith acquired a general education substantially equivalent to that involved in the completion of a high school course of study of at least four years in extent." and insert in lieu thereof the following: "In addition, such applicant must have resided in the state of Iowa for at least the period of two years, must be a citizen of the United States of good moral character and be not less than twenty-five (25) years of age."

2. Amend Senate File 379 by striking all of section one hundred four (104) and also that the remaining sections be renumbered.

E. P. DONOHUE.

MR. PRESIDENT: Amend Senate File 379 by inserting after the word "sheriff" in line 12 of section 5, the following: "or county attorney".

2. Amend by inserting after the word "violators" in line 14 of section 5, the following: "or in investigating law violations".

CHARLES B. HOEVEN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 8, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. W. H. Slack, pastor of the Methodist Episcopal Church of Mediapolis.

The Journal of March 7th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Sjulín for the day, on request of Senator Husted; Senator Parker for the day, on request of Senator Elthon.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Martin, from citizens of Davenport, opposing enactment of House File 351.

By Senator Hill, from citizens of Ackley, opposing enactment of House Files 287, 359, 383, and 220, and Senate Files 316 and 373.

By Senator Hill, from members and friends of Townsend Club No. 1 of Eagle Grove, requesting adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Guernsey, from citizens of Scott, Cedar, Muscatine, Clinton and Jackson counties, favoring enactment of House File 570.

By Senator Guernsey, from the Young People's Missionary Volunteer Society of the Seventh-Day Adventist Church of Centerville, favoring enactment of Senate File 169.

By Senator Pelzer, from citizens of Linn county, favoring enactment of House File 431.

By Senator Kirketeg, from merchants and professional people of Lenox, favoring enactment of House File 155.

By Senator Henningsen, from citizens of Clinton county, opposing enactment of a State Fair Labor Standards Act.

By Senator Baldwin, from citizens of Dubuque county, opposing enactment of House File 1 and Senate File 169.

By Senator Breen, from the Rockwell City Public Schools, favoring enactment of Senate File 252.

By Senator Forsling, from citizens of Sioux City, favoring adoption of a joint resolution memorializing Congress to refer to the various state legislatures a constitutional amendment embodying the basic principles of the Townsend Plan.

By Senator Dewey, from the American Legion Post of Henry county, favoring enactment of House File 376.

By Senator Dewey, from business and professional men of Wellman, opposing any bill eliminating "bank nights".

By Senator Doran, from citizens of Story county, opposing enactment of a State Fair Labor Standards Act.

By Senator Doran, from citizens of Boone and Story counties, favoring enactment of the Iowa Community Preservation Act.

By Senator Ellis, from the Maquoketa Valley Chapter of the Izaak Walton League, requesting a suitable appropriation for the purpose of purchasing lands to be restored and reforested, and that the administration of such funds be vested in the Iowa State Conservation Commission.

By Senator Hoeven, from taxpayers of Rock Rapids, favoring enactment of Senate File 49.

By Senator Hoeven, from citizens of O'Brien and Sioux counties, opposing enactment of a State Fair Labor Standards Act.

INTRODUCTION OF BILLS

Senate File 400, by committee on board of control, a bill for an act to amend Chapter one hundred seventy (170), and sections thirty-two hundred eighty-seven (3287), thirty-two hundred ninety-two (3292), thirty-two hundred ninety-three (3293), thirty-three hundred (3300), thirty-three hundred thirty (3330), thirty-three hundred thirty-one (3331), thirty-three hundred thirty-two (3332), thirty-three hundred fifty-two (3352), thirty-three hun-

dred fifty-six (3356), thirty-three hundred ninety-five (3395), thirty-three hundred ninety-six (3396), thirty-four hundred two (3402), thirty-four hundred six (3406), thirty-four hundred sixty-seven (3467), thirty-four hundred seventy-five (3475), thirty-four hundred seventy-six (3476), thirty-four hundred seventy-seven (3477), thirty-four hundred ninety-nine (3499), and thirty-five hundred four (3504), Code, 1935, all relating to the powers and duties of the superintendent of each of the institutions operated under the board of control; providing for the appointment of a business manager for such institutions, and prescribing his powers and duties; providing for the appointment of a farm manager for all state institutions under the supervision of the board of control; and to provide for the changing of the name of the institution for the feeble-minded at Glenwood to the Glenwood State School.

Read first and second times and referred to sifting committee.

Senator Doran asked and received unanimous consent to introduce to the Senate Superintendent Mick of the Beaver Consolidated Schools and his class in Civil Government.

SENATE FILES WITHDRAWN

By unanimous consent, on request of Senator Byers, Senate File 90 was withdrawn from further consideration of the Senate.

By unanimous consent, on request of Senator Hill, Senate File 8 was withdrawn from further consideration 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 joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 5, to amend the constitution of the state of Iowa to reserve the right to create any pension.

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

House File 317, a bill for an act relating to assignments and compromise of certificates of purchase by the board of supervisors.

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

House File 69, a bill for an act giving certain employees power to administer oaths.

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

House File 84, a bill for an act relating to aid to widows with dependent children.

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

Senate File 97, a bill for an act relating to balance remaining from primary road bond issues.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 147, a bill for an act relating to building and loan associations and corporations for pecuniary profit.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 147

Amend Senate File 147 by adding as section 23 the following:

"Sec. 23. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Red Oak Express, a newspaper published at Red Oak, Iowa, and the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa."

HOUSE MESSAGES CONSIDERED

House File 69, 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 84, a bill for an act to amend section thirty-six hundred forty-one-b one (3641-b1), Code, 1935, relating to levies in certain counties for aid to widows with dependent children.

Read first and second times and referred to sifting committee.

House File 317, a bill for an act to amend section seventy-two hundred sixty-five (7265), Code, 1935, relating to assignments and compromise of certificates of purchase by the board of supervisors.

Read first and second times and referred to sifting committee.

House Joint Resolution 5, a joint resolution proposing to amend Article VII of the Constitution of the State of Iowa, so as to reserve in the people of the State of Iowa the right and power to approve or reject any bill creating any pension, other than pensions for the indigent aged or the blind or the veterans of past or future wars of the United States, which bill has been passed by the General Assembly of Iowa.

Read first and second times and referred to sifting committee.

CONSIDERATION OF SENATE FILE 379 RESUMED

Consideration of Senate File 379 was resumed with consideration of the following amendment by Senator Donohue:

Amend section 2 of Senate File 379 by striking from lines fifteen (15) and sixteen (16) the words and figures "three thousand six hundred dollars (\$3600.00)" and inserting in lieu thereof the words and figures "five thousand dollars (\$5000.00)",

and the following amendment to the amendment, offered by Senator Forsling:

Amend the amendment by striking the words and figures "five thousand dollars (\$5000.00)" and inserting in lieu thereof the words and figures "forty-two hundred dollars (\$4200.00)".

By unanimous consent, on request of Senator Forsling, the words and figures "forty-two hundred dollars (\$4200.00)" were changed to "forty-five hundred dollars (\$4500.00)".

Senator Beardsley offered the following substitute amendments for all pending amendments, except the amendments applying to sections twenty-six (26) to forty (40), inclusive, and moved their adoption:

1. Amend the title to conform with the following amendments.
2. Strike section five (5) of Senate File 379 and insert in lieu thereof the following:
"It shall be the duty of the commissioner to enforce the laws in Chapter 134, Session laws of the 47th General Assembly as hereinafter amended."
3. Strike sections six (6) to twenty-five (25) inclusive.
4. Strike sections forty-one (41) to seventy-nine (79) inclusive.
5. Strike sections ninety-five (95) to one hundred four and one-half (104½) inclusive.

Senator Forsling moved the previous question on the pending amendment.

Senator Baldwin rose to point of personal privilege and requested a roll call.

Senator Forsling asked that the motion for the previous question be deferred.

By unanimous consent, on request of Senator Forsling, his motion for the previous question was withdrawn.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 17:

Augustine	Dewey	Geske	Mighell
Beardsley	Edwards	Gillette	Miller
Benson	Ellis	Guernsey	Moore
Breen	Faul	Harvey	Smith
Dean			

Nays, 27:

Baldwin	Elthon	Husted	Pelzer
Bekman	Forsling	Kirketeg	Schadt
Berg	Hart	Leo	Stewart
Byers	Henningsen	Levis	Talbott
Corwin	Hill	Lundy	Vrba
Donohue	Hoeven	Martin	Zeigler
Doran	Hopkins	Mowry	

Absent or not voting, 6:

Cromwell	Parker	Sjulin	Whitehill
Evans	Shaw		

The amendments were lost.

On motion of Senator Forsling, his amendment to the amendment by Senator Donohue was adopted.

On motion of Senator Donohue, his amendment as amended was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 379 by striking from section five (5) all of subsection four (4), being lines thirty-nine (39), forty (40), forty-one (41) and forty-two (42), and further amend Senate File 379 by striking all of sections ninety-five (95), ninety-six (96), ninety-seven (97) and ninety-eight (98) and renumbering the remaining sections.

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 379 by inserting as a new section following section 4-a the following:

"Section 4-b. The Attorney General may requisition not to exceed four members of the department to make investigations who while on such special assignment and so engaged shall be under his sole direction and control."

By unanimous consent, on request of Senator Bekman, action on his amendment was deferred until after action on the amendment by Senator Lundy.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 221, 242, 262, 272, 294, 305, 377, 384, and Senate File 97.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 221, 242, 262, 272, 294, 305, 377, 384, and Senate File 97.

BILLS SENT TO THE GOVERNOR

Senator Benson 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 March, 1939, sent to the Governor for his approval, Senate Files 196 and 97. RALPH E. BENSON, *Chairman.*

Passed on file.

CONSIDERATION OF SENATE FILE 379 RESUMED

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 379 as follows:

Amend by inserting after the period following the word "office", line twelve (12), section two (2), the following: "He shall have been for a period of at least five (5) years, immediately prior to his appointment, a resident of the state of Iowa."

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 379 by adding the following to section four (4): "Such personnel shall be limited to persons who shall have been residents of the state of Iowa for a period of at least five (5) years immediately prior to their appointment."

By unanimous consent, on request of Senator Faul, action on his amendment was deferred until after consideration of an amendment to the Donohue amendment.

Senator Levis offered the following amendment and moved its adoption:

Amend Senate File 379 by striking all of section 36 and by inserting in lieu thereof:

"Section two hundred nineteen (219), Chapter one hundred thirty-four (134), Acts of the 47th General Assembly is amended by inserting after the word 'patrol' in line two (2) thereof the words 'or may designate the county sheriff'."

The amendment was adopted.

Senator Forsling offered the following amendment and moved its adoption:

Amend Senate File 379 by inserting as section 13-a thereof the following:

"Sec. 13-a. The commissioner shall cooperate with any recognized agencies in the education of the public in highway safety and shall be charged with the expenditure of any moneys which may be appropriated for that purpose."

The amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend the Donohue amendment to Senate File 379 by striking the following, which appears as a part of paragraph (b) of section five (5) on page 482 of the Senate Journal:

"All officers appointed or serving under the provisions of this chapter shall be deemed peace officers and shall have all authority vested in a peace officer of the state of Iowa."

By unanimous consent, on request of Senator Breen, action on the amendment was deferred until after consideration of the Donohue amendment.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking lines five (5) to thirteen (13), inclusive, of section twenty-seven (27) and inserting in lieu thereof the following:

“‘Department’ means the Department of Public Safety.”

Roll call was requested.

Rule 8 was invoked.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 18:

Augustine	Edwards	Hopkins	Moore
Baldwin	Faul	Lundy	Shaw
Beardsley	Geske	Mighell	Stewart
Breen	Gillette	Miller	Talbott
Dean	Guernsey		

Nays, 27:

Bekman	Doran	Hill	Mowry
Benson	Elthon	Hoeven	Pelzer
Berg	Evans	Husted	Schadt
Byers	Forsling	Kirketeg	Smith
Corwin	Hart	Leo	Vrba
Dewey	Harvey	Levis	Zeigler
Donohue	Henningesen	Martin	

Absent or not voting, 5:

Cromwell	Parker	Sjulin	Whitehill
Ellis			

The amendment was lost.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by adding to section five (5) the following:

“7. To register and license motor vehicles under the provisions of Chapter 134 of the Laws of the 47th General Assembly.”

By unanimous consent, on request of Senator Breen, the amendment was withdrawn.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking line twenty-eight (28) on page six (6) of said bill.

The amendment was lost.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking sections thirty-one (31), thirty-two (32) and thirty-three (33) of said bill.

By unanimous consent, on request of Senator Breen, the amendment was withdrawn.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking section thirty (30) and inserting in lieu thereof the following:

“Section sixteen (16) of Chapter 134 of the Acts of the 47th General Assembly is hereby amended by striking from said section the words ‘subject to the approval of the secretary of state.’”

By unanimous consent, on request of Senator Breen, the amendment was withdrawn.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking lines seven (7) to twenty-five (25), inclusive, on page five (5) of the bill, and on page six (6) the following in line twenty-six (26): “public offense is being committed in their presence.”

By unanimous consent, on request of Senator Breen, action was deferred until after action on the amendment by Senator Hoeven.

Senator Breen offered the following amendment and moved its adoption:

Amend the Donohue amendment to Senate File 379 by striking from section six (6) of said amendment on page 482 of the Senate Journal the following:

“, and not more than sixty per cent (60%) of said patrol shall at any time be members of the same political party”.

By unanimous consent, on request of Senator Breen, action on the amendment was deferred until after consideration of the Donohue amendment.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking sections 101, 102, and 103.

By unanimous consent, on request of Senator Breen, the figures and word “101, 102, and” were stricken from the amendment and the word “section” was inserted in lieu of the word “sections”.

Roll call was requested.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 14:

Augustine	Ellis	Hoeven	Mighell
Beardsley	Faul	Lundy	Miller
Breen	Geske	Martin	Moore
Dean	Gillette		

Nays, 30:

Baldwin	Elthon	Hopkins	Schadt
Bekman	Evans	Husted	Shaw
Berg	Forsling	Kirketeg	Smith
Byers	Guernsey	Leo	Stewart
Corwin	Hart	Levis	Talbott
Donohue	Harvey	Mowry	Vrba
Doran	Henningsen	Pelzer	Zeigler
Edwards	Hill		

Absent or not voting, 6:

Benson	Dewey	Sjulin	Whitehill
Cromwell	Parker		

The amendment was lost.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking section 106 and substituting in lieu thereof the following:

"Section 220 of Chapter 134 of the Laws of the 47th General Assembly is hereby amended by striking from said section lines nine (9) to fourteen (14) inclusive."

Senator Breen offered the following as a substitute amendment:

Amend Senate File 379 by adding thereto as section 105½ the following:

"Section 220 of Chapter 134 of the Laws of the 47th General Assembly is hereby amended by striking from said section lines nine (9) to fourteen (14) inclusive."

The motion to substitute was lost.

By unanimous consent, on request of Senator Breen, action was deferred until after consideration of the Lundy amendment.

Senator Breen offered the following amendments and moved their adoption:

Amend Senate File 379 by striking sections seventy (70), seventy-one (71) and seventy-two (72).

Amend Senate File 379 by striking sections seventy-six (76) to seventy-nine (79) inclusive.

By unanimous consent, on request of Senator Breen, the amendments were withdrawn.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking sections forty-one (41) to sixty-nine (69) inclusive.

The amendment was lost.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking therefrom sections twenty (20) to twenty-five (25) inclusive.

The amendment was lost.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking from section twenty-six (26) thereof lines five (5) to twelve (12) inclusive and substituting in lieu thereof the following:

“‘Commissioner’ shall mean Commissioner of Public Safety.”

By unanimous consent, on request of Senator Breen, the amendment was withdrawn.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking sections eighteen (18) and nineteen (19).

The amendment was lost.

Senator Breen offered the following amendments and moved their adoption:

Amend Senate File 379 by striking from section twelve (12) lines five (5) and seven (7).

Further amend by striking from section five (5) thereof lines thirty-five (35) to fifty-three (53) inclusive.

By unanimous consent, on request of Senator Breen, the amendments were withdrawn.

Senator Shaw offered the following amendment and moved its adoption:

Amend Senate File 379 by inserting after the word “governor” in section two (2) line sixteen (16) the following: “, with the approval of the executive council,”.

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senator Donohue's amendment to Senate File 379 by adding to the first paragraph of section four (4) following the period after the word "act" the following: "Such personnel shall be limited to persons who shall have been residents of the State of Iowa for at least five (5) years immediately prior to their appointment."

By unanimous consent, on request of Senator Faul, action was deferred until after consideration of the Donohue amendment.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 379 by striking the period in line five (5) of section twelve (12) and adding the following: "and Bureau of Identification."

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend the amendment offered by Senator Donohue by inserting after the period in line eleven (11) of section six (6) thereof the following: "Provided however the present personnel of the Highway Patrol in good standing are excepted from the provisions of this section."

By unanimous consent, on request of Senator Doran, action on the amendment was deferred until after consideration of the Donohue amendment.

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate File 379 by adding to section 101 the following:

"But the Commissioner of Public Safety shall, upon the requisition of the Attorney General, assign to the Department of Justice such officers of the Bureau of Investigation as may be designated by the Attorney General for service in the Department of Justice."

Senator Lundy moved to substitute the following for the amendment:

Amend Senate File 379 by adding to Section 101 thereof the following:

"But the Commissioner of Public Safety shall, upon the requisition of the Attorney General, from time to time assign for service in the Department of Justice such of its officers as may be requested by the Attorney General for special service in the Department of Justice, and when so assigned such officers shall be under the exclusive direction and control of the Attorney General."

The motion prevailed and the substitution was made.

Senator Hoeven moved to amend the amendment by striking the word "shall" and inserting in lieu thereof the word "may".

By unanimous consent, on request of Senator Hoeven, his amendment was withdrawn.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend the amendment offered by Senator Lundy by inserting after the word "officers" in line four (4) the following: "from the Division of Criminal Investigation, not to exceed six (6) in number,".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend section eleven (11) of Senate File 379 by striking therefrom the following: "In addition, such applicant must be a citizen of the United States of sound constitution, of good moral character, not less than twenty-five (25) years of age, and have actually and in good faith acquired a general education substantially equivalent to that involved in the completion of a high school course of study of at least four years in extent." and inserting in lieu thereof the following: "In addition, such applicant must have resided in the state of Iowa for at least the period of two years, must be a citizen of the United States, of good moral character, and be not less than twenty-five (25) years of age."

Senator Beardsley offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking from line ten (10) the words and figures "twenty-five (25)" and inserting in lieu thereof the words and figures "twenty-two (22)".

The amendment to the amendment was adopted.

By unanimous consent, on request of Senator Donohue, his amendment was changed by inserting immediately after the word "years", in line nine (9) of the amendment as it appears in the Journal, the words "immediately prior to making application,".

On motion of Senator Donohue, the amendment as amended was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 379 by striking all of section one hundred four (104) and also that the remaining sections be renumbered.

Senator Donohue moved that the following be substituted for the amendment:

Amend by striking section 104 and inserting in lieu thereof the following:

"Members of the departments consolidated under this act may be regarded as eligible for appointment in this department without further examination, at the discretion of the commissioner. However, this shall not affect members of the highway safety patrol as hereinbefore provided."

The motion prevailed and the substitution was made.

The amendment was adopted.

Senator Hoeven offered the following amendments and moved their adoption:

(1) Amend Senate File 379 by inserting after the word "sheriff" in line 12 of section 5, the following: "or county attorney".

(2) Amend by inserting after the word "violators" in line 14 of section 5, the following: "or in investigating law violations".

The amendments were adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend section fifteen (15) of Senate File 379, by striking from line one (1) the word "records" and inserting in lieu thereof the word "rewards".

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 379 by striking the first six lines of section four (4) and inserting in lieu thereof the following:

"Sec. 4. The commissioner, with the approval of the Governor, shall appoint such deputies, inspectors, officers, clerical workers and other employees as may be required to properly discharge the duties of this department, provided, however, that all members in good standing of what is now known as the Iowa highway safety patrol shall, upon the enactment of this act, immediately become members of this department without appointment and the rank and salary of all members of the Iowa highway safety patrol shall remain the same as now fixed by statute, or as may be provided for in this act.

The commissioner may delegate to the members of the Iowa highway safety patrol such additional duties in the enforcement of this act as he may deem proper and incidental to the duties now imposed upon them by law.

The salaries of all members and employees of the department and the expenses of the department shall be fixed by the legislative appropriation therefor."

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 379 by inserting after the word "safety" in line seventeen (17) of section eleven (11) the following: " , except members of the present Iowa highway safety patrol who have served more than six (6) months,".

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 379 by adding thereto as section three-a (3a) the following:

"Sec. 3a. The commissioner shall succeed in the administration and control of the Iowa highway safety patrol established under Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly. The commissioner is authorized to employ the members of said patrol; however, not to exceed one hundred twenty-five (125) men, and not more than sixty per cent (60%) of said patrol shall at any time be members of the same political party."

Senator Breen offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking all after the word "patrol" and inserting a period (.) in lieu thereof.

The amendment to the amendment was lost.

The amendment was adopted.

Senator Beardsley moved to adjourn until 10 a. m. Thursday.

Senator Husted moved as a substitute that the Senate adjourn until 9:30 a. m. Thursday.

Roll call was requested.

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

Ayes, 12:

Beardsley
Benson
Breen

Byers
Dean
Geske

Gillette
Guernsey
Miller

Moore
Stewart
Vrba

Nays, 31:

Bekman	Elthon	Hopkins	Mowry
Berg	Evans	Husted	Pelzer
Corwin	Faul	Kirketeg	Schadt
Dewey	Forsling	Leo	Shaw
Donohue	Harvey	Levis	Smith
Doran	Henningsen	Lundy	Talbott
Edwards	Hill	Martin	Zeigler
Ellis	Hoeven	Mighell	

Absent or not voting, 7:

Augustine	Cromwell	Parker	Whitehill
Baldwin	Hart	Sjulin	

The motion to adjourn was lost.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 379 by adding thereto the following section:

"Sec. 3b. The commissioner is authorized to appoint a chief, a first and second assistant and all other supervisory officers of said patrol. All appointments and promotions shall be made on the basis of seniority and merit examination. There shall not be more than seventeen (17) supervisory officers in the said patrol unless the membership thereof is increased to such a number as to require the appointment of additional supervisory officers."

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 379 by adding thereto the following section:

"Sec. 37. The salaries of the patrol shall be set by the commissioner with the approval of the Governor, but shall not exceed the following:

Chief of patrol, two hundred seventy-five dollars (\$275.00) per month

Assistant chiefs, two hundred dollars (\$200.00) per month

Sergeants, one hundred seventy-five dollars (\$175.00) per month

Patrolmen, after one year's service as patrolmen, or a driver's license examiner, one hundred sixty dollars (\$160.00) per month

Patrolmen with less than one year's service, one hundred ten dollars (\$110.00) per month."

By unanimous consent, on request of Senator Donohue, the amendment was withdrawn.

Senator Bekman offered the following amendment and moved its adoption:

Amend section nine (9) of Senate File 379 by adding at the end thereof the following:

"The Commissioner is authorized to hold a training school for candidates for or members of the highway patrol, and may send to recognized

officers' training schools such officers as the commissioner may deem advisable, for periods not to exceed one month in any calendar year. The expenses of such school of training shall be paid in the same manner as other expenses of the patrol."

The amendment was adopted.

Senator Lundy offered the following amendment and moved its adoption :

Amend Senate File 379 by striking therefrom all of Section 106.

By unanimous consent, on request of Senator Lundy, the amendment was withdrawn.

Senator Breen offered the following amendment and moved its adoption :

Amend Senate File 379 by striking the word "police" in line one (1) of Section 103 and substituting in lieu thereof the word "patrol", by striking the words "within any municipality" in line three (3) of Section 103, by placing a period after the word "dispute" in line three (3) of Section 103, and by striking the balance of said section.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was :

Ayes, 22:

Baldwin	Edwards	Harvey	Miller
Beardsley	Ellis	Hill	Moore
Breen	Faul	Lundy	Shaw
Dean	Geske	Martin	Stewart
Dewey	Gillette	Mighell	Vrba
Doran	Guernsey		

Nays, 23:

Bekman	Elthon	Hopkins	Pelzer
Benson	Evans	Husted	Schadt
Berg	Forsling	Kirketeg	Smith
Byers	Hart	Leo	Talbott
Corwin	Henningsen	Levis	Zeigler
Donohue	Hoeven	Mowry	

Absent or not voting, 5:

Augustine	Parker	Sjulin	Whitehill
Cromwell			

The amendment was lost.

Senator Breen offered the following amendment and moved its adoption :

Amend Senate File 379 by placing a period after the word "dispute" in line three (3) of section 103 and by striking the balance of the section.

By unanimous consent, on request of Senator Breen, the amendment was withdrawn.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 379 by striking sections 76, 77, 78, and 79 and re-numbering the remaining sections.

The amendment was adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend Senate File 379, section 17, by striking line one and the numerals (13407) and the comma (,) in line two and inserting in lieu thereof the word "Sections". Supplement Section 17 by adding the following: Section 13407, Code, 1935, is hereby amended by adding in line two, following the word "person", these additional words, "not to exceed six (6) in number."

By unanimous consent, on request of Senator Benson, the amendment was withdrawn.

Senator Doran offered the following amendment and moved its adoption:

Amend section eleven (11) of Senate File 379 by striking all after the period in line eleven (11) down to the period in line thirteen (13) and inserting the following:

"The mental examination shall be conducted under the direction or supervision of the commissioner of public safety and may be oral or written or both."

The amendment was adopted.

By unanimous consent, on request of Senator Donohue, his amendments found on pages 481, 482, 483, and 484 of the Journal were withdrawn.

By unanimous consent, on request of Senator Bekman, his amendment found on page 526 of the Journal was withdrawn.

By unanimous consent, on request of Senator Faul, his second amendment found on page 526 of the Journal was withdrawn.

By unanimous consent, on request of Senator Faul, his amendment found on pages 527 and 528 of the Journal was withdrawn.

By unanimous consent, on request of Senator Doran, his amendment found on page 528 of the Journal was withdrawn.

Senator Doran offered the following amendment and moved its adoption:

Amend section 3a of Senate File 379 as amended by adding thereto the following:

"Provided, however, the present personnel of the highway patrol in good standing are excepted from the provisions of this section."

The amendment was adopted.

By unanimous consent, on request of Senator Breen, his amendment 1 found on page 526 of the Journal was withdrawn.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 379 by striking from line twenty-two (22) of section five (5) thereof the word "alone".

The amendment was adopted.

By unanimous consent, on request of Senator Breen, his amendment 7 found on page 527 of the Journal was withdrawn.

By unanimous consent, on request of Senator Breen, his amendment 10 found on page 527 of the Journal was withdrawn.

Senator Forsling moved to amend Senate File 379 by striking from line three (3) of section six (6) the two commas and the words "so far as possible".

The amendment was adopted.

Senator Donohue moved to amend Senate File 379 by renumbering the sections in conformity with the amendments 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.

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

Ayes, 36:

Baldwin	Edwards	Hoeven	Mowry
Bekman	Elthon	Hopkins	Pelzer
Benson	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Byers	Forsling	Leo	Smith
Corwin	Hart	Levis	Stewart
Dewey	Harvey	Lundy	Talbott
Donohue	Henningsen	Martin	Vrba
Doran	Hill	Mighell	Zeigler

Nays, 5:

Beardsley	Geske	Gillette	Moore
Breen			

Absent or not voting, 9:

Augustine	Ellis	Miller	Sjulin
Cromwell	Guernsey	Parker	Whitehill
Dean			

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

On request of Senator Donohue, permission was granted to file amendments to the title, which shall be corrected in accordance therewith.

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.

By unanimous consent, on request of Senator Donohue, Senate File 379 was ordered reprinted as passed.

PERSONAL PRIVILEGE

By unanimous consent, the following remarks of Senator Beardsley were ordered printed in the Journal:

MR. PRESIDENT and Members of the Senate:

I set forth my views at length earlier in the day in regard to Senate File 379. I wish to make it clear that my negative vote on this bill in no way alters my contention that the motor patrol and motor vehicle department should be a separate department under the Governor, which would have been the effect if my amendment this morning had been carried.

My objection to Senate File 379 is that, in my opinion, it will impair the efficiency of the state highway patrol.

EXTRA COPIES

By unanimous consent, on request of Senator Stewart, 100 extra copies of Senate File 369 were ordered printed.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 356 by striking out section three (3).
ORA E. HUSTED.

MR. PRESIDENT: Amend Senate File 373 as follows:

1. In line eighteen (18) of section 13 strike all after the word "shall".
2. Strike all of line nineteen (19) of section 13.

3. In line twenty (20) of section 13 strike all preceding the word "make".

4. In line twenty-nine (29) of section 13 strike the word "one (1)" and insert in lieu thereof the word "fifty (50)".

5. In line thirty (30) of section 13 strike the word "dollar" and insert in lieu thereof "cents".

6. In line thirty-nine (39) of section 13 insert after the word "credited" the words "by the county treasurer".

7. Strike all of line forty (40) of section 13 and insert in lieu thereof the following: "retail transaction and sales tax fund and remitted to the treasurer of state once each month."

8. In line sixty-three (63) of section 13 insert the words "or license" after the word "permits".

9. In line sixty-seven (67) of section 13 strike the words "hereby revoked and" and insert in lieu thereof the following: "valid until revoked."

10. In line sixty-eight (68) of section 13 strike the word "each" and insert therefor the word "Every" and insert after the word "retailer" the following: "not having such permit or license".

11. In line sixty-nine (69) of section 13 insert after the word "and" the words "shall be".

A. CLAIRE DEWEY.

Senator Baldwin moved that the Senate adjourn until 10:00 a. m. Thursday.

Senator Husted offered as a substitute motion that the Senate adjourn until 9:30 a. m. Thursday.

The substitute motion was lost.

The motion prevailed and the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 9, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Verne A. Spindell, pastor of the First Congregational Church of Stuart.

The Journal of March 8th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Elthon, from citizens of Worth county, opposing enactment of House File 1 and Senate File 169.

By Senator Faul, from citizens of Polk county, opposing enactment of House File 1 and Senate File 169.

By Senator Donohue, from citizens of Chickasaw county, opposing enactment of a State Fair Labor Standards Act.

By Senator Cromwell, from citizens of Des Moines county, opposing enactment of House File 1 and Senate File 169.

By Senator Byers, from citizens of Linn county, favoring enactment of House File 431.

By Senator Doran, from the City Council of Ames, favoring enactment of House File 316.

By Senator Hill, from the independent business men of Carroll county, desiring that Senate File 17 be brought to the Senate floor for vote.

By Senator Shaw, from landowners within the Independent School District of Pocahontas, favoring enactment of Senate File 27.

By Senator Harvey, from citizens of Harrison county, opposing enactment of House Files 359, 220, 287, and 383, and Senate Files 73 and 316.

By Senator Kirketeg, from rural mail carriers of Corning, favoring enactment of House File 114.

By Senator Martin, from citizens of Davenport, opposing enactment of House File 351.

By Senator Gillette, from residents of the Independent District of Royal-Clay, Royal-Lone Tree and Incorporated Royal, Clay county, favoring enactment of Senate File 227.

By Senator Gillette, from citizens of Clay county, favoring enactment of Senate File 227.

By Senator Gillette, from citizens of Clay county, favoring enactment of House File 1.

By Senator Hoeven, from taxpayers of Sibley, favoring enactment of Senate File 227.

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 128, a bill for an act relating to the tax and restrictions on the sale of cigarettes.

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 public high school attendance.

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

Senate File 141, a bill for an act extending cigarette permits to July 5, 1939.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 66, a bill for an act relating to chattel mortgages and conditional sales of personal property. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS SENATE FILE 66

(1) Amend by striking all of section two (2).

(2) Amend the title by striking from line two (2) thereof the words "chattel mortgages and" and by inserting in lieu thereof the words "indexing of".

HOUSE AMENDMENTS TO SENATE FILE 123

(1) Amend section one (1), subsection (n), by striking the semicolon in the fifth line of said subsection after the word "sales", inserting a period in lieu thereof, and striking the remainder of said subsection.

(2) Amend section four (4) by striking from line six (6) the words "not to exceed three" and inserting in lieu thereof the word "five".

Further amend said section four (4), subsection 3, by inserting in the fifth line of said subsection, after the word "stamps", the following: "at a price equal to the amount paid for such stamps".

Further amend said section four (4), subsection 3, by adding at the end of said subsection the following:

"The treasurer may promulgate rules and regulations providing for refunds of the face value of stamps affixed to any cigarettes which have become unfit for use and consumption, unsalable, or for any other legitimate loss which may occur, upon proof of such loss. Refund shall be made by issuing new stamps of an aggregate value of the tax paid on the cigarettes adjudged to be unfit for use, consumption, unsalable, or any other loss suffered."

(3) Amend section nine (9) as follows:

(a) Amend subsection 2 by placing a period after the word "provided" in the third line of said subsection and by striking the remainder of the sentence, as follows: "who, in the opinion of the treasurer based upon the past record and history of the applicant, can be relied upon to comply faithfully with the provisions of this act."

(b) Amend subsection 3 by striking from the seventh line of said subsection the following: ", and retailer"; also by striking the comma after the word "distributor" in the same line and by inserting the word "and" preceding the word "wholesaler".

(c) Amend subsection 7 by inserting in the fifth line of said subsection, after the words "provided that", the following: "the treasurer may by regulation require that"; also amend by striking the word "bears" at the end of said line and inserting the word "bear"; also amend by inserting in the sixth line the word "that" following the word "and"; also amend by striking the word "is" at the end of the seventh line and inserting the word "be" in lieu thereof.

(4) Amend section eleven (11), subsection 3, by inserting at the beginning of said subsection the following: "The treasurer may by regulation require"; also by beginning the word "Every" with a small letter.

Further amend said subsection 3 by striking from the second line thereof the word "shall" and inserting the word "to".

Further amend said subsection 3 by striking from the fifth line thereof the word "which" preceding the word "reports", and inserting in lieu thereof the words "and may require that such".

(5) Amend section thirteen (13) as follows:

(a) Amend line five (5) by inserting after the word "state" the following: "or to be sold outside the state,".

(b) Amend subsection 2 by adding thereto the following: "A distributing agent may also transport unstamped cigarettes in his own convey-

ances to the state boundary for distribution outside the state, and any nonresident customer of such distributor may purchase and convey unstamped cigarettes to the state line for distribution outside the state. Such nonresident purchaser shall be required to have in his possession an invoice evidencing the purchase of such unstamped cigarettes, which must be exhibited upon request to any peace officer or agent charged with the enforcement of this act."

(c) Amend said section thirteen (13) by adding thereto the following subsection:

"4. It shall be unlawful for any distributing agent to sell at retail cigarettes, cigarette papers or tubes from automobiles, trucks, or any similar conveyances."

(6) Amend section fourteen (14) by striking from lines eleven (11) and twelve (12) the words "in each case" and inserting in lieu thereof the words "in certain cases".

Further amend said section by inserting in line twelve (12) after the word "records" the following: "in a manner and".

(7) Amend section seventeen (17) by striking from lines four (4), five (5) and six (6) the following: "except such as have been purchased from a person holding a manufacturer's, or state permit issued in accordance with the provisions of this act, and".

Further amend said section by inserting in line seven (7) after the word "has" the word "not".

(8) Amend section eighteen (18), line nine (9), by inserting after the period following the word "heard" the following: "The said hearing shall be held in the county of the permit holder's place of business, or in a county in or through which it transacts business."

Further amend section eighteen (18), subsection 3, by striking the period at the end thereof, inserting a comma, and adding thereto the following: "unless good cause to the contrary is shown to the issuing authority."

(9) Amend section nineteen (19), subsection 2, by striking from the first and second lines of said subsection the following: "any permit hereunder" and inserting in lieu thereof the following: "a retailer's permit for railway car".

Further amend said section nineteen (19), subsection 3, by striking from the first line of said subsection the words "permit issued hereunder" and inserting in lieu thereof the following: "retailer's permit for railway car".

(10) Amend section thirty-two (32) by adding thereto an additional subsection as follows:

"It shall be unlawful for a person other than a holder of a retail permit to sell cigarettes at retail. Violation of this section by the holder of a distributor's, wholesaler's, or manufacturer's permit shall be grounds for the revocation of such permit."

HOUSE AMENDMENTS CONSIDERED

Senator Mowry called up for consideration Senate File 147,

amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 147 by adding as section 23 the following:

"Sec. 23. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Red Oak Express, a newspaper published at Red Oak, Iowa, and the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa."

The motion prevailed and the Senate concurred in the House amendment.

Senator Mowry moved that the bill be read a third time now, as amended, 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	Harvey	Mighell
Beardsley	Edwards	Henningsen	Miller
Bekman	Ellis	Hill	Mowry
Berg	Elthon	Hoeven	Schadt
Byers	Evans	Hopkins	Shaw
Corwin	Faul	Husted	Smith
Cromwell	Geske	Kirketeg	Stewart
Dean	Gillette	Leo	Vrba
Dewey	Guernsey	Levis	Zeigler
Donohue	Hart	Lundy	

Nays, none.

Absent or not voting, 11:

Baldwin	Forsling	Parker	Talbott
Benson	Martin	Pelzer	Whitehill
Breen	Moore	Sjulin	

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

Senator Mowry 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 1 RESUMED

On motion of Senator Smith, consideration of Senate File 1, a bill for an act to repeal Chapter two hundred and thirty-five (235) of the Acts of the Forty-seventh (47th) General Assembly, creating a State Planning Board, and providing for the return to the

state of Iowa any property and money that said Board now has in its possession, was resumed.

Senator Smith asked unanimous consent to withdraw his amendment, found on pages 418, 419 and 420 of the Senate Journal.

Objection was raised.

By unanimous consent, on request of Senator Gillette, his amendment to the amendment by Senator Smith, found on page 439 of the Journal, was withdrawn.

By unanimous consent, on request of Senators Smith and Donohue, the name of Senator Smith, as author of the amendment found on page 418 of the Journal, was stricken, and the name of Senator Donohue as author of the amendment was substituted.

By unanimous consent, on request of Senators Lundy and Baldwin, their amendments were changed to apply to the amendment by Senator Donohue instead of to the amendment by Senator Smith.

Consideration of the following amendment by Senator Donohue was resumed:

Amend Senate File 1 by adding thereto as section 3 the following: "Sec. 3. That Chapter two hundred eighty (280), Acts of the 47th General Assembly, is hereby repealed."

Also, amend the title to Senate File 1 by striking the period (.) following the word "possession" in the last line of the title and inserting a comma (,) and adding the following: "by repealing Chapter two hundred eighty (280), Acts of the 47th General Assembly, creating the greater Iowa commission."

By unanimous consent on request of Senator Donohue, his amendment was withdrawn.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 1 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. It is hereby recognized and adopted, as being within the sound scope of governmental function, to be the policy of the state of Iowa to preserve and advance a sound, prosperous, and contented social and economic structure complementing the development of the state's great natural resources with the healthy growth of business and industry, thereby bringing into greater harmony the production and consumption of goods, effecting a reduction in agricultural surplus, assisting in the

re-employment of idle workers, increasing the purchasing power of the citizenry and preserving to the consumer the maximum of goods at the minimum cost; and, to those ends, to encourage scientific advance in agricultural products, diversification of agricultural crops, the development of sound conservation principles, the increased industrial use of farm products, the maintenance of harmonious relations between employer and employee, to maintain a governmental policy of welcome to business and industry through a reduction in the cost of government to the minimum consistent with efficiency, and the adoption and development of a system of taxation which shall be neither punitive nor discriminatory, but shall, at all times, recognize the necessity, for the economic welfare of our state, to maintain the continued growth of old and new business and industry within its borders; to advertise and make known to the nation, in all legitimate ways, the advantages of Iowa's products, whether of raw materials or of finished goods, the potentialities of her raw materials for the development of new business and industry, the determination of her government to maintain fair and equitable relations between employer and employee, and to foster existing business and industry and to encourage the location of new business and industry within her borders in every legitimate way, the superiority of her educational systems, her determination to lead in homestead and farmstead ownership, and the great market afforded by her consuming power.

Sec. 2. The executive council of the state of Iowa is hereby empowered to expend such moneys as may hereafter be appropriated to carry into effect the provisions of this act and, in so doing, to enter into such contracts and employ such assistants and employees as may be necessary to carry out the provisions of this Act and to advertise the policy of the state of Iowa as adopted in section one (1) hereof.

Sec. 3. Upon the taking effect of this Act, all funds in the possession or under the control of the State Planning Board shall immediately be delivered by said Board to the treasurer of the state of Iowa.

Sec. 4. Chapter two hundred thirty-five (235), laws of the Forty-seventh General Assembly, and Chapter two hundred eighty (280), laws of the Forty-seventh General Assembly, be and they are hereby repealed.

Sec. 5. This act, being of immediate importance, shall take effect and be in full force from and after its publication in the Clarksville Star, a newspaper published in Clarksville, Iowa, and the Evening Journal, a newspaper published at Washington, Iowa.

Further amend the title to Senate File 1 by striking the period (.) after the word "possession" and inserting in lieu thereof a comma (,) and by adding thereto the following: "and to repeal Chapter two hundred eighty (280), laws of the Forty-seventh General Assembly and proposing to establish and state a public policy for the state of Iowa; to foster and encourage the retention in Iowa of existing business and industry, the development in Iowa of new business and industry, improvement of the condition of agriculture, elimination of unemployment, the development and maintenance of harmonious relations between labor and industry; to advertise and disseminate said stand of public policy to the nation; to authorize the executive council, for the

purpose thereof, to make contracts, employ assistants and employees, and to expend such moneys as may hereafter be appropriated therefor.

Whereas, It is the duty of the legislative branch of the government to be ever mindful not only of present demands, but also of the future problems of the people, and to be alert to execute into law measures truly in the interest of the general welfare whenever the need therefor shall have been suggested by the chief executive; and

Whereas, The Honorable George A. Wilson, governor of the state of Iowa, in his inaugural address delivered on January 12, 1939, to the Joint Committee of the House and Senate, did advise the Joint Committee that the stake of the state of Iowa in industry is an ever-growing one; that in several years the value of the manufactured product of the state has equalled the value of its agricultural output; that a healthy manufacturing industry and a healthy agricultural industry are each essential to each other and both must be afforded opportunity in Iowa; that the surplus problem of agriculture and the pressing problem of unemployment will be greatly relieved if existing industries may be preserved and new ones encouraged to locate in Iowa; that it is within the proper scope of governmental activity to campaign aggressively to recognize, preserve and advertise to the nation Iowa's resources and opportunities; and that the existing agencies for the development of the general welfare of the state must be co-ordinated, organized and unified in order to obtain the maximum efficiency; and

Whereas, The policies of the national government are constantly encouraging, even to the point of subsidizing the efforts of our sister states to compete with the agricultural, labor and manufacturing industries of Iowa; and

Whereas, Many of our neighboring states have industriously and with large expenditure of money, been advertising to the nation their opportunities and advantages as sites for future agricultural and industrial growth, to the great benefit of said states; and

Whereas, Many requests have been and will be received by this General Assembly for the appropriation of funds to be expended assertedly for the promotion of the general welfare of the state by existing agencies, whose efforts are, in a large degree, in conflict; and

Whereas, Demands have been and will be made upon this General Assembly for the appropriation of as much as two hundred seventy-five thousand dollars (\$275,000.00) for the participation of the state of Iowa in the World's Fair currently being held in New York City; and

Whereas, The chief executive and the General Assembly of this state are desirous of impressing the nation with the purpose of Iowa to preserve its existing business and industries and to bring within its borders new ones, thereby bringing to our producers of raw materials an ever-increasing home market; to our laboring people, ever-increasing employment; to our business and industry, ever-increasing favorable operating conditions; and to our general citizenry, as consumers, all those economies resulting from the close geographical juxtaposition of a healthy raw material producing industry and a satisfied and growing raw material consuming industry; and

Whereas, In order to accomplish the desired results, it is imperative that public policy be determined, that agencies for the dissemination of that policy be co-ordinated and made efficient, and that the cost of carrying out that policy be minimized, now therefore.

Senator Baldwin offered the following amendment to the amendment by Senator Donohue and moved its adoption:

Amend the Donohue amendment to Senate File 1 as follows:

Strike section two (2) and insert in lieu thereof the following:

Sec. 2. The Governor of Iowa is hereby empowered to appoint a commission of nine (9) members, one from each congressional district, which shall be known as the Iowa Commission for Permanent Expansion. No more than five (5) members of the commission shall be of the same political party. The terms of members shall be constant and the date of their appointment be terminated by death. Vacancies shall always be filled by the Governor. The commission shall meet and select a chairman and secretary, make its own rules of procedure, and thereafter shall meet upon call of the chairman and/or petition of five (5) members to the chairman.

Sec. 2-a. The members of the commission shall receive only actual expenses in connection with their duties as members of the commission. The executive council of the state of Iowa is hereby empowered to expend such moneys as may hereafter be appropriated to carry into effect the provisions of this act and, in so doing, to enter into such contracts and employ such assistants and employees as may be necessary to carry out the provisions of this Act and to advertise the policy of the state of Iowa as adopted in section one (1) hereof.

Senator Mighell moved that Senate File 1 be laid on the table.

The motion was lost.

Further action was deferred temporarily.

By unanimous consent, on request of Senator Berg, the privilege accorded him on Tuesday to have Dean Teeters appear before the Senate at 11:00 a. m. was changed to 1:30 p. m.

THIRD READING OF BILLS

On motion of Senator Beardsley, Senate File 250, a bill for an act to confer the authority of peace officers on certain employees of the State Highway Commission in the enforcement of motor vehicle laws relating to the size, weight, and load of motor vehicles, a committee bill, was taken up and considered.

Senator Beardsley offered the following amendment and moved its adoption:

Amend Senate File 250 by inserting in line four (4) of section one (1) thereof, after the word "weigh", the words "vehicles in".

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, 43:

Augustine	Donohue	Hart	Moore
Baldwin	Doran	Harvey	Mowry
Beardsley	Edwards	Henningesen	Pelzer
Bekman	Ellis	Hill	Schadt
Benson	Elthon	Hoeven	Shaw
Breen	Evans	Hopkins	Smith
Byers	Faul	Husted	Stewart
Corwin	Forsling	Kirketeg	Talbott
Cromwell	Geske	Martin	Vrba
Dean	Gillette	Mighell	Zeigler
Dewey	Guernsey	Miller	

Nays, none.

Absent or not voting, 7:

Berg	Levis	Parker	Whitehill
Leo	Lundy	Sjulin	

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 Smith, Senate File 397, a bill for an act to amend section three hundred (300), Code, 1935, relating to the disposal of personal property by the executive council, a committee bill, was taken up and considered.

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, 41:

Augustine	Breen	Dewey	Elthon
Baldwin	Byers	Donohue	Evans
Beardsley	Corwin	Doran	Faul
Bekman	Cromwell	Edwards	Geske
Benson	Dean	Ellis	Gillette

Guernsey	Hopkins	Moore	Smith
Hart	Kirketeg	Mowry	Stewart
Harvey	Leo	Pelzer	Talbott
Henningsen	Martin	Schadt	Vrba
Hill	Migheli	Shaw	Zeigler
Hoeven			

Nays, none.

Absent or not voting, 9:

Berg	Levis	Miller	Sjulin
Forsling	Lundy	Parker	Whitehill
Husted			

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

Senator Smith 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 Byers, House File 71, a bill for an act to repeal sections fifty-five hundred seventy-c one (5570-c1), fifty-five hundred seventy-c two (5570-c2), and fifty-five hundred seventy-c three (5570-c3), Code, 1935, and to enact a substitute therefor, authorizing township trustees to purchase, own, or rent and maintain fire apparatus and equipment and provide housing therefor, independently or jointly with another township or townships or with any city or town; and providing for levy of taxes therefor, and authorizing anticipation of the collection of said taxes by the issuance of 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 considered:

Amend House File 71, section 1, lines 2 and 3, by striking the words "hundred-c" immediately following the word "five" in each line and by inserting in lieu thereof the words "hundred seventy-c".

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend House File 71 by striking from line twenty (20) of subsection (3) in section one (1) the word "may" and inserting in lieu thereof the word "shall".

By unanimous consent, on request of Senator Doran, his amendment was withdrawn.

Senator Baldwin offered the following amendment and moved its adoption :

Amend House File 71 by striking from line twenty-seven (27) the words "by posting in three public places in said", all of line twenty-eight (28) and all of line twenty-nine (29), and inserting in lieu thereof the following: "as provided by law".

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

Senator Harvey presented Dean Teeters, who discussed the pharmacy bills.

CONSIDERATION OF HOUSE FILE 71 RESUMED

By unanimous consent, on request of Senator Baldwin, his amendment was withdrawn.

Senator Byers offered the following amendment and moved its adoption :

Amend House File seventy-one (71) by striking all of paragraph two after the word "by" in line seventeen (17) and inserting in lieu thereof the following: "an affirmative vote equal to at least sixty per cent (60%) of the total vote cast in the township at the last preceding general election."

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, 38:

Augustine	Doran	Harvey	Lundy
Baldwin	Edwards	Henningsen	Martin
Beardsley	Ellis	Hill	Mighell
Bekman	Elthon	Hoeven	Miller
Berg	Faul	Hopkins	Mowry
Breen	Forsling	Husted	Schadt
Byers	Geske	Kirketeg	Shaw
Corwin	Gillette	Leo	Stewart
Dean	Guernsey	Levis	Talbott
Donohue	Hart		

Nays, none.

Absent or not voting, 12:

Benson	Evans	Pelzer	Vrba
Cromwell	Moore	Sjulin	Whitehill
Dewey	Parker	Smith	Zeigler

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.

CONSIDERATION OF SENATE FILE 1 RESUMED

By unanimous consent, on request of Senator Lundy, action was temporarily deferred.

SPECIAL ORDER

By unanimous consent, on request of Senator Forsling, Senate File 380 was made a special order for 10:30 a. m. Friday.

By unanimous consent, on request of Senator Forsling, Senate File 152 was re-referred to the sifting committee.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Hill, Senate File 228, a bill for an act to repeal subsection three (3) of section four (4), Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly and enact a substitute therefor relating to the estimates of homestead tax credit by the board of assessment and review for each year and the certification of such estimate to county auditors and county treasurers, a committee bill, 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, 45:

Augustine	Corwin	Elthon	Harvey
Baldwin	Cromwell	Evans	Henningsen
Beardsley	Dean	Faul	Hill
Bekman	Dewey	Forsling	Hoeven
Benson	Donohue	Geske	Hopkins
Berg	Doran	Gillette	Husted
Breen	Edwards	Guernsey	Kirketeg
Byers	Ellis	Hart	Leo

Levis
Martin
Mighell
Miller

Moore
Mowry
Pelzer

Schadt
Shaw
Smith

Stewart
Talbot
Zeigler

Nays, none.

Absent or not voting, 5:

Lundy
Parker

Sjulin

Vrba

Whitehill

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 Cromwell, Senate File 133, a bill for an act to amend section seven thousand two hundred seventy-nine (7279) and section seven thousand two hundred eighty (7280), Code of Iowa, 1935, relating to notice of expiration of right of redemption from tax sale and providing for service of such notice on mortgagees and record holders of mortgages, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 133 by striking section 2 and inserting in lieu thereof the following:

"Sec. 2. Section seven thousand two hundred eighty (7280), Code, 1935, is repealed and the following enacted in lieu thereof:

'Service may be made upon non-residents of the county, except mortgagees or their assignees of record, by publishing the same once each week, for three (3) consecutive weeks, in some newspaper in said county, or by personal service thereof elsewhere in the same manner as original notices may be served.'

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 133 by striking from section one (1) all of line seven (7) and inserting in lieu thereof "filed in the office of the county auditor".

By unanimous consent, on request of Senator Cromwell, action on Senate File 133 was temporarily deferred and the bill allowed to retain its place on the calendar.

CONSIDERATION OF SENATE FILE 1 RESUMED

Senator Lundy offered the following as a substitute for all pending amendments and moved its adoption:

Amend Senate File 1 by adding thereto the following:

Sec. 3. The governor of Iowa is hereby empowered to appoint a commission of nine (9) members, one from each congressional district, which shall include the present members of the Greater Iowa Commission and which shall be known as the Iowa Commission for permanent expansion. No more than five (5) members of the commission shall be of the same political party. The terms of members shall be constant and the date of their appointment be terminated by death. Vacancies shall always be filled by the Governor. The commission shall meet and select a chairman and secretary, make its own rules of procedure, and thereafter shall meet upon call of the chairman and/or petition of five (5) members to the chairman.

Sec. 4. The members of the commission shall receive only actual expenses in connection with their duties as members of the commission.

Sec. 5. The State Comptroller is hereby directed to issue warrants to the commission upon verification of the expenditures by sworn invoices or statements and carrying the signature of the commission chairman, from any sums of money that may be hereafter appropriated, and the state treasurer is hereby directed to pay the same.

Sec. 6. It shall be the duty of the Iowa Commission for permanent expansion to encourage activities which are designed to bring a greater degree of prosperity to the State of Iowa and to encourage new industries within the state, to procure and disseminate information relative to increased diversification of agricultural products, and the development of processing plants for new agricultural products, and to promote a campaign to advertise Iowa.

Sec. 7. This act being of immediate importance is put in full force and effect from and after its publication in the Dyersville Commercial newspaper published in Dyersville, Iowa, and the Albia Union-Republican, newspaper published in Albia, Iowa.

By unanimous consent, on request of Senator Lundy, he withdrew section four (4) of his amendment.

By unanimous consent, on request of Senator Lundy, his amendment was changed by striking from line seven (7) of section 3 the words "constant and the date of their appointment be", and striking from line eight (8) the words "terminated by deaths", and inserting in lieu thereof the following: "not longer than two (2) years from date of appointment".

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the substitute amendment be adopted?" the vote was:

Ayes, 18:

Augustine	Dewey	Mighell	Shaw
Baldwin	Faul	Miller	Smith
Benson	Geske	Moore	Stewart
Breen	Hopkins	Schadt	Vrba
Dean	Lundy		

Nays, 25:

Berg	Ellis	Henningsen	Levis
Byers	Elthon	Hill	Martin
Corwin	Gillette	Hoeven	Mowry
Cromwell	Guernsey	Husted	Pelzer
Donohue	Hart	Kirkcteg	Talbott
Doran	Harvey	Leo	Zeigler
Edwards			

Absent or not voting, 7:

Beardsley	Evans	Parker	Whitehill
Bekman	Forsling	Sjulin	

The substitute amendment was lost.

By unanimous consent, on request of Senator Baldwin, his amendment was withdrawn.

Senator Donohue, asked and received unanimous consent to consider as a unit sections one (1), two (2), three (3), four (4) and five (5) of his amendment found on pages 418 to 420 inclusive of the Journal.

Senator Lundy moved that the Senate adjourn until 10:00 a. m. Friday.

Roll call was requested.

On the question "Shall the Senate adjourn until 10:00 a. m. Friday?" the vote was:

Ayes, 12:

Augustine	Dean	Hopkins	Miller
Baldwin	Geske	Lundy	Moore
Breen	Guernsey	Mighell	Schadt

Nays, 30:

Berg	Ellis	Hoeven	Pelzer
Byers	Elthon	Husted	Shaw
Corwin	Evans	Kirkcteg	Smith
Cromwell	Faul	Leo	Stewart
Dewey	Hart	Levis	Talbott
Donohue	Harvey	Martin	Vrba
Doran	Henningsen	Mowry	Zeigler
Edwards	Hill		

Absent or not voting, 8:

Beardsley
Bekman

Benson
Forsling

Gillette
Parker

Sjulin
Whitehill

The motion was lost.

Senator Lundy offered the following amendment and moved its adoption:

Amend the Donohue amendments to Senate File 1 by striking all of section five (5) thereof.

The amendment was lost.

Senator Lundy offered the following amendment and moved its adoption:

Amend by striking all after the word "assembly" in line two (2) of section four (4), and inserting in lieu thereof a period (.).

By unanimous consent, on request of Senator Lundy, the amendment was withdrawn.

Senator Lundy offered the following amendment and moved its adoption:

Amend by striking the entire paragraph following section five (5).

By unanimous consent, on request of Senator Lundy, action was deferred until after consideration of the other amendments.

Senator Lundy offered the following amendment and moved its adoption:

Amend by striking the entire fifth "Whereas" paragraph.

The amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend the amendment to Senate File 1 by striking from the title the words and figures, "two hundred and seventy-five thousand dollars (\$275,000)", in the sixth (6) Whereas, line three (3), and inserting in lieu thereof "seventy thousand dollars (\$70,000)".

By unanimous consent, on request of Senator Baldwin, his amendment was withdrawn.

Senator Lundy offered the following amendment and moved its adoption:

Amend the Donohue amendment to Senate File 1, page 418 of the Journal, by striking the word and figure "Section 1", and inserting in lieu thereof the word "Whereas", and then inserting all of said para-

graph before the first Whereas paragraph as found on page 419 of the Senate Journal.

By unanimous consent, on request of Senator Lundy, the amendment was withdrawn.

Senator Lundy offered the following amendment and moved its adoption:

Amend the Donohue amendment to Senate File 1 by renumbering the remaining sections.

By unanimous consent, on request of Senator Lundy, the amendment was withdrawn.

Senator Lundy offered the following amendment and moved its adoption:

Amend the Smith amendment to Senate File 1 by striking all after the word "appropriated" in line two of Section 2, and inserting in lieu thereof the following: "to encourage scientific advance in agricultural products, diversification of agricultural crops, the development of sound conservation principles, and the increased industrial use of farm products."

By unanimous consent, on request of Senator Lundy, the amendment was withdrawn.

Senator Elthon moved that all of the "Whereas" paragraphs be stricken and the paragraphs following.

Senator Donohue moved as a substitute to strike all of that part of his amendment following the period after the word "therefor" and immediately before the first paragraph, beginning with the word "Whereas", and to strike all of the remainder of the amendment.

The motion prevailed and the amendment was adopted.

Senator Lundy offered the following amendment and moved its adoption:

Amend the Donohue amendment by striking all of section one (1) thereof.

The amendment was lost.

By unanimous consent, on request of Senator Lundy, his amendments were withdrawn.

Senator Byers moved the previous question on all pending amendments and the main bill, which motion prevailed.

Senator Gillette moved the adoption of the following amendment previously filed:

Amend the Donohue amendment to Senate File 1 by striking all of section 3 and that part of section 4 immediately preceding the word "chapter" in the second line thereof.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13:

Augustine	Ellis	Guernsey	Moore
Baldwin	Geske	Mighell	Schadt
Breen	Gillette	Miller	Vrba
Dean			

Nays, 28:

Beardsley	Doran	Henningsen	Lundy
Berg	Edwards	Hill	Martin
Byers	Elthon	Hoeven	Mowry
Corwin	Evans	Hopkins	Shaw
Cromwell	Faul	Husted	Smith
Dewey	Hart	Kirketeg	Talbott
Donohue	Harvey	Leo	Zeigler

Absent or not voting, 9:

Bekman	Levis	Pelzer	Stewart
Benson	Parker	Sjulin	Whitehill
Forsling			

The amendment was lost.

Senator Shaw moved the adoption of the following amendment previously filed:

Amend the amendment by Senator Donohue to Senate File 1 as follows:

By striking from the amendment the sixth unnumbered paragraph commencing with the word "Whereas".

By unanimous consent, on request of Senator Shaw, his amendment was withdrawn.

Roll call was requested on the amendment by Senator Donohue.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22:

Berg	Elthon	Hill	Shaw
Byers	Evans	Kirketeg	Smith
Corwin	Faul	Leo	Stewart
Cromwell	Hart	Martin	Talbott
Dewey	Harvey	Mowry	Zeigler
Donohue	Henningsen		

Nays, 14:

Baldwin	Ellis	Hopkins	Miller
Breen	Geske	Levis	Moore
Dean	Gillette	Mighell	Vrba
Doran	Guernsey		

Absent or not voting, 14:

Augustine	Edwards	Lundy	Schadt
Beardsley	Forsling	Parker	Sjulin
Bekman	Hoeven	Pelzer	Whitehill
Benson	Husted		

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, 24:

Beardsley	Donohue	Harvey	Pelzer
Berg	Edwards	Henningsen	Shaw
Byers	Elthon	Kirketeg	Smith
Corwin	Evans	Leo	Stewart
Cromwell	Faul	Martin	Talbott
Dewey	Hart	Mowry	Zeigler

Nays, 20:

Augustine	Ellis	Hoeven	Mighell
Baldwin	Geske	Hopkins	Miller
Breen	Gillette	Husted	Moore
Dean	Guernsey	Levis	Schadt
Doran	Hill	Lundy	Vrba

Absent or not voting, 6:

Bekman	Forsling	Sjulin	Whitehill
Benson	Parker		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 8, 1939, he had approved the following:

Senate File 196, making an appropriation to the Iowa Conservation Commission for completion of a project in Dickinson county.

Also that, on March 9, 1939, he had approved the following:

Senate File 48, relating to motor trucks operated in interstate commerce.

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 154, 210, 276, 334, 412, 421, 439, 114 and Senate Files 124, 382, 125, 350, 378, 380, 22, 393 and 208 and further reports that it has had the following bills under consideration and recommends that they be placed on the calendar and immediately referred to the appropriation committee: Senate Files 371 and 120.

E. P. DONOHUE, *Chairman.*

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 105 as follows:

1. By striking all of section one (1) after the word "litigant" in line nine (9) and inserting in lieu thereof the following: "Said rules shall take effect six (6) months after the adjournment of a regular or special session of the legislature to which they have been reported by the Supreme Court at the beginning of such session, and thereafter all laws in conflict therewith shall be of no further force or effect."

2. By striking all of section two (2) after the word "inviolable" in line seven (7) and inserting in lieu thereof the following: "said united rules shall take effect six (6) months after the adjournment of a regular or special session of the legislature to which they have been reported by the Supreme Court at the beginning of such session, and thereafter all laws in conflict therewith shall be of no further force or effect."

H. V. LEVIS.

MR. PRESIDENT: Amend Senate File 266 by striking the word "compare" in line thirteen (13) of section eleven (11) and inserting in lieu thereof the word "commence".

FRANK C. BYERS.

On motion of Senator Gillette, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 10, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Dr. Harry C. Shiffler, pastor of the Highland Park Presbyterian Church of Des Moines.

The Journal of March 9th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Sjulín for the day, on request of Senator Husted; Senator Benson for the day, on request of Senator Stewart; Senator Elthon for the day, on request of Senator Hill.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Faul, from citizens of Polk county, favoring enactment of Senate File 17.

By Senator Faul, from members of Staves Memorial U. B. Church of Des Moines, favoring enactment of House File 1.

By Senator Faul, from citizens of Polk county, favoring enactment of House File 1.

By Senator Faul, from members of Highland Park Church of Christ, of Des Moines, favoring enactment of House File 1.

By Senator Mowry, from citizens of Jasper county, favoring enactment of Senate File 82.

By Senator Mighell, from citizens of Plymouth and Sioux counties, favoring enactment of House File 431.

By Senator Moore, from citizens of Pottawattamie county, opposing enactment of House File 1 and Senate File 169.

By Senator Moore, from citizens of Linn county, favoring enactment of House File 431.

By Senator Doran, from citizens of Story county, favoring enactment of Senate File 138.

By Senator Hill, from independent merchants and professional people of Linn, Tama, Benton, Grundy, and Hardin counties, favoring enactment of Senate File 17.

By Senator Hill, from citizens of Hamilton county, favoring enactment of House File 1.

By Senator Husted, from citizens of Madison county, favoring enactment of House File 431.

By Senator Schadt, from citizens of Iowa county, opposing enactment of House File 1.

By Senator Augustine, from independent merchants and professional people of Mahaska, Marion, Appanoose, Washington, Keokuk, Des Moines, Louisa, Jefferson, Henry, Warren, Lucas, Monroe and Wayne counties, favoring enactment of Senate File 17.

By Senator Shaw, from citizens of Pocahontas county, favoring enactment of House File 96 and Senate File 364.

By Senator Shaw, from citizens of Gilmore City, opposing enactment of House Files 359 and 220 and Senate File 373.

By Senator Shaw, from citizens of Cerro Gordo, Butler, Dallas, Union, Guthrie, Madison, Boone, Greene, Calhoun, Sac, Pocahontas, Clayton, Chickasaw, Fayette, and Allamakee counties, favoring enactment of Senate File 17.

By Senator Breen, from citizens of Webster county, favoring enactment of House File 431.

By Senator Breen, from citizens of Dubuque, Fayette, Buchanan, Clinton, Delaware, Keokuk and Louisa counties, favoring enactment of Senate File 17.

By Senator Parker, from citizens of Delaware county, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Byers, from citizens of Jones and Linn counties, opposing enactment of House File 226.

By Senator Byers, from citizens of Cedar Rapids, opposing enactment of Senate File 92.

By Senator Byers, from citizens of Linn county, favoring enactment of House File 431.

By Senator Byers, from citizens of Linn county, opposing enactment of House File 1 and Senate File 169.

By Senator Forsling, from citizens of Monona, Sioux, Plymouth, Cherokee, Crawford, Page, and Osceola counties, favoring enactment of Senate File 17.

By Senator Hoeven, from taxpayers of George, favoring enactment of Senate File 49.

By Senator Byers, from citizens of Cedar Rapids, opposing enactment of Senate File 92.

By Senator Byers, from members and friends of Townsend Club No. 2 of Marion, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Byers, from members and friends of First United Presbyterian Church of Cedar Rapids, favoring enactment of House File 1.

By Senator Byers, from citizens of Johnson and Linn counties, opposing enactment of House File 1 and Senate File 169.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson 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 141 and 153.

RALPH E. BENSON. *Chairman Senate Committee.*
ALBERT STEINBERG, *Chairman House Committee.*

Report adopted.

INTRODUCTION OF BILLS

Senate File 401, by committee on consolidation and coordination, a bill for an act to amend section two hundred fifty-two (252), Code, 1935, relating to the report of the state highway commission.

Read first and second times and referred to sifting committee.

Senate File 402, by committee on consolidation and coordination, a bill for an act to amend section five thousand two hundred ninety-six-f twenty (5296-f20), Code, 1935, as amended by sections sixteen (16) and thirty-eight (38) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, relating to old age assistance.

Read first and second times and referred to sifting committee.

Senate File 403, by committee on consolidation and coordination, a bill for an act to amend section three hundred two (302), Code, 1935, relating to officers entitled to supplies.

Read first and second times and referred to sifting committee.

Senate File 404, by committee on agriculture, a bill for an act to repeal sections three thousand one hundred fourteen (3114) and three thousand one hundred eighteen (3118), Code, 1935, and to enact substitutes therefor, and to amend sections three thousand one hundred fifteen (3115) and three thousand one hundred seventeen (3117), Code, 1935, all relating to the registration and labeling of commercial feeds; and relating to the method of collection of inspection fees, and to repeal sections three thousand one hundred twenty-two (3122), three thousand one hundred twenty-three (3123) and three thousand one hundred twenty-five (3125), Code, 1935.

Read first and second times and referred to sifting committee.

Senate File 405, by committee on judiciary 2, a bill for an act to amend section eleven thousand twenty-four (11024), Code, 1935, by providing for a statute of limitations on all claims arising or existing prior to January 1, 1925, against the holder of the record title to real estate in possession since January 1, 1925, unless such claimant shall file a claim within one year from and after July 4, 1939, in the office of recorder of deeds of the county where such real estate is situated.

Read first and second times and referred to sifting committee.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 7, 1939, he had approved the following:

Senate File 145, legalizing proceedings of the consolidated school district of Climbing Hill.

Senate File 159, legalizing proceedings of the Chickasaw County Equity Cooperative Association of New Hampton, and providing for the renewal of the articles of incorporation.

Senate File 170, legalizing proceedings of board of park commissioners of Le Mars.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Vrba 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 147.

EDWARD VRBA, Acting Chairman Senate Committee.

ALBERT STEINBERG, 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 141, 147, and 153.

BILLS SENT TO THE GOVERNOR

Senator Benson 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 March, 1939, sent to the Governor for his approval, Senate Files 141, 147, and 153. *RALPH E. BENSON, Chairman.*

Passed on file.

SPECIAL ORDER

By unanimous consent, on request of Senator Evans, House File 114 was made a special order for 10:30 a. m. Wednesday, March 15th.

HOUSE AMENDMENTS CONSIDERED

Senator Berg called up for consideration Senate File 128,

amended by the House, and moved that the Senate concur in the following amendments:

(1) Amend section one (1), subsection (n), by striking the semicolon in the fifth line of said subsection after the word "sales", inserting a period in lieu thereof, and striking the remainder of said subsection.

(3) Amend section nine (9) as follows:

(a) Amend subsection 2 by placing a period after the word "provided" in the third line of said subsection and by striking the remainder of the sentence, as follows: "who, in the opinion of the treasurer based upon the past record and history of the applicant, can be relied upon to comply faithfully with the provisions of this act."

(b) Amend subsection 3 by striking from the seventh line of said subsection the following: ", and retailer"; also by striking the comma after the word "distributor" in the same line and by inserting the word "and" preceding the word "wholesaler".

(c) Amend subsection 7 by inserting in the fifth line of said subsection, after the words "provided that", the following: "the treasurer may by regulation require that"; also amend by striking the word "bears" at the end of said line and inserting the word "bear"; also amend by inserting in the sixth line the word "that" following the word "and"; also amend by striking the word "is" at the end of the seventh line and inserting the word "be" in lieu thereof.

(4) Amend section eleven (11), subsection 3, by inserting at the beginning of said subsection the following: "The treasurer may by regulation require"; also by beginning the word "Every" with a small letter.

Further amend said subsection 3 by striking from the second line thereof the word "shall" and inserting the word "to".

Further amend said subsection 3 by striking from the fifth line thereof the word "which" preceding the word "reports", and inserting in lieu thereof the words "and may require that such".

(5) Amend section thirteen (13) as follows:

(a) Amend line five (5) by inserting after the word "state" the following: "or to be sold outside the state."

(b) Amend subsection 2 by adding thereto the following: "A distributing agent may also transport unstamped cigarettes in his own conveyances to the state boundary for distribution outside the state, and any nonresident customer of such distributor may purchase and convey unstamped cigarettes to the state line for distribution outside the state. Such nonresident purchaser shall be required to have in his possession an invoice evidencing the purchase of such unstamped cigarettes, which must be exhibited upon request to any peace officer or agent charged with the enforcement of this act."

(c) Amend said section thirteen (13) by adding thereto the following subsection:

"4. It shall be unlawful for any distributing agent to sell at retail cigarettes, cigarette papers or tubes from automobiles, trucks, or any similar conveyances."

(6) Amend section fourteen (14) by striking from lines eleven (11) and twelve (12) the words "in each case" and inserting in lieu thereof the words "in certain cases".

Further amend said section by inserting in line twelve (12) after the word "records" the following: "in a manner and".

(8) Amend section eighteen (18), line nine (9), by inserting after the period following the word "heard" the following: "The said hearing shall be held in the county of the permit holder's place of business, or in a county in or through which it transacts business."

(9) Amend section nineteen (19), subsection 2, by striking from the first and second lines of said subsection the following: "any permit hereunder" and inserting in lieu thereof the following: "a retailer's permit for railway car".

Further amend said section nineteen (19), subsection 3, by striking from the first line of said subsection the words "permit issued hereunder" and inserting in lieu thereof the following: "retailer's permit for railway car".

(10) Amend section thirty-two (32) by adding thereto an additional subsection as follows:

"It shall be unlawful for a person other than a holder of a retail permit to sell cigarettes at retail. Violation of this section by the holder of a distributor's, wholesaler's, or manufacturer's permit shall be grounds for the revocation of such permit."

The motion prevailed and the Senate concurred in the House amendments.

The following House amendment to Senate File 128 was taken up and considered:

(2) Amend section four (4) by striking from line six (6) the words "not to exceed three" and inserting in lieu thereof the word "five".

Further amend said section four (4), subsection 3, by inserting in the fifth line of said subsection, after the word "stamps", the following: "at a price equal to the amount paid for such stamps".

Further amend said section four (4), subsection 3, by adding at the end of said subsection the following:

"The treasurer may promulgate rules and regulations providing for refunds of the face value of stamps affixed to any cigarettes which have become unfit for use and consumption, unsalable, or for any other legitimate loss which may occur, upon proof of such loss. Refund shall be made by issuing new stamps of an aggregate value of the tax paid on the cigarettes adjudged to be unfit for use, consumption, unsalable, or any other loss suffered."

Senator Berg offered the following amendments to House amendment two (2) and moved their adoption:

Amend amendment 2, line two, by inserting before the word "five" the following: "not to exceed".

Also amend amendment 2, line nine, by striking therefrom the words "of the face value".

The amendments to the amendment were adopted.

Senator Byers moved that the Senate concur in House amendment two (2), as amended, which motion prevailed.

Senator Berg moved that the Senate refuse to concur in the following House amendments:

(7) Amend section seventeen (17) by striking from lines four (4), five (5) and six (6) the following: "except such as have been purchased from a person holding a manufacturer's, or state permit issued in accordance with the provisions of this act, and".

Further amend said section by inserting in line seven (7) after the word "has" the word "not".

Further amend section eighteen (18), subsection 3, by striking the period at the end thereof, inserting a comma, and adding thereto the following: "unless good cause to the contrary is shown to the issuing authority."

The motion prevailed, and the Senate refused to concur in the House amendments.

On motion of Senator Berg, Senate File 128 was messaged to the House immediately.

THIRD READING OF BILLS

The time having arrived for the special order of business, Senate File 380, a bill for an act to amend section sixty-nine hundred forty-three-c eleven (6943-c11), sixty-nine hundred forty-three-c twelve (6943-c12), sixty-nine hundred forty-three-c thirteen (6943-c13), sixty-nine hundred forty-three-c fourteen (6943-c14), sixty-nine hundred forty-three-c sixteen (6943-c16), sixty-nine hundred forty-three-c eighteen (6943-c18), sixty-nine hundred forty-three-c nineteen (6943-c19), sixty-nine hundred forty-three-c twenty (6943-c20), sixty-nine hundred forty-three-c twenty-one (6943-c21), sixty-nine hundred forty-three-c twenty-two (6943-c22), sixty-nine hundred forty-three-c twenty-three (6943-c23), sixty-nine hundred forty-three-c twenty-four (6943-c24), sixty-nine hundred forty-three-c twenty-five (6943-c25), sixty-nine hundred forty-three-c twenty-six (6943-c26), sixty-nine hundred forty-three-c twenty-seven (6943-c27), sixty-nine hundred forty-three-c twenty-eight (6943-c28), sixty-nine hundred forty-three-c twenty-

nine (6943-c29), sixty-nine hundred forty-three-c thirty (6943-c30), sixty-nine hundred forty-three-c thirty-one (6943-c31), and sixty-nine hundred forty-three-c thirty-three (6943-c33), all of Chapter three hundred twenty-nine-C two (329-C2), Code, 1935, to change the name of the board of assessment and review to "state tax commission", and enlarging the powers and duties thereof, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend Senate File 380 by adding thereto the following:

Sec. 22. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Sioux County Capital, a newspaper published at Orange City, Iowa, and in the News-Telegraph, a newspaper published at Atlantic, Iowa.

The amendment was adopted.

Senator Bekman moved that the bill be read a third 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	Henningsen	Miller
Baldwin	Edwards	Hill	Moore
Beardsley	Ellis	Hoeven	Mowry
Bekman	Evans	Hopkins	Pelzer
Berg	Faul	Husted	Schadt
Breen	Forsling	Kirketeg	Shaw
Byers	Geske	Leo	Smith
Corwin	Gillette	Levis	Stewart
Cromwell	Guernsey	Lundy	Talbott
Dean	Hart	Martin	Vrba
Dewey	Harvey	Mighell	Zeigler
Donohue			

Nays, none.

Absent or not voting, 5:

Benson	Parker	Sjulin	Whitehill
Elthon			

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

Senator Bekman 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 Forsling, Senate File 380 was messaged to the House immediately.

HOUSE AMENDMENTS CONSIDERED

Senator Cromwell called up for consideration Senate File 66, amended by the House, and moved that the Senate concur in the following amendments:

- (1) Amend by striking all of section two (2).
- (2) Amend the title by striking from line two (2) thereof the words "chattel mortgages and" and by inserting in lieu thereof the words "indexing of".

The motion prevailed and the Senate concurred in the House amendments.

Senator Cromwell moved that the bill be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 42:

Baldwin	Edwards	Hoeven	Moore
Beardsley	Ellis	Hopkins	Mowry
Bekman	Evans	Husted	Pelzer
Berg	Faul	Kirketeg	Schadt
Byers	Forsling	Leo	Shaw
Corwin	Geske	Levis	Smith
Cromwell	Gillette	Lundy	Stewart
Dean	Guernsey	Martin	Talbott
Dewey	Hart	Mighell	Vrba
Donohue	Harvey	Miller	Zeigler
Doran	Henningsen		

Nays, none.

Absent or not voting, 8:

Augustine	Breen	Hill	Sjulin
Benson	Elthon	Parker	Whitehill

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

Senator Cromwell 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 Cromwell, action

on Senate File 133 was deferred temporarily and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Hopkins, action on Senate File 252 was deferred temporarily and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Faul, action on House File 46 was deferred temporarily and the bill allowed to retain its place on the calendar.

President Hoeven took the chair at 11:17.

THIRD READING OF BILLS

On motion of Senator Zeigler, Senate File 67, a bill for an act to amend section seven thousand four hundred twenty-d one (7420-d1), Code, 1935, relating to deposits, 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:

Amend by adding to section 1 the following:

"Section seven thousand four hundred twenty-d one (7420-d1), Code, 1935, is amended by striking from line three (3) the word "public".

Further amend Senate File 67 by rewriting the title to read "An Act to amend sections seven thousand four hundred twenty-d one (7420-d1) and seven thousand four hundred twenty-d eight (7420-d8), Code of Iowa, 1935, relating to deposits."

By unanimous consent, on request of Senator Breen, the amendment to section 1 was changed by inserting the word and figures "eight (7420-d8)" in lieu of the word and figures "one (7420-d1)".

Senator Breen moved that the amendments be adopted.

The motion prevailed and the amendments were adopted.

Senator Zeigler moved that the bill be read a third 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
Beardsley
Bekman

Berg
Breen
Byers

Corwin
Cromwell
Dean

Donohue
Doran
Edwards

Ellis	Henningsen	Lundy	Schadt
Evans	Hoeven	Martin	Shaw
Faul	Hopkins	Mighell	Smith
Geske	Husted	Miller	Stewart
Guensey	Kiketeg	Moore	Talbott
Hart	Leo	Mowry	Vrba
Harvey	Levis	Pelzer	Zeigler

Nays, none.

Absent or not voting, 10:

Baldwin	Elthon	Hill	Sjulin
Benson	Forsling	Parker	Whitehill
Dewey	Gillette		

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

Senator Zeigler 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 105, a bill for an act giving the supreme court of the state of Iowa power to prescribe, by general rules, for the supreme court of the state of Iowa, the district courts and the municipal courts of the state of Iowa and the superior courts of the state of Iowa, a general system of court practice in all civil actions at law and in equity and to provide that the court may at any time unite the general rules prescribed by it for cases in equity with those in actions at law, the new rules and/or the united rules to take effect six months after their submission and adoption by the state legislature at its next special or regular session following their promulgation by the supreme court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Levis offered the following amendments and moved their adoption:

Amend Senate File 105 as follows:

1. By striking all of section one (1) after the word "litigant" in line nine (9) and inserting in lieu thereof the following: "Said rules shall take effect six (6) months after the adjournment of a regular or special session of the legislature to which they have been reported by the Supreme Court at the beginning of such session, and thereafter all laws in conflict therewith shall be of no further force or effect."

2. By striking all of section two (2) after the word "inviolat" in line seven (7) and inserting in lieu thereof the following: "said united rules shall take effect six (6) months after the adjournment of a regular or special session of the legislature to which they have been reported by

the Supreme Court at the beginning of such session, and thereafter all laws in conflict therewith shall be of no further force or effect."

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend section one (1) of the Levis amendment by striking the period after the word "effect" and inserting the following in lieu thereof:

"unless the legislature rejects the said rules and certifies their action to the clerk of the supreme court."

By unanimous consent, on request of Senator Donohue, his amendment was withdrawn.

Senator Donohue offered the following amendments and moved their adoption:

Amend section one (1) of the Levis amendment by striking the period and quotation marks following the word "effect" and inserting thereafter the following:

"unless the said rules are rejected by an act passed by the legislature to which the said report and rules have been reported."

Amend section two (2) of the Levis amendment by striking the period and quotation marks following the word "effect" and inserting thereafter the following:

"unless the said rules are rejected by an act passed by the legislature to which the said report and rules have been reported."

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

AFTERNOON SESSION

The Senate reconvened, President pro tem Hoeven presiding.

EXTRA COPIES

By unanimous consent, on request of Senator Berg, 300 additional copies of Senate Files 398 and 399 were ordered printed.

CONSIDERATION OF SENATE FILE 105 RESUMED

Consideration of amendments by Senator Donohue to the amendments by Senator Levis was resumed.

By unanimous consent, on request of Senator Donohue, his amendments to the Levis amendment were withdrawn.

By unanimous consent, on request of Senator Levis, his amendments were withdrawn.

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:

Beardsley	Ellis	Hopkins	Moore
Bekman	Faul	Husted	Mowry
Berg	Geske	Kirketeg	Pelzer
Breen	Gillette	Leo	Shaw
Byers	Guernsey	Levis	Smith
Dewey	Harvey	Martin	Stewart
Donohue	Henningsen	Mighell	Talbott
Doran	Hill	Miller	Zeigler
Edwards	Hoeven		

Nays, none.

Absent or not voting, 16:

Augustine	Cromwell	Forsling	Schadt
Baldwin	Dean	Hart	Sjulin
Benson	Elthon	Lundy	Vrba
Corwin	Evans	Parker	Whitehill

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.

SENATE FILE WITHDRAWN

By unanimous consent, on request of Senator Berg, Senate File 7 was withdrawn from further consideration of the Senate.

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 242, 289, 293, 401, 402 and 408, and House Files 24, 176 and 382. E. P. DONOHUE, *Chairman.*

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 300 by striking from line seven (7), thereof, the word "company" and inserting in lieu thereof the word "carrier". GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 399 by striking from Sec. 2, line 11, the word "other". ROBERT W. HARVEY.

On motion of Senator Kirketeg, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 13, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Thomas Kelly, pastor of the Methodist Episcopal Church of New Virginia.

The Journal of March 10th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hopkins for the day, on request of Senator Lundy; Senator Benson for the day, on the request of Senator Stewart.

PETITIONS AND MEMORIALS

By Senator Corwin, from citizens of Muscatine county, favoring enactment of House File 431.

By Senator Corwin, from merchants and business men of Columbus Junction, opposing enactment of Senate File 316 and House File 220.

By Senator Corwin, from business men of West Liberty, favoring enactment of Senate File 17 and House File 67.

By Senator Corwin, from merchants and business men of West Liberty, opposing enactment of Senate Files 316 and 373, and House Files 220 and 359.

By Senator Doran, from independent distributors and professional persons of Dallas, Adams, Cass, and Guthrie counties, favoring enactment of Senate File 17.

By Senator Hill, from business men of Eagle Grove, favoring enactment of Senate File 238.

By Senator Henningsen, from citizens of DeWitt, opposing enactment of House File 351.

By Senator Henningsen, from citizens of Clinton county, opposing enactment of House File 1 and Senate File 169.

By Senator Cromwell, from citizens of Burlington, expressing their view regarding taxation.

By Senator Cromwell, from citizens of Burlington, favoring the present beer laws.

By Senator Moore, from citizens of Cedar Rapids, favoring enactment of House File 431.

By Senator Guernsey, from citizens of Appanoose county, opposing enactment of a State Fair Labor Standards Act.

By Senator Whitehill, from citizens of Marshall and Linn counties, favoring enactment of House File 431.

By Senator Breen, from citizens of Webster county, favoring enactment of House File 431.

By Senator Augustine, from citizens of Cedar and Wright, favoring enactment of House File 1 and Senate File 169.

By Senator Leo, from citizens of Benton county, opposing enactment of House File 1 and Senate File 169.

By Senator Harvey, from citizens of Mapleton, opposing enactment of House File 351.

By Senator Harvey, from citizens of Mapleton, favoring enactment of Senate File 169.

By Senator Kirketeg, from citizens of Gravity, favoring enactment of House File 1.

By Senator Berg, from citizens of Black Hawk county, opposing enactment of House Files 155 and 351.

By Senator Zeigler, from merchants and business men of Milton, favoring enactment of Senate File 17.

By Senator Zeigler, from members and friends of Townsend Clubs Nos. 1 and 2 of Fairfield and vicinity, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Gillette, from citizens of Swea City, opposing enactment of House Files 359 and 220, and Senate File 373.

By Senator Martin, from citizens of Scott county, opposing House File 1 and Senate File 169.

INTRODUCTION OF BILLS

Senate File 406, by committees on judiciary 1 and 2, a bill for an act to revise and modernize the laws relating to certain corporations for pecuniary profit and to regulate and govern their formation, names, renewal, merger, consolidation, dissolution, termination, their powers, franchises, shares, shareholders, dividends, officers, directors, registered agents and offices; to impose certain penalties and punishments and provide for franchise and other fees relative thereto and for reports; and to repeal Chapters three hundred eighty-four (384), three hundred eighty-five (385), three hundred eighty-five-C one (385-C1) and three hundred eighty-eight (388) of the Code, 1935, except sections eight thousand three hundred seventy-five-d one (8375-d1) and eight thousand four hundred fifty-eight (8458), relating to corporations for pecuniary profit, their capital stock, and annual reports.

Read first and second times and referred to sifting committee.

EXTRA COPIES

By unanimous consent, on request of Senator Hill, 300 extra copies of Senate File 17 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 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 examination of the financial conditions of counties, school districts, and municipal corporations.

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

Senate File 56, a bill for an act to extend the term of office of Thomas McDermott.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 59, a bill for an act relating to public high school facilities in charitable institutions.

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

Senate File 96, a bill for an act relating to the solemnizing of marriages.

Also: That the House has concurred in the first Senate Amendment to House Amendment 2, has refused to concur in the second Senate Amendment to House Amendment 2, and insists on its amendment 7 and paragraph 2 of amendment 8 to Senate File 128, a bill for an act relative to the

tax and restrictions upon the sale of cigarettes, and requests a conference, and the Speaker has appointed as conferees on the part of the House, Representative Johnson of Hancock, Roan of Lee, Shimanek of Jones and Eckerman of Scott.

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

Senate File 175, 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 Senate is asked:

House File 238, a bill for an act relative to certain Indian lands.

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

Senate File 294, a bill for an act to legalize outstanding warrants issued in Humboldt county, Iowa.

Also: That the House has concurred in Senate amendments to and passed House File 71, authorizing township trustees to purchase, own or rent and maintain fire apparatus.

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 computation of amount of tax in taxing districts.

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

House File 296, a bill for an act legalizing the acts of the officers of the town of Adel.

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

House File 442, a bill for an act to legalize proceedings by the town council of West Okoboji.

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

House File 443, a bill for an act legalizing proceedings relating to proceedings relating to sale and issuance of bonds by school district of Dayton, Iowa.

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 warrants issued by independent school district of New Hampton, Iowa.

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

House Concurrent Resolution 9, relating to the display of the United States Flag.

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

House Concurrent Resolution 14, memorializing the Congress of the United States of America to amend the Constitution of the United States, relative to taxes on incomes.

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

House Concurrent Resolution 16, requesting the Governor of the State of Iowa to appoint a committee to represent the state of Iowa at the reception to be held for Crown Prince Olaf of Norway.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 2

(1) Amend section three (3), line six (6), by striking the comma following the word "townships" and inserting in lieu thereof the following: "and all consolidated school districts and independent school districts in cities and towns of less than five thousand (5000) population,".

(2) Amend section five (5), lines four (4) and five (5), by striking therefrom the following: "sections one hundred thirteen (113) and one hundred twenty-four (124) of the Code, 1935", and inserting in lieu thereof the following: "this chapter and this act".

Further amend section five (5), line eight (8), by inserting after the comma following the word "expense" the following: "which expense shall not exceed the sum of three dollars (\$3) per day for the time such examiner is actually engaged in such examination,".

(3) Amend by inserting as section six (6) the following:

"Sec. 6. Chapter ten (10), Code, 1935, is hereby amended by adding thereto the following:

Upon payment by the state of the per diem and expenses aforesaid, the auditor of state shall at once file with the warrant-issuing officer of the county, school, or city, whose offices were examined, a copy of the vouchers so paid by the state. Upon audit and approval by the board of supervisors, city, county, or school board, the said warrant-issuing officer shall draw his warrant for said amount on the general fund of the county, school, or city in favor of the auditor of state, which warrant shall be placed to the credit of the general fund of the state. In the event of the disapproval of any items of said vouchers by the county, school, or city authorities, written objections shall be filed with the auditor of state and said disapproved items of said vouchers shall not be paid to the auditor of state until changed and final approval is given.

Whenever the county board of supervisors, the school board, or the council shall file written objections with the auditor of state, he or his representative may hold a public hearing in the city where the examination was made, on the question of compensation and expenses, and shall give the complaining board notice of the time and place of hearing. After such hearing he shall have the power to reduce the compensation and expenses of the examiner and assistant examiner whose bills have been questioned. Any examiner or assistant examiner who shall be found guilty of padding his per diem or expense account shall be immediately discharged by the auditor of state and shall not be eligible for reemployment in either position. Such examiner or assistant examiner must thereupon reimburse the auditor of state for all such compensation and expenses so found to have been overpaid to him and in the event

of his failure so to do, the auditor of state may collect the same amount from the examiner's bondsman by suit, if necessary."

(4) Renumber section six (6) as section seven (7).

(5) Amend by adding as section eight (8) the following:

"Sec. 8. This act being deemed of immediate importance shall be in force and effect from and after its passage and publication in the Indianola Herald, a newspaper published at Indianola, Iowa, and in the Knoxville Journal, a newspaper published at Knoxville, Iowa."

(6) Amend the title as follows:

(a) Strike from lines three (3) and four (4) the following: "and to provide for optional", and substitute in lieu thereof the following: "and to enact a substitute therefor, and to amend Chapter ten (10), Code, 1935, relating to the".

(b) Strike all of said title following the word "therefor" in line seven (7) and insert in lieu thereof the following: "; relating to the approval of examiners' fees and expenses and to the method of procedure in case of disapproval thereof and manner of reimbursement to the local governing body in case of overpayment, and prescribing penalties for violation of certain provisions of this act by examiners and assistant examiners."

HOUSE AMENDMENT TO SENATE FILE 59

Amend section one (1) by inserting in line seven (7) after the word "approved" the word "public".

HOUSE CONCURRENT RESOLUTION 9

Whereas, The whole world, rent asunder by strife and contention, violence and intolerance, is today in a state of turmoil and uncertainty, marked by a titanic struggle between Democracy and Autocracy, while in this country anti-American forces are striving to discredit and destroy the ideals and institutions symbolized by the American Flag, and social, political and economic forces are combating one another; and

Whereas, Never before in the history of the nation has there been greater need among our people for the unity, co-operation and tolerance for which our Country's Flag stands; and

Whereas, With the Stars and Stripes as its emblem The United States Flag Association, a non-profit, non-partisan and non-sectarian organization incorporated under Federal law and headed by the President of the United States as Honorary President General, is, with the co-operation of various groups, organizations and fields of activity in our national life, conducting a National Patriotic Revival, culminating in Flag Week, June 8th to 14th next, for the two-fold purpose; (1) of awakening our people to the dangers threatening our national life, thereby causing them to resolve as never before to uphold and preserve our country's ideals and institutions, and (2) of promoting National Unity, Patriotic Co-operation and Racial and Religious Tolerance; therefore, be it

Resolved, by the Senate and the House of Representatives of the State of Iowa, That they heartily indorse the plan for a great National Pa-

triotic Revival, and that the Governor is hereby authorized and requested, first, to direct the State Superintendent of Public Instruction to arrange for the suitable observance of Flag Week in all the public schools, and, secondly, to issue a proclamation calling the attention of state officials to the law on displaying the United States flag on all state buildings, and inviting the people of the state to fly the flag at their homes and other suitable places as well as on their cars, and that in every community they hold special exercises at which means shall be taken to give significant expression to our thoughtful love of America, our pride in its glorious history, our faith in its destiny, our devotion to its ideals and institutions and our determination to uphold and preserve them now and forever.

W. A. YAGER.

HOUSE CONCURRENT RESOLUTION 14

A Concurrent Resolution memorializing the Congress of the United States of America to amend the Constitution of the United States, relative to taxes on incomes, gifts, and inheritances; and providing limitations on taxes so levied; and repealing the Sixteenth Amendment to the Constitution of the United States.

Whereas, There is now pending or will be pending in the current session of the Congress of the United States of America, proposed legislation to repeal the Sixteenth Amendment to the Constitution of the United States, and to amend the Constitution of the United States relative to taxes on incomes, gifts and inheritances; providing for a limitation of taxes thereon; and the people of the State of Iowa are greatly interested in the passage of this said amendment; now, therefore,

Be It Resolved by the House of Representatives of the General Assembly of Iowa, the Senate Concurring, That the Congress of the United States be memorialized as follows; That application be and it hereby is made to the Congress of the United States of America to call a convention for the purpose of proposing the following article as an Amendment to the Constitution of the United States:

Article.....

Section 1. The Sixteenth Amendment to the Constitution of the United States is hereby repealed.

Sec. 2. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived without apportionment among the several states, and without regard to any census or enumeration; provided that in no case shall the maximum rate of tax exceed 25 per centum.

Sec. 3. The maximum rate of any tax, duty, or excise which Congress may lay and collect with respect to the devolution or transfer of property, or any interest therein, upon or in contemplation of death, or by way of gift, shall in no case exceed 25 per centum.

Sec. 4. Sections 1 and 2 shall take effect at midnight on the 31st day of December following the ratification of this article.

Be It Further Resolved, That the Congress of the United States be, and it hereby is requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes, as part of

the Constitution of the United States, when ratified by the legislatures of three-fourths of the several states; and

Be It Further Resolved, That the Secretary of State be, and he hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives in the Congress of the United States.

ELMER A. JOHNSON.

HOUSE CONCURRENT RESOLUTION 16

Whereas, The people of Norway who immigrated to America and their descendants have greatly contributed to the development and the welfare of the state of Iowa by their patriotic devotion to the principles of American democracy and by their thrift and industry to our economic welfare and by their example and ideals have contributed to the educational and religious development of the state of Iowa, and,

Whereas, Crown Prince Olaf and Crown Princess Martha will be the guests of Luther College and of the state of Iowa, on May 6 and 7, 1939, at Decorah, Iowa, and,

Whereas, Their visit to the state of Iowa should be officially recognized in an appropriate manner by the state of Iowa; therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Governor of the state of Iowa, be and he is hereby requested to appoint a committee composed of not to exceed seven (7) members of the Senate and not to exceed seven (7) members of the House of Representatives to represent the state of Iowa at the reception to be held for Crown Prince Olaf and Crown Princess Martha of Norway at Luther College at Decorah, Iowa, May 6 and 7, 1939. The members of said committee shall serve without expense to the state of Iowa.

HERMAN M. KNUDSON.

ROBERT D. BLUE.

By unanimous consent, on request of Senator Augustine, former Senator Stanley was introduced to the Senate.

CONSIDERATION OF SENATE FILE 133 RESUMED

On motion of Senator Cromwell, consideration of Senate File 133, a bill for an act to amend section seven thousand two hundred seventy-nine (7279) and section seven thousand two hundred eighty (7280), Code of Iowa, 1935, relating to notice of expiration of right of redemption from tax sale and providing for service of such notice on mortgagees and record holders of mortgages, was resumed.

By unanimous consent, on request of Senator Cromwell, his amendment to section 1, found on page 564 of the Journal, was withdrawn from further consideration.

Senator Cromwell offered the following amendment and moved its adoption:

Amend section 1 of Senate File 133 by striking the entire line 7 and inserting in lieu thereof the following:

"disclosed by the recorded instrument or by a certificate showing the address of the mortgagee or assignee duly filed with the recorder."

The amendment was adopted.

Senator Donohue moved to amend Senate File 133 by striking section three (3).

The motion prevailed and the amendment was adopted.

Senator Cromwell moved that the bill be read a third 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	Hill	Mowry
Baldwin	Edwards	Hoeven	Pelzer
Beardsley	Ellis	Husted	Schadt
Bekman	Evans	Kirketeg	Shaw
Berg	Forsling	Leo	Smith
Breen	Geske	Levis	Stewart
Byers	Gillette	Martin	Talbott
Corwin	Guernsey	Mighell	Vrba
Cromwell	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler
Donohue	Henningsen		

Nays, none.

Absent or not voting, 8:

Benson	Elthon	Hopkins	Parker
Dean	Faul	Lundy	Sjulin

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

Senator Cromwell 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 Hoeven, Senator Whitehill made a report of his trip to Alabama.

By unanimous consent, on request of Senator Hoeven, the following remarks of Senator Whitehill were ordered printed in the Journal:

MR. PRESIDENT AND MEMBERS OF THE SENATE: The past week seems like a dream to me this morning. In fact I have not had time to collect

any of the data and make a comprehensive report to you in any way, but I want to tell you that we had the greatest time of our lives in taking back the flag of the Republic of Alabama to Alabama. From the time we left the Rock Island depot in this city we were snapped and reported by people from the papers and the press all the way down. In Chicago a delegation met us and insisted that we take the flag out of the case that had been wrapped so nicely by Curator O. E. Klingaman, but we just had to refuse to do that on several occasions. The entire trip was so satisfactory. The traffic managers of all the railroads we travelled on came to us and gave us their cards and told us if there was anything we wanted to just go ahead and take the whole railroad. The only trouble we had maybe was a few Pullman conductors who were very officious and said we couldn't take the flag into the car because there was no place to put it, but we refused to have the flag ride in the baggage car, so we took it into the car. In Chicago, I had to present a card of the traffic manager, and the flag was immediately taken care of and was in safekeeping all the way down.

When we arrived at Birmingham, which is about 100 miles north of Montgomery, we were met by a large delegation there, and pictures were taken at all angles, and reporters were there to ask lots of questions, and they all assured us that they would be down at Montgomery the next day. On arriving at Montgomery three members of the committee walked out with their overcoats on and met a delegation of about twenty-five men in their light summer suits, and from then on we didn't use our overcoats. The weather was delightful during all the time we were there. The thermometer was about 80 degrees and it was just like summertime here.

The first afternoon we were taken over the city by this committee who had us in charge, were taken out to the big government airplane field and shown all the sights of the city. That night we met with some of the legislators at one of the legislator's homes, had a splendid time getting acquainted. The Governor was there. I want to tell you in just a few minutes about the Governor of Alabama,—a wonderful man.

The next morning at eleven o'clock the delegation was there to take us to the State House, where the flag was to be presented to the Governor. The capitol of Alabama was built in 1842 and the situation is a great deal like it is here in Des Moines. The capitol is up on a hill at the east side called "Capitol Hill", but their capitol building is very small.

The presentation was made in the House Chamber at a joint session. Their House Chamber is about two-thirds the size of this Chamber, with a very low ceiling. The capitol was packed all through the entire building. We took the flag to the Governor's office and there it was opened for the first time by the Governor. We marched up to the House Chamber and the presentation exercises were gone through, and an acceptance given by the Governor, the Lieutenant Governor being in charge.

Governor Dixon is a world war veteran, having lost a limb over in France. He was an aviator and fell there in a crash and lost his limb,—one of the brightest men I have ever met. His wife is a very gracious

lady and a great help to him, and was very well liked. We mingled with the legislators a good while after the presentation.

The only difference between their legislature and our legislature that I could see was that, with the exception of one man in both houses, they were all democrats. There was only one lone republican. I learned a piece of history there. When Alabama seceded there was one county, Clayton county, up in the northern part of Alabama that didn't want to secede. After Alabama seceded this county seceded from the state and remained that way during the entire Civil War. That is the only county in Alabama that goes republican. They elect a republican representative. I don't know whether many of you men have met old Judge Noll, 94 years old, a Civil War veteran. He was the hero of the entire three days that we were there,—the Beau Brummel of the occasion, and, although 94 years rests on his shoulders, he was very witty, and when he was introduced to this one lone republican, he said "I could see him way down in the crowd and I knew he was a republican". But the men of the south are just like the men of the north. They are all democrats there. As one of the judges of the supreme court told me, "We have to be". They are not "new-dealers", not very many of them, and they are looking forward to Jack Garner for the winner in 1940.

The south is steeped in tradition, very sentimental people. I suppose that we would be, here, if our state had been run over by an invading army, our homes destroyed and many valuable articles taken away.

Jeff Davis' home was in Montgomery at the time of the war, at the beginning of the war, and on the front steps of the capitol building was a bronze tablet set in the stone where Jeff Davis stood and took the oath of office to become the President of the Confederacy. Two old soldiers, ours and one of the others, stood there, and had their pictures taken shaking hands over this tablet. Jeff Davis' house stands right to the south of the capitol building and is now used as a museum. Many pictures, chairs, etc. are left just as he left it when he went to Richmond.

After taking a dozen pictures of those two men, our old soldier said, "Now where is a picture of Abe Lincoln, I would like to have my picture taken with him."

The results of this expedition were beginning to show before we left. Immediately following the presentation of the flag we were taken to a reception planned by The Daughters of the Confederacy, who had gathered from all over the state, and while there they passed a resolution that in view of the fact that we had brought this flag down from the north and turned it back to them that hereafter they would decorate all of the graves of the northern soldiers who were buried in Alabama on their Decoration Day, which I believe comes on the 24th day of April, and they were ready with a resolution to present at the national meeting to have all of the graves of the northern soldiers decorated; and the House passed a resolution while we were there that Alabama and Iowa should play football from now on. I felt just a little timid about that because I thought they were "rubbing it in" a little bit.

I don't know how we men of the committee can thank you men of the legislature for this splendid trip. It is something that I will remember just as long as I live. The hospitality of those people in the south,—

they couldn't do enough for us. They sent their kindest regards and their kindest appreciation to the men of the legislature, to our Governor and all the citizens of Iowa. They are steeped so in sentiment that after the presentation of the flag there was a very quiet time, and when the Governor arose he could hardly talk. He told me afterwards he had such a choking feeling he could hardly speak.

The flag is not in very good shape, but it stood the trip back, and I admit it was in just as good shape when it got down there as it was when it left. But I don't think the soldier who took it north took very good care of it on his trip.

We received such a welcome and had such a good time that we told them we felt that we were kind of glad the boy did steal the flag. They sent back with us every token of good will and fellowship and wished that we would all come back again and extended an invitation to the legislature and people of Iowa to come to Alabama and see them. I feel that it was a great trip and a trip well worth the time and the money. Thank you.

By unanimous consent, on request of Senator Hoeven, the following remarks of Senator Whitehill given in Alabama were ordered printed in the Journal.

WHITEHILL SPEECH

Your Excellency, Governor Dixon, Mr. Lieutenant Governor, Mr. Speaker, Members of the Senate and House of Representatives of the State of Alabama, Distinguished Guests and Friends:

This committee, which appears before you today, without doubt comes on the most unusual mission that has ever been performed in the history of our country.

Never before has there been recorded in the annals of history, an occasion similar to this, wherein one commonwealth is returning to a sister commonwealth an article of historical and sentimental interest, that the former has had in her possession for three quarters of a century.

Iowa comes today, not bearing a gift, but to correct a mistake made three generations ago, and to return to Alabama the flag of its one time republic.

Almost eighty years have passed since this banner was created—I have no doubt that tired fingers and weary hearts toiled many long and wearisome hours to fashion this banner that was to become the flag of the Republic of Alabama. As that flag it flew above your capital, served well its purpose; and then was laid away in the archives as a memento of that particular part of your history.

A few years later, in 1864, you were in the midst of a great war; the enemy was abroad in your land; a member of the 8th Iowa Cavalry came upon this flag and took it back with him to his home in Iowa.

How, when, or where, he found it we do not know. Why he took it, we can only conjecture; he was a soldier, and like all soldiers in any war, he took whate'er he found, regardless of ownership. From time immemorial

it has been the custom and habits of soldiers to take whatever they might find home with them as souvenirs.

We sincerely hope that this act, that we are performing here today, will not establish a precedent and cause France, Cuba, and the Philippines to ask for the return of all the articles that our soldiers have taken from their countries, under the guise of souvenirs.

In 1892, this soldier presented this flag to the Iowa Historical Society and it has hung in the flag cases of our Historical Building from that time until March first of this year, when it was removed and prepared for its final journey back to its old home.

In a joint resolution, passed unanimously by both branches of our legislature, on the 8th day of February, 1939, it was ordered that this flag be returned to you and this committee, composed of veterans of three different wars, be empowered and delegated to make this journey, and see that this historical banner was safely placed in your hands.

It is yours, by all that is historical and sentimental. It links up a part of your history and we sincerely hope that its travels are over and that it will safely rest in your archives until its silken threads have mouldered into dust.

In returning this flag, we bring with it the most gracious felicitations from His Excellency, George A. Wilson, Governor of Iowa; the heartiest wishes of good will from our General Assembly; and the sincerest approval of this act by the press and the people of Iowa.

May this occasion more firmly cement the ties of brotherly love and good fellowship between two of the greatest commonwealths in these United States—Alabama and Iowa.

By unanimous consent, on request of Senator Berg, the following letter was ordered printed in the Journal:

STATE OF ALABAMA
Executive Department
Montgomery

Frank M. Dixon
Governor

Roland Mushat
Secretary to the Governor
W. P. Shirley
Recording Secretary
J. B. Bonner
Legal Adviser

Hon. John Berg, Senator
State Capitol,
Des Moines, Iowa.

My dear Senator:

Senator Whitehill, chairman of the committee from your state charged with the mission of bringing back to Alabama one of the treasured relics of our people, told me of your untiring efforts which were largely responsible for the impressive ceremony held today in the House of Representatives in our state capitol here in Montgomery.

As Governor of the State of Alabama, I am writing to thank you

on behalf of the state and personally as well. We will always remember with gratitude your efforts.

Of course, we have already asked your committee to extend our thanks to the gentlemen of the Legislature of Iowa. We feel that the bonds of friendship between our two commonwealths has been immeasurably strengthened by your kindness and courtesy.

With highest personal regards, I am,

Yours very truly,

FRANK M. DIXON,
Governor.

FMD-m

THIRD READING OF BILLS

On motion of Senator Faul, House File 46, a bill for an act to amend the military code, Chapter twenty-eight-F one (28-F1), Code, 1935, by providing that the judge advocate shall become an assistant attorney general during the period when the national guard is in state service, with report of committee recommending passage, was taken up, considered, and the report of the committee 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	Donohue	Harvey	Moore
Baldwin	Doran	Henningsen	Mowry
Beardsley	Edwards	Hill	Pelzer
Bekman	Ellis	Hoeven	Schadt
Berg	Evans	Husted	Shaw
Breen	Faul	Kirketeg	Stewart
Byers	Forsling	Leo	Talbott
Corwin	Geske	Levis	Vrba
Cromwell	Gillette	Lundy	Whitehill
Dean	Guernsey	Martin	Zeigler
Dewey	Hart	Miller	

Nays, none.

Absent or not voting, 7:

Benson	Hopkins	Parker	Smith
Elthon	Mighell	Sjulin	

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 Donohue, Senate File 118, a bill for an

act to amend Chapter four hundred eighty-eight (488), Code, 1935, providing for place for bringing actions for injuries to a person or damage to property, caused by motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Beardsley moved the previous question.

By unanimous consent, on request of Senator Beardsley, his motion was withdrawn.

Senator Forsling asked and received unanimous consent to offer the following amendment:

Amend Senate File 118 by inserting in line five (5) after the word "which" the words "one of" and by changing the word "defendant" to the word "defendants".

On motion of Senator Forsling, 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, 32:

Augustine	Donohue	Harvey	Mowry
Beardsley	Doran	Henningsen	Schadt
Bekman	Edwards	Hill	Shaw
Berg	Ellis	Hoeven	Stewart
Breen	Forsling	Husted	Talbott
Cromwell	Geske	Kirketeg	Vrba
Dean	Gillette	Levis	Whitehill
Dewey	Guernsey	Moore	Zeigler

Nays, 4:

Byers	Corwin	Faul	Leo
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Absent or not voting, 14:

Baldwin	Hart	Mighell	Pelzer
Benson	Hopkins	Miller	Sjulin
Elthon	Lundy	Parker	Smith
Evans	Martin		

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.

By unanimous consent, on request of Senator Pelzer, House File 382, a bill for an act to amend Chapter one hundred seventy-

seven (177), Code, 1935, to provide for the care and custody and the transfer of war veterans from a state hospital to any veterans' hospital maintained within the state of Iowa, was taken up and considered.

Senator Pelzer moved that the bill be read a third 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	Harvey	Moore
Baldwin	Doran	Henningsen	Mowry
Beardsley	Edwards	Hill	Pelzer
Bekman	Ellis	Hoeven	Schadt
Berg	Evans	Husted	Shaw
Breen	Faul	Kirketeg	Stewart
Byers	Forsling	Leo	Talbott
Corwin	Geske	Levis	Vrba
Cromwell	Gillette	Martin	Whitehill
Dean	Guernsey	Mighell	Zeigler
Dewey	Hart	Miller	

Nays, none.

Absent or not voting, 7:

Benson	Hopkins	Parker	Smith
Elthon	Lundy	Sjulin	

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

Senator Pelzer 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 special order of business, House Concurrent Resolution 10 was taken up and considered.

HOUSE CONCURRENT RESOLUTION 10

Whereas, The legislature has heretofore designated a primary road system to connect all county seat towns; and

Whereas, This system is still incomplete and breaks or gaps exist in several of the paving projects which would connect county seats if completed; and

Whereas, Said gaps or breaks seriously interfere with the use of such paved highways and prevent the traveling public from obtaining maximum benefits from such pavements; now therefore,

Be It Resolved by the House, the Senate Concurring: That the state highway commission be requested to divert no further funds allocated to said highway commission or to the primary road fund, either state

or federal, to the extension of the present primary road system or to the relocation of existing pavements until the system of primary roads connecting county seats, as heretofore designated by the general assembly, be completed, and that such completion be accomplished as rapidly as funds will permit, to the end that the intent of the general assembly may be carried out and the maximum use of such highways and such paving may be made available to the traveling public.

Senator Berg offered the following amendment and moved its adoption :

Amend House Concurrent Resolution 10, as found on page 391 of the Journal of the House, by striking from line nine (9) thereof the word "That" and inserting in lieu thereof the following: "Except when, in the opinion of the state highway commission, the primary road system should be extended in the interest of public safety, convenience, or to correct or improve highway hazards,".

Further amend said House Concurrent Resolution 10 by striking from line ten (10) the word "be" and inserting in lieu thereof the word "is".

Senator Beardsley offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after the word "extended" in line five (5) the words "or relocated".

The amendment to the amendment was adopted.

Senator Breen offered the following amendment to the amendment by Senator Berg:

Amend the amendment by Senator Berg by striking from line six (6) the word "convenience".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 10 by striking from line six (6) the words "connecting county seats".

The amendment was adopted.

The resolution as amended was adopted.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

HOUSE MESSAGES CONSIDERED

House File 443, 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 Dayton, in the county of Webster, State of Iowa, and the proceedings providing for the levy of taxes for the payment of said bonds and the interest thereon, and declaring bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times and referred to sifting committee.

House File 442, a bill for an act to legalize proceedings and the issuance of warrants by the Town Council of the Incorporated Town of West Okoboji.

Read first and second times and referred to sifting committee.

House File 89, a bill for an act to amend section seventy-one hundred sixty-four (7164), Code, 1935, relating to computation of amount of tax in taxing districts, not including moneys and credits and other moneyed capital taxed as provided in section sixty-nine hundred eighty-five (6985) of the Code.

Read first and second times and referred to sifting committee.

House File 296, a bill for an act legalizing the acts of the town council, officers and agents of the town of Adel, Iowa, in constructing a swimming pool.

Read first and second times and referred to sifting committee.

House File 238, a bill for an act to amend Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, by providing for a homestead tax credit for certain Indian lands held in trust.

Read first and second times and referred to sifting committee.

House File 457, a bill for an act to legalize warrants issued by the Independent School District of New Hampton in the county of Chickasaw, state of Iowa, for the construction of a new school building and remodeling the present building and to legalize the expenditure of certain funds for the payment of the school build-

ing and remodeling of the present building in excess of the amount stated in the ballot used at the special election and to authorize the school district to levy taxes for the payment of said warrants.

Read first and second times and referred to sifting committee.

CONFERENCE COMMITTEE ON SENATE FILE 128

President Hickenlooper announced that, as President of the Senate, he had appointed Senators Berg, Bekman, Breen, and Zeigler as members of the conference committee on the part of the Senate, on Senate File 128.

THIRD READING OF BILLS

On motion of Senator Baldwin, Senate File 137, a bill for an act to amend section forty-nine (49), of Chapter one hundred thirty-four (134), Acts of the Forty-seventh (47th) General Assembly, by adding thereto an additional exemption to certain types of vehicles, 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:

Strike the period at the end of subsection five of section one and insert the following: "for not more than one thousand feet".

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, 39:

Augustine	Dewey	Harvey	Moore
Baldwin	Donohue	Henningsen	Mowry
Beardsley	Edwards	Hill	Pelzer
Bekman	Elthon	Hoeven	Schadt
Berg	Evans	Kirketeg	Shaw
Breen	Faul	Leo	Smith
Byers	Forsling	Levis	Talbott
Corwin	Geske	Martin	Whitehill
Cromwell	Gillette	Mighell	Zeigler
Dean	Guernsey	Miller	

Nays, none.

Absent or not voting, 11:

Benson	Hart	Lundy	Stewart
Doran	Hopkins	Parker	Vrba
Ellis	Husted	Sjulin	

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 Gillette, Senate File 22, a bill for an act to create a permanent claims committee to hear and consider claims against the state of Iowa and to recommend to the next General Assembly the disposition to be made thereof; to provide for the appointment of said committee, and to prescribe the powers and duties thereof and of the attorney general with respect thereto; to define the policy of this state with respect to the payment of such claims; and to appropriate funds to compensate the members of said committee and its clerk, 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:

Strike the words "Board of Investigation" in line eight (8) of section two (2) thereof, and insert in lieu thereof the words "Bureau of Criminal Investigation".

The amendment was adopted.

Amend section three (3) thereof by adding thereto the following: "In their consideration of claims, the committee shall make and file in the office of the Attorney General a complete report of each claim which shall include a summary of the evidence of each witness and a finding as to the facts."

The amendment was adopted.

Amend section four (4) by striking all of lines one (1), two (2), three (3), and the word "December" in line four (4) and inserting in lieu thereof the following: "The permanent claims committee shall meet at the State House in Des Moines, Iowa, commencing on the first Monday in January, April, July and October."

The amendment was adopted.

Amend section six (6) by striking all after the comma (,) following the word "therefor" in line five (5) and substituting in lieu thereof the

following: "and shall file such report in the office of the Attorney General who shall submit a copy of said report to each house of said General Assembly on the second day of its regular session."

The amendment was adopted.

Amend section eight (8) by striking all of line four (4) thereof after the word "mileage" and inserting in lieu thereof the following: "to and from the place of meeting and for their reasonable expenses while attending. No additional compensation or mileage shall be allowed to a member of the committee during the sessions of the legislature."

The amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 22 by striking the period at the end of section seven (7) and adding the following: "and no claims shall be heard or considered by the permanent claims committee during any regular or special session of the legislature."

By unanimous consent, on request of Senator Breen, the word "new" was inserted in his amendment immediately following the word "no".

Senator Donohue offered the following as a substitute for the amendment by Senator Breen and moved its adoption:

Amend Senate File 22 by striking the period after the word "provided" in section seven (7) and inserting the following:

"no claims filed after the commencement of a special or regular session of the legislature shall be passed upon or allowed by the committee during such session."

The motion prevailed and the substitute amendment was adopted.

Senator Shaw offered the following amendment and moved its adoption:

Amend Senate File 22 by inserting in line one (1) of section eight (8), after the word "The" the word "legislative".

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, 42:

Augustine	Edwards	Henningsen	Miller
Baldwin	Ellis	Hill	Moore
Bekman	Elthon	Hoeven	Mowry
Berg	Evans	Husted	Schadt
Breen	Faul	Kirketeg	Shaw
Byers	Forsling	Leo	Stewart
Corwin	Geske	Levis	Talbott
Cromwell	Gillette	Lundy	Vrba
Dean	Guernsey	Martin	Whitehill
Donohue	Hart	Mighell	Zeigler
Doran	Harvey		

Nays, 2:

Beardsley	Pelzer
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Absent or not voting, 6:

Benson	Hopkins	Sjulin	Smith
Dewey	Parker		

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.

REPORT OF COMMITTEE

Senator Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 120, a bill for an act creating and establishing a statewide teachers' annuity and retirement system to be known as the Iowa State Teachers' Annuity System and to provide for its maintenance, administration and support and to make appropriation therefor, begs leave to report it has had the same under consideration and recommends the bill as amended be reported out without recommendation.

L. H. DORAN, *Chairman*.

Ordered passed on file.

SENATE FILES INDEFINITELY POSTPONED

Senate Files 82, 273, and 308, having been reported back from committee recommending indefinite postponement, and no disposition made of the committee report, were, under Rule 39, indefinitely postponed.

SENATE RESOLUTION 13

Be It Resolved by the Senate: The Secretary of the Senate is hereby directed to collect all committee minute books containing the minutes and proceedings of all senate committees immediately upon adjournment of

the General Assembly and place them in safe keeping in a place designated by the executive council.

At the expiration of ninety days after the adjournment of the General Assembly, the sheets containing the minutes and other proceedings of the various committees, except the committee rules, shall be removed from the minute books and be destroyed under the direction of the executive council, and said committee rules shall be returned to the secretary of the Senate upon the convening of the succeeding General Assembly.

H. C. BALDWIN.
CHARLES B. HOEVEN.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 403 by striking lines five (5) and six (6).
ORA E. HUSTED.

MR. PRESIDENT: Amend House File 114 as follows:

1. Amend section seven (7) by inserting the words "as a single fund" after the word "fund" in line three (3).

2. Amend section nine (9) by

(a) striking the word "fifteen" in line nine (9) and substituting the word "ten"

(b) striking the figure "15" in line ten (10) and substituting the figure "10"

(c) striking the words "secondary road" in line ten (10) and substituting the word "highway".

3. Amend section thirteen (13) by striking the comma (,) following the word "plans" in line three (3) and inserting in lieu thereof the word "and".

4. Amend section twenty-nine (29) by adding the following:

"The amount so expended for maintenance work by the Highway Commission shall be reimbursed to said county's allotment of the farm-to-market road fund, from said county's secondary road maintenance fund, before any more farm-to-market road projects in said county are approved by the Commission."

5. Amend section thirty-one (31) by striking the word "Fifteen" in line four (4) and inserting the word "Ten" in lieu thereof.

6. Amend by striking all of section thirty-five (35) and renumbering the following section.

K. A. EVANS.

MR. PRESIDENT: Amend House File 114 as follows:

(1) Amend House File 114 by inserting therein the following as section 19-a:

"Section 19-a. Twenty-five per cent (25%) of the cost of any farm-to-market road project constructed under this act shall be paid by the county in which said project is located from the secondary road construction fund of said county.

The county board of supervisors may, at its discretion, pay more than

twenty-five per cent (25%) of the cost of any farm-to-market road project under this act out of said county's secondary road construction fund."

(2) Amend section thirty-one (31) of House File 114 by striking lines four (4) and five (5) and inserting in lieu thereof the following:

"3. Ten per cent of the gross fees and penalties thereon shall be credited to farm-to-market road fund until January 1st, 1941."

(3) Strike section thirty-six (36) from said bill.

(4) Amend by inserting the following in said bill as section thirty-six (36):

"Sec. 36. Section nineteen hundred twenty-one-f one hundred twenty-five (1921-f125), Code, 1935, is hereby amended by striking all of said section after the period at the end of line eight (8) and substituting the following in lieu thereof:

'b. All license fees and taxes collected by the treasurer of state previous to January first, 1941, shall accrue to the state sinking fund for public deposits as created by Chapter 352-A1 of the Code. All license fees and taxes collected by the treasurer of state on and after January first, 1941, shall be credited to the farm-to-market road fund.'" L. H. DORAN.

MR. PRESIDENT: I move to amend House File 114 as follows:

1. Add as a new section following Section 34 the following:

"Sec. 35. No part of any secondary road nor of any street in a municipality shall be taken into and made a part of the primary road system unless recommended by the state highway commission and approved either by the state legislature or unanimously by the executive council.

2. Renumber the remaining section.

LESTER S. GILLETTE.

MR. PRESIDENT: Amend Senate File 399 as follows:

1. Amend section 1 by striking the word "and" following the word "insecticides" in line 6 thereof and inserting in lieu thereof a comma (,).

2. Amend section 1 by inserting after the word "fungicides" in line 7 thereof the words "and vermifuges for livestock and poultry."

LESTER S. GILLETTE.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 14, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Hazel Mendenhall, associate pastor of the Community church of Martensdale.

The Journal of March 13th was corrected and approved.

LEAVE OF ABSENCE

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

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of House File 442, a bill for an act to legalize proceedings and issuance of warrants by the town council of West Okoboji.

Also:

House File 276, a proposed bill to make permanent the balance of a temporary transfer of funds in Dickinson County.

WALTER H. BEAM, *Secretary.*

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Mighell, from citizens of Battle Creek, favoring enactment of House File 431.

By Senator Hopkins, from members of the Van Meter Women's Club, favoring enactment of the pre-marital and pre-natal bills.

By Senator Edwards, from citizens of Union county, and members of Townsend Club of Afton, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Edwards, from citizens of Tingley, opposing elimination of "bank nights" at theatres.

By Senator Cromwell, from citizens of Des Moines county, opposing enactment of House File 1 and Senate File 169.

By Senator Cromwell, from citizens of Burlington, opposing any change in the present beer law.

By Senator Zeigler, from members of Townsend Clubs Nos. 1, 2 and 3 of Fairfield, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Corwin, from members and friends of Townsend Club No. 1 of Muscatine, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Corwin, from citizens of Muscatine county, favoring enactment of House File 431.

By Senator Baldwin, from citizens of Dubuque county, favoring enactment of Senate File 17.

By Senator Baldwin, from citizens of Dubuque county, opposing enactment of House File 1 and Senate File 169.

By Senator Hopkins, from citizens of Dallas county, opposing enactment of Senate File 92 and House File 169, opposing any change in the pharmacy law, and opposing House Files 155 and 351.

By Senator Smith, from citizens of Bremer and Butler counties, favoring enactment of House File 562.

By Senator Shaw, from citizens of Iowa, favoring enactment of House File 1 and Senate File 169.

By Senator Talbott, from citizens of Keokuk county, favoring enactment of House File 431.

By Senator Doran, from citizens of Boone county, favoring enactment of House File 562.

By Senator Vrba, from citizens of Adams, Howard, and Winne-
shiek counties, opposing enactment of Senate File 17.

On motion of Senator Breen, House Concurrent Resolution 9 was taken up and considered.

HOUSE CONCURRENT RESOLUTION 9

Whereas, The whole world, rent asunder by strife and contention, violence and intolerance, is today in a state of turmoil and uncertainty, marked by a titanic struggle between Democracy and Autocracy, while in this country anti-American forces are striving to discredit and destroy

the ideals and institutions symbolized by the American Flag, and social, political and economic forces are combating one another; and

Whereas, Never before in the history of the nation has there been greater need among our people for the unity, co-operation and tolerance for which our Country's Flag stands; and

Whereas, With the Stars and Stripes as its emblem The United States Flag Association, a non-profit, non-partisan and non-sectarian organization incorporated under Federal law and headed by the President of the United States as Honorary President General, is, with the co-operation of various groups, organizations and fields of activity in our national life, conducting a National Patriotic Revival, culminating in Flag Week, June 8th to 14th next, for the two-fold purpose; (1) of awakening our people to the dangers threatening our national life, thereby causing them to resolve as never before to uphold and preserve our country's ideals and institutions, and (2) of promoting National Unity, Patriotic Co-operation and Racial and Religious Tolerance; therefore, be it

Resolved, by the Senate and the House of Representatives of the State of Iowa, That they heartily indorse the plan for a great National Patriotic Revival, and that the Governor is hereby authorized and requested, first, to direct the State Superintendent of Public Instruction to arrange for the suitable observance of Flag Week in all the public schools, and, secondly, to issue a proclamation calling the attention of state officials to the law on displaying the United States flag on all state buildings, and inviting the people of the state to fly the flag at their homes and other suitable places as well as on their cars, and that in every community they hold special exercises at which means shall be taken to give significant expression to our thoughtful love of America, our pride in its glorious history, our faith in its destiny, our devotion to its ideals and institutions and our determination to uphold and preserve them now and forever.

On motion of Senator Breen the resolution was adopted.

On motion of Senator Baldwin, Senate Resolution 13 was taken up and considered.

SENATE RESOLUTION 13

Be It Resolved by the Senate: The Secretary of the Senate is hereby directed to collect all committee minute books containing the minutes and proceedings of all senate committees immediately upon adjournment of the General Assembly and place them in safe keeping in a place designated by the executive council.

At the expiration of ninety days after the adjournment of the General Assembly, the sheets containing the minutes and other proceedings of the various committees, except the committee rules, shall be removed from the minute books and be destroyed under the direction of the executive council, and said committee rules shall be returned to the secretary of the Senate upon the convening of the succeeding General Assembly.

On motion of Senator Baldwin, the resolution was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Vrba 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 66, 56, 96, 175, and 294.

EDWARD H. VRBA, Acting Chairman Senate Committee.

ALBERT STEINBERG, 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 66, 56, 96, 175 and 294.

BILLS SENT TO THE GOVERNOR

Senator Vrba, 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 March, 1939, sent to the Governor for his approval, Senate Files 66, 56, 96, 175 and 294.

EDWARD H. VRBA, Acting Chairman.

Passed on file.

HOUSE AMENDMENTS CONSIDERED

Senator Hill called up for consideration Senate File 2, amended by the House, and moved that the Senate concur in the following amendments:

(1) Amend section three (3), line six (6), by striking the comma following the word "townships" and inserting in lieu thereof the following: "and all consolidated school districts and independent school districts in cities and towns of less than five thousand (5000) population,".

(2) Amend section five (5), lines four (4) and five (5), by striking therefrom the following: "sections one hundred thirteen (113) and one hundred twenty-four (124) of the Code, 1935", and inserting in lieu thereof the following: "this chapter and this act".

Further amend section five (5), line eight (8), by inserting after the comma following the word "expense" the following: "which expense shall not exceed the sum of three dollars (\$3) per day for the time such examiner is actually engaged in such examination,".

(3) Amend by inserting as section six (6) the following:

"Sec. 6. Chapter ten (10), Code, 1935, is hereby amended by adding thereto the following:

Upon payment by the state of the per diem and expenses aforesaid, the auditor of state shall at once file with the warrant-issuing officer of the county, school, or city, whose offices were examined, a copy of the vouchers so paid by the state. Upon audit and approval by the board of supervisors, city, county, or school board, the said warrant-issuing officer shall draw his warrant for said amount on the general fund of the county, school, or city in favor of the auditor of state, which warrant shall be placed to the credit of the general fund of the state. In the event of the disapproval of any items of said vouchers by the county, school, or city authorities, written objections shall be filed with the auditor of state and said disapproved items of said vouchers shall not be paid to the auditor of state until changed and final approval is given.

Whenever the county board of supervisors, the school board, or the council shall file written objections with the auditor of state, he or his representative may hold a public hearing in the city where the examination was made, on the question of compensation and expenses, and shall give the complaining board notice of the time and place of hearing. After such hearing he shall have the power to reduce the compensation and expenses of the examiner and assistant examiner whose bills have been questioned. Any examiner or assistant examiner who shall be found guilty of padding his per diem or expense account shall be immediately discharged by the auditor of state and shall not be eligible for reemployment in either position. Such examiner or assistant examiner must thereupon reimburse the auditor of state for all such compensation and expenses so found to have been overpaid to him and in the event of his failure so to do, the auditor of state may collect the same amount from the examiner's bondsman by suit, if necessary."

(4) Renumber section six (6) as section seven (7).

(5) Amend by adding as section eight (8) the following:

"Sec. 8. This act being deemed of immediate importance shall be in force and effect from and after its passage and publication in the Indianola Herald, a newspaper published at Indianola, Iowa, and in the Knoxville Journal, a newspaper published at Knoxville, Iowa."

(6) Amend the title as follows:

(a) Strike from lines three (3) and four (4) the following: "and to provide for optional", and substitute in lieu thereof the following: "and to enact a substitute therefor, and to amend Chapter ten (10), Code, 1935, relating to the".

(b) Strike all of said title following the word "therefor" in line seven (7) and insert in lieu thereof the following: ", relating to the approval of examiners' fees and expenses and to the method of procedure in case of disapproval thereof and manner of reimbursement to the local governing body in case of overpayment, and prescribing penalties for violation of certain provisions of this act by examiners and assistant examiners."

The motion prevailed and the Senate concurred in the House amendments.

Senator Hill moved that the bill be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 35:

Baldwin	Ellis	Hoeven	Moore
Beardsley	Elthon	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Byers	Faul	Kirketeg	Shaw
Corwin	Geske	Leo	Smith
Cromwell	Guernsey	Levis	Stewart
Dean	Hart	Martin	Vrba
Dewey	Harvey	Mighell	Whitehill
Edwards	Hill	Miller	

Nays, 2:

Augustine Mowry

Absent or not voting, 13:

Bekman	Doran	Henningesen	Sjulin
Benson	Forsling	Lundy	Talbott
Breen	Gillette	Parker	Zeigler
Donohue			

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 Corwin called up for consideration Senate File 59, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1) by inserting in line seven (7) after the word "approved" the word "public".

The motion prevailed and the Senate concurred in the House amendment.

Senator Corwin moved that the bill be read a third time now, as amended, 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	Hill	Mowry
Beardsley	Elthon	Hopkins	Pelzer
Bekman	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Byers	Geske	Leo	Smith
Corwin	Gillette	Levis	Stewart
Cromwell	Guernsey	Martin	Talbot
Dean	Hart	Mighell	Vrba
Dewey	Harvey	Miller	Whitehill
Doran	Henningesen	Moore	Zeigler
Edwards			

Nays, none.

Absent or not voting, 9:

Baldwin	Donohue	Hoeven	Parker
Benson	Forsling	Lundy	Sjulin
Breen			

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.

THIRD READING OF BILLS

On motion of Senator Hokins, Senate File 252, a bill for an act to establish and maintain in the public schools of the state public forums for adult education and day and evening classes for the purposes of providing training in the duties and responsibilities of good citizenship and for the promotion of vocational, industrial, economic, civic, and social efficiency, including proficiency in the use and understanding of the English language; to provide the branches of study that may be taught; to determine the persons for whom the facilities provided herein shall be available; to provide the means for financial support, administration, and supervision; to fix the qualifications of teachers, leaders, and forum lecturers; and to repeal Chapter two hundred seventeen (217), Code, 1935, relating to evening schools, a committee bill, 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, 39:

Augustine	Edwards	Harvey	Miller
Baldwin	Ellis	Henningsen	Mowry
Beardsley	Elthon	Hill	Schadt
Berg	Evans	Hoeven	Shaw
Breen	Faul	Hopkins	Smith
Byers	Forsling	Husted	Stewart
Corwin	Geske	Kirketeg	Talbott
Cromwell	Gillette	Leo	Vrba
Dean	Guernsey	Martin	Whitehill
Dewey	Hart	Mighell	

Nays, 1:

Zeigler

Absent or not voting, 10:

Bekman	Doran	Moore	Pelzer
Benson	Levis	Parker	Sjulin
Donohue	Lundy		

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 motion of Senator Faul, Senate File 124, a bill for an act to amend section seven thousand one hundred ninety-three (7193), Code of Iowa, 1935, as to the lien of taxes when the tax sale is held under section seven thousand two hundred fifty-nine (7259) or section seven thousand two hundred sixty-two (7262), both of the Code of Iowa, 1935, and to amend section seven thousand two hundred ninety-five (7295), Code of Iowa, 1935, as to the time in which certain actions can be brought as to tax sales and deeds, 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 Senate File 124 by inserting after the period following the word "removed" in line 16, the following: "Provided, however, that nothing herein contained shall be applicable to actions brought or defenses made by a holder of a special assessment, if the same continues to remain a lien notwithstanding a tax deed now or hereafter issued pursuant to such tax sale."

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 124 by striking from line three (3) of section three (3) the words "as provided by law" and by inserting in lieu thereof the following: "in the Oskaloosa Tribune, a newspaper published at Oskaloosa, Iowa, and in the Iowa Bystander, a newspaper published at Des Moines, Iowa."

The amendment was adopted.

Senator Faul 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, 28:

Augustine	Dewey	Hill	Mighell
Baldwin	Edwards	Hopkins	Miller
Beardsley	Faul	Husted	Shaw
Breen	Geske	Leo	Stewart
Byers	Gillette	Levis	Talbott
Cromwell	Guernsey	Lundy	Vrba
Dean	Henningsen	Martin	Whitehill

Nays, 15:

Berg	Ellis	Hoeven	Schadt
Corwin	Elthon	Moore	Smith
Donohue	Evans	Mowry	Zeigler
Doran	Harvey	Pelzer	

Absent or not voting, 7:

Bekman	Forsling	Kirketeg	Sjulin
Benson	Hart	Parker	

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

Senator Faul 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 Faul, Senate File 125, a bill for an act to legalize certain tax sales held and conducted in accordance with section seven thousand two hundred fifty-nine (7259) or section seven thousand two hundred sixty-two (7262), Code of Iowa, 1935, and corresponding sections of earlier Codes and all laws pertaining thereto as to the matter of bringing forward of delinquent taxes under section seven thousand one hundred ninety-three (7193), Code of Iowa, 1935, and all laws pertaining thereto, 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 Senate File 125 by inserting after the period following the word "conducted" in line 19, the following: "Provided, however, that no tax sale so legalized and validated shall affect a special assessment if the same continues to remain a lien notwithstanding a tax deed now or hereafter issued pursuant to such tax sale."

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 125 by striking from line three (3) of section two (2) the words "as provided by law" and by inserting in lieu thereof the following: "in the Cascade Pioneer, a newspaper published at Cascade, Iowa, and in the Plain Talk, a newspaper published at Des Moines, Iowa."

The amendment was adopted.

Senator Faul moved that the bill be read a third 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	Dewey	Henningsen	Miller
Baldwin	Donohue	Hopkins	Shaw
Beardsley	Edwards	Husted	Stewart
Bekman	Faul	Leo	Talbott
Breen	Geske	Levis	Vrba
Byers	Guernsey	Martin	Whitehill
Cromwell	Harvey	Mighell	

Nays, 8:

Doran	Elthon	Kirketeg	Smith
Ellis	Gillette	Mowry	Zeigler

Absent or not voting, 15:

Benson	Evans	Hoeven	Pelzer
Berg	Forsling	Lundy	Schadt
Corwin	Hart	Moore	Sjulin
Dean	Hill	Parker	

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

Senator Faul 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 Faul, Senate Files 124 and 125 were messaged to the House immediately.

On motion of Senator Whitehill, the Hon. Thomas Jefferson Noll, of Grinnell, a member of the G. A. R., who accompanied Senator Whitehill and Representative Lucas to Alabama, was introduced, and addressed the Senate briefly.

SPECIAL ORDER

By unanimous consent, on request of Senator Cromwell, Senate File 120 was made a special order of business on Wednesday, March 22d at 10:30 a. m.

THIRD READING OF BILLS

On motion of Senator Levis, Senate File 208, a bill for an act to amend sections ten thousand two hundred eleven (10211), ten thousand two hundred twelve (10212), and ten thousand two hundred thirteen (10213), Code, 1935, relating to the management of cemeteries by municipalities and boards of trustees of cities and towns to whom the management of municipal cemeteries has been transferred by ordinance, was taken up and considered.

Senator Hoeven took the chair at 11:27.

Senator Levis offered the following amendments and moved their adoption:

Amend section two (2) by inserting a comma after the figures "13" in line fourteen (14).

Also, strike the word "hereinafter" in line fourteen (14) of section two (2) and insert in lieu thereof the word "hereafter".

The amendments were 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, 42:

Augustine	Edwards	Hill	Mowry
Beardsley	Ellis	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Berg	Faul	Kirketeg	Shaw
Breen	Forsling	Leo	Smith
Byers	Geske	Levis	Stewart
Corwin	Gillette	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Donohue	Harvey	Moore	Zeigler
Doran	Henningsen		

Nays, none.

Absent or not voting, 8:

Baldwin	Dewey	Husted	Parker
Benson	Elthon	Miller	Sjulín

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.

By unanimous consent, on request of Senator Donohue, House File 457, a bill for an act to legalize warrants issued by the independent school district of New Hampton in the county of Chickasaw, state of Iowa, for the construction of a new school building and remodeling the present building and to legalize the expenditure of certain funds for the payment of the school building and remodeling of the present building in excess of the amount stated in the ballot used at the special election and to authorize the school district to levy taxes for the payment of said warrants, a companion bill, was substituted for Senate File 350 and 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, 40:

Augustine	Donohue	Guernsey	Martin
Beardsley	Doran	Hart	Mighell
Bekman	Edwards	Harvey	Mowry
Berg	Ellis	Hill	Schadt
Breen	Elthon	Hoeven	Smith
Byers	Evans	Hopkins	Stewart
Corwin	Faul	Kirketeg	Talbott
Cromwell	Forsling	Leo	Vrba
Dean	Geske	Levis	Whitehill
Dewey	Gillette	Lundy	Zeigler

Nays, none.

Absent or not voting, 10:

Baldwin	Husted	Parker	Shaw
Benson	Miller	Pelzer	Sjulín
Henningsen	Moore		

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.

By unanimous consent, on request of Senator Breen, House File 443, 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 Dayton, in the county of Webster, state of Iowa, and the proceedings providing for the levy of taxes for the payment of said bonds and the interest thereon, and declaring bonds issued pursuant to said proceedings to be enforceable obligations of said school district, a companion bill, was substituted for Senate File 382, and 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, 44:

Augustine	Donohue	Hart	Moore
Baldwin	Doran	Harvey	Mowry
Beardsley	Edwards	Hill	Pelzer
Bekman	Ellis	Hoeven	Schadt
Berg	Elthon	Hopkins	Shaw
Breen	Evans	Kirketeg	Smith
Byers	Faul	Leo	Stewart
Corwin	Forsling	Levis	Talbott
Cromwell	Geske	Lundy	Vrba
Dean	Gillette	Martin	Whitehill
Dewey	Guernsey	Mighell	Zeigler

Nays, none.

Absent or not voting, 6:

Benson	Husted	Parker	Sjulin
Henningsen	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.

On motion of Senator Corwin, Senate File 378, a bill for an act to amend Chapter three hundred eighty-three (383) Code, 1935, relating to the change in name of the board of railroad commissioners to Iowa state commerce commission, a committee bill, 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, 44:

Augustine	Donohue	Harvey	Moore
Baldwin	Doran	Hill	Mowry
Beardsley	Edwards	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Breen	Faul	Kirketeg	Smith
Byers	Forsling	Leo	Stewart
Corwin	Geske	Levis	Talbott
Cromwell	Gillette	Lundy	Vrba
Dcan	Guernsey	Martin	Whitehill
Dewey	Hart	Mighell	Zeigler

Nays, none.

Absent or not voting, 6:

Benson	Henningsen	Parker	Sjulin
Ellis	Miller		

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.

On motion of Senator Shaw, Senate File 393, a bill for an act to repeal section three thousand eight hundred thirteen (3813) of the 1935 Code; amend section three thousand eight hundred seventeen (3817) of the 1935 Code; repeal section three thousand eight hundred eighteen (3818) of the 1935 Code and to enact a substitute in lieu thereof; to repeal section three thousand eight hundred twenty-two (3822), Code, 1935, and to enact a substitute in lieu thereof, relating to the granting of pardons, suspensions or commutations of sentences and remission of fines by the Governor and to provide for the giving of notice of any application therefor prior to the granting thereof and to provide for the disposition of all papers and documents relating thereto, a committee bill, was taken up and considered.

President Hickenlooper took the chair at 11:51.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 393 by inserting in line six (6) of section four (4) after the word "circulation", the following: ", one of which shall be".

Further amend by inserting immediately preceding the word "once" in line seven (7) of section four (4), the following: "the other in the county of the defendant's residence, if a resident of the state; otherwise,

such publication shall be in a newspaper of general circulation published in Polk county, Iowa,".

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, 40:

Baldwin	Doran	Hill	Moore
Beardsley	Edwards	Hoeven	Mowry
Bekman	Ellis	Hopkins	Pelzer
Berg	Elthon	Husted	Schadt
Byers	Evans	Kirketeg	Shaw
Corwin	Faul	Leo	Smith
Cromwell	Forsling	Levis	Stewart
Dean	Gillette	Lundy	Talbott
Dewey	Guernsey	Martin	Whitehill
Donohue	Harvey	Mighell	Zeigler

Nays, none.

Absent or not voting, 10:

Augustine	Geske	Miller	Sjulin
Benson	Hart	Parker	Vrba
Breen	Henningsen		

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.

CHANGE IN SPECIAL ORDER

By unanimous consent, on request of Senator Evans, the time for consideration of House File 114, set for 10:30 a. m., Wednesday, was changed to 10:00 a. m. Thursday.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

REPORTS 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 328, 64, 368, 385, 390, 366, and 335. E. P. DONOHUE, *Chairman*.

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be voted out and immediately referred to the Appropriations Committee: Senate Files 227 and 255. E. P. DONOHUE, *Chairman*.

THIRD READING OF BILLS

On motion of Senator Berg, House File 154, a bill for an act to legalize the corporate acts and renewal of the charter of the East Waterloo Hotel Company, of Waterloo, Iowa, 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, 30:

Augustine	Ellis	Henningsen	Mowry
Berg	Elthon	Hoeven	Pelzer
Breen	Faul	Hopkins	Schadt
Byers	Forsling	Husted	Shaw
Dean	Geske	Kirketeg	Smith
Dewey	Guernsey	Leo	Talbott
Doran	Hart	Martin	Whitehill
Edwards	Harvey		

Nays, none.

Absent or not voting, 20:

Baldwin	Cromwell	Levis	Parker
Beardsley	Donohue	Lundy	Sjulin
Bekman	Evans	Mighell	Stewart
Benson	Gillette	Miller	Vrba
Corwin	Hill	Moore	Zeigler

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 Whitehill, House File 210, a bill for an act to legalize the action of the board of supervisors of Marshall county, Iowa, in making transfer of funds in the years 1934, 1935, 1936, 1937 and 1938, from the Marshall county insane fund to the Marshall county poor fund, with report of committee recom-

mending passage, was taken up, considered, and the report of the committee adopted.

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, 31:

Augustine	Edwards	Henningsen	Mowry
Berg	Ellis	Hoeven	Pelzer
Breen	Elthon	Hopkins	Schadt
Byers	Faul	Husted	Shaw
Cromwell	Geske	Kirketeg	Smith
Dean	Guernsey	Leo	Talbott
Dewey	Hart	Lundy	Whitehill
Doran	Harvey	Martin	

Nays, none.

Absent or not voting, 19:

Baldwin	Donohue	Levis	Sjulin
Beardsley	Evans	Mighell	Stewart
Bekman	Forsling	Miller	Vrba
Benson	Gillette	Moore	Zeigler
Corwin	Hill	Parker	

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 Hart, House File 334, a bill for an act to legalize action of the city council of the city of Fort Madison, Iowa, in transferring funds in the amount of \$10,000 from the emergency fund to the general fund, and expending this \$10,000 from the general fund in excess of appropriations and anticipated revenues for such fiscal year, and to make such expenditures legal, binding and valid obligations of the city of Fort Madison, Iowa, 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, 32:

Augustine	Byers	Dewey	Ellis
Berg	Cromwell	Doran	Elthon
Breen	Dean	Edwards	Faul

Forsling	Henningsen	Leo	Schadt
Geske	Hoeven	Martin	Shaw
Guernsey	Hopkins	Moore	Smith
Hart	Husted	Mowry	Talbott
Harvey	Kirketeg	Pelzer	Whitehill

Nays, none.

Absent or not voting, 18:

Baldwin	Donohue	Lundy	Sjulin
Beardsley	Evans	Mighell	Stewart
Bekman	Gillette	Miller	Vrba
Benson	Hill	Parker	Zeigler
Corwin	Levis		

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

Senator Hart 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 276, a bill for an act to make permanent the balance of a temporary transfer of funds in Dickinson county, Iowa, from the bovine tuberculosis fund 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 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, 44:

Augustine	Doran	Harvey	Mighell
Baldwin	Edwards	Henningsen	Mowry
Beardsley	Ellis	Hill	Pelzer
Bekman	Elthon	Hoeven	Schadt
Berg	Evans	Hopkins	Shaw
Breen	Faul	Husted	Smith
Byers	Forsling	Kirketeg	Stewart
Cromwell	Geske	Leo	Talbott
Dean	Gillette	Levis	Vrba
Dewey	Guernsey	Lundy	Whitehill
Donohue	Hart	Martin	Zeigler

Nays, none.

Absent or not voting, 6:

Benson	Miller	Parker	Sjulin
Corwin	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 Hoeven, House File 412, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public, additional to section ten thousand eighty-five (10085) of the Code, 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, 42:

Augustine	Doran	Hill	Mowry
Baldwin	Edwards	Hoeven	Pelzer
Beardsley	Ellis	Hopkins	Schadt
Bekman	Elthon	Kirketeg	Shaw
Berg	Evans	Leo	Smith
Breen	Faul	Levis	Stewart
Byers	Geske	Lundy	Talbott
Corwin	Gillette	Martin	Vrba
Cromwell	Guernsey	Mighell	Whitehill
Dean	Harvey	Moore	Zeigler
Dewey	Henningsen		

Nays, none.

Absent or not voting, 8:

Benson	Forsling	Husted	Parker
Donohue	Hart	Miller	Sjulin

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 Evans, House File 421, a bill for an act to legalize the action of the board of supervisors of Mills county, Iowa, in making expenditures for the purpose of providing workmen's compensation insurance on employees working on roads and bridges from the secondary road maintenance fund, 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, 42:

Augustine	Bekman	Byers	Dean
Baldwin	Berg	Corwin	Dewey
Beardsley	Breen	Cromwell	Doran

Edwards	Guernsey	Levis	Schadt
Ellis	Harvey	Lundy	Shaw
Elthon	Henningsen	Martin	Stewart
Evans	Hill	Mighell	Talbott
Faul	Hoeven	Moore	Vrba
Forsling	Hopkins	Mowry	Whitehill
Geske	Kirketeg	Pelzer	Ziegler
Gillette	Leo		

Nays, none.

Absent or not voting, 8:

Benson	Hart	Miller	Sjulin
Donohue	Husted	Parker	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.

By unanimous consent, on request of Senator Evans, Senate File 290, a companion bill to House File 421, was withdrawn from further consideration.

On motion of Senator Evans, House File 439, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Farmers Mutual Fire Insurance Association of Fremont County, Iowa, and to provide for the renewal of the charter of said Farmers Mutual Fire Insurance Association of Fremont county, Iowa, 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, 42:

Augustine	Edwards	Henningsen	Moore
Baldwin	Ellis	Hill	Mowry
Beardsley	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Breen	Faul	Kirketeg	Shaw
Byers	Forsling	Leo	Stewart
Corwin	Geske	Levis	Talbott
Cromwell	Gillette	Lundy	Vrba
Dean	Guernsey	Martin	Whitehill
Dewey	Hart	Mighell	Ziegler
Doran	Harvey		

Nays, none.

Absent or not voting, 8:

Benson	Donohue	Miller	Sjulin
Berg	Husted	Parker	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.

By unanimous consent, on request of Senator Hill, action was deferred on Senate File 242 and the bill allowed to retain its place on the calendar.

On motion of Senator Guernsey, Senate File 289, a bill for an act to amend section nine thousand twenty-nine (9029), Code, 1935, so as to add to the forms of insurance that may be written by mutual insurance associations, and allow the insurance of property of minors by them; permitting such associations to insure against loss or damage from injury, sickness or death of animals and the cost of furnishing veterinary service; and against loss or damage from smoke, explosion, aircraft, vehicles and riot (including riot attending a strike); and permitting insurance of property of minors on application of an adult parent, friend or guardian who consents to become a member as representing such minor, 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, 42:

Augustine	Edwards	Hill	Mowry
Beardsley	Ellis	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Berg	Evans	Kirketeg	Shaw
Breen	Faul	Leo	Smith
Byers	Forsling	Levis	Stewart
Corwin	Geske	Lundy	Talbott
Cromwell	Gillette	Martin	Vrba
Dean	Guernsey	Mighell	Whitehill
Dewey	Harvey	Moore	Zeigler
Doran	Henningsen		

Nays, none.

Absent or not voting, 8:

Baldwin	Donohue	Husted	Parker
Benson	Miller	Hart	Sjulin

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.

By unanimous consent, on request of Senator Faul, action on Senate File 293 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Talbott, Senate File 401, a bill for an act to amend section two hundred fifty-two (252), Code, 1935, relating to the report of the state highway commission, a committee bill, was taken up and considered.

Senator Talbott moved that the bill be read a third 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	Hart	Moore
Beardsley	Edwards	Harvey	Mowry
Bekman	Ellis	Henningsen	Pelzer
Berg	Elthon	Hill	Schadt
Breen	Evans	Hoeven	Shaw
Byers	Faul	Hopkins	Stewart
Corwin	Forsling	Kirketeg	Talbott
Cromwell	Geske	Leo	Vrba
Dean	Gillette	Martin	Whitehill
Dewey	Guernsey	Mighell	

Nays, none.**Absent or not voting, 11:**

Baldwin	Husted	Miller	Smith
Benson	Levis	Parker	Zeigler
Donohue	Lundy	Sjulin	

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

Senator Talbott 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 Talbott, Senate File 402, a bill for an act

to amend section five thousand two hundred ninety-six-f twenty (5296-f20), Code, 1935, as amended by sections sixteen (16) and thirty-eight (38) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, relating to old age assistance, a committee bill, was taken up and considered.

Senator Levis offered the following amendment and moved its adoption:

Amend Senate File 402 by striking the period (.) at the end of section one (1), and adding the following:

"and inserting after the word 'check' in line eight (8) of said section the words 'to be forwarded by the Division of Old Age Assistance.'"

The amendment was adopted.

Senator Talbott moved that the bill be read a third 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:

Bekman	Ellis	Henningsen	Schadt
Berg	Elthon	Hill	Shaw
Breen	Forsling	Hopkins	Smith
Byers	Geske	Husted	Talbott
Corwin	Gillette	Kirketeg	Vrba
Cromwell	Guernsey	Mowry	Whitehill
Dewey	Hart	Pelzer	Zeigler
Edwards	Harvey		

Nays, 7:

Augustine	Doran	Hoeven	Moore
Beardsley	Faul	Lundy	

Absent or not voting, 13:

Baldwin	Evans	Martin	Parker
Benson	Leo	Mighell	Sjulin
Dean	Levis	Miller	Stewart
Donohue			

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

Senator Talbott 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 Forsling, action on Senate File 403 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Hoeven, House File 24, a bill for an act

to amend section ten thousand two hundred sixty-nine-e one (10269-e1), Code, 1935, relating to thresherman's or cornsheller's lien, 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:

Strike the title of House File 24 and insert the following:

"An act to repeal section ten thousand two hundred sixty-nine-e one (10269-e1) of the Code, 1935, relating to thresherman's or cornsheller's lien and to enact a substitute therefor providing for threshermen's, cornsheller's, combiner's, and cornhusker's liens against the grain for those operating threshing machines, cornshellers, combines and mechanical huskers."

Further amend House File 24 by striking all of section one (1) of the bill and substituting the following:

"Section 1. Section ten thousand two hundred sixty-nine-e one (10269-e1), Code, 1935, is hereby repealed and the following enacted in lieu thereof:

"Any person, firm, corporation or association engaged in operating a machine for the threshing or combining of any kind of grain or seed or for the mechanical husking or shelling of corn, and doing custom threshing, combining, mechanical husking, or corn shelling for hire shall have a first lien on grain and seed threshed or corn shelled or husked for the reasonable value of such services."

The amendments were 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, 39:

Augustine	Edwards	Hill	Moore
Bekman	Ellis	Hoeven	Mowry
Berg	Faul	Hopkins	Pelzer
Breen	Forsling	Husted	Schadt
Byers	Geske	Kirketeg	Smith
Corwin	Gillette	Leo	Talbott
Cromwell	Guernsey	Levis	Vrba
Dean	Hart	Lundy	Whitehill
Dewey	Harvey	Martin	Zeigler
Doran	Henningsen	Mighell	

Nays, none.

Absent or not voting, 11:

Baldwin	Donohue	Miller	Sjulin
Beardsley	Elthon	Parker	Stewart
Benson	Evans	Shaw	

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 Guernsey, action on House File 176 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Lundy, permission was granted to extend an invitation to E. O. Osborn, a druggist of Knoxville, generally known as Iowa's unofficial poet laureate, to appear before the Senate Monday morning, March 27th, at 10:15, to read a few of his poems. This date was set because it happens to be the birthday of Mr. Osborn.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Vrba 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 71.

EDWARD H. VRBA, *Acting Chairman Senate Committee.*

ALBERT STEINBERG, *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 71.

FACKLER MEMORIAL RESOLUTION

Whereas, The Honorable S. E. Fackler, who was a member of the Senate in the Forty-first and Forty-second and Forty-second Extra Sessions General Assemblies from the Sixth District comprising Adams and Taylor counties, died at his home in Prescott, Iowa, on August 23, 1938, therefore,

Be It Resolved by the Senate of the Forty-eighth General Assembly: That a committee of three be appointed to draft a suitable resolution commemoating his life, character and service to the state and nation.

O. J. KIRKETEG.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 8, 1939, he had approved the following:

Senate File 97, authorizing counties to expend any balance remaining from primary road bond issues authorized or sold for road purposes.

Also that, on March 13, 1939, he had approved the following:

Senate File 141, extending cigarette permits to July 5, 1939.

Senate File 147, relating to building and loan associations and corporations for pecuniary profit.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 15, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. V. A. Bloomquist, pastor of the Methodist Episcopal church of Columbus Junction.

The Journal of March 14th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Zeigler, from school directors of Fairfield, favoring enactment of Senate File 120.

By Senator Forsling, from citizens of Sioux City, favoring enactment of Senate File 17.

By Senator Gillette, from citizens of Dickinson county, favoring enactment of Senate File 169.

By Senator Gillette, from the Recreation Lay Committee of Spencer, favoring enactment of House File 536.

By Senator Gillette, from citizens of Spencer, opposing substitution of Senate File 222 for Senate File 17, and favoring enactment of Senate File 17.

By Senator Cromwell, from Local No. 525, Building Laborers' Union, of Burlington, favoring enactment of House Files 490, 491 and 569, and Senate Files 279, 280 and 281.

By Senator Pelzer, from citizens of Linn county, favoring enactment of House File 431.

By Senator Doran, from citizens of Boone county, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Corwin, from citizens of Wapello, opposing enactment of Senate File 316 and House File 220.

By Senator Breen, from citizens of Webster county, favoring enactment of House File 431.

By Senator Hopkins, from retail merchants of Adel, favoring House File 372 and Senate File 238.

By Senator Leo, from poultry producers of Benton county, favoring enactment of House File 562.

By Senator Moore, from citizens of Linn county, favoring enactment of House File 431.

By Senator Edwards, from citizens of Kellerton, opposing enactment of House Files 287, 359, 383 and 220, and Senate File 316.

By Senator Cromwell, from the United Brotherhood of Carpenters and Joiners, Union No. 534, of Burlington, favoring enactment of Senate Files 279, 280 and 281.

By Senator Cromwell, from the Burlington Building Trades Council, favoring enactment of House Files 490, 491 and 569, and Senate Files 279, 280 and 281.

By Senator Cromwell, from the Structural Steel Workers Union No. 577, of Burlington, favoring enactment of House Files 490, 491 and 569, and Senate Files 279, 280 and 281.

By Senator Cromwell, from Roofers' Local No. 84, of Burlington, favoring enactment of House Files 490, 491 and 569, and Senate Files 279, 280 and 281.

By Senator Bekman, from cosmetologists of Ottumwa, opposing enactment of House File 226.

INTRODUCTION OF BILLS

Senate File 407, by committee on claims, a bill for an act to make appropriations to the following named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with State Highway Equipment, or on account of acts of commission or omission by the State Highway Commission or its employees.

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 appropriations to Vern Logan, Frank Bunetta, George Cebuhar, Noah Murphy, Tony Briskey, Lester Haseltine, Elmer Banks, Dick Maiwald, Barney Battistone, Lester White, Wm. Kauzlarich, Dewey Fogelson, John Pernei, Treasurer of United Mine Workers of America, No. 13, and W. Scott Reiniger, Des Moines, reporter of case.

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 the Electric Equipment Company, Des Moines, Iowa.

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 Melvin Apel, Rudd, Iowa.

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 Amana Society, Kathryn Boles, Chickasaw County, City of Cedar Falls, Walter Kneisel, Linn County, Otto J. Long, Muscatine County, Pure Ice Company, Jennie Edmunson Memorial Hospital, Sarah Starr, C. H. Stoner, and the City of Iowa City.

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 appropriations to the Readlyn Savings Bank at Readlyn, Iowa, the Farmers' State Bank at Plainfield, Iowa, the American Savings Bank at Tripoli, Iowa, and the Citizens Savings Bank at Avoca, Iowa.

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

Senate File 413, by committee on county and township affairs, a bill for an act to authorize counties to anticipate revenues, to insure anticipatory warrants and certificates and to negotiate loans on such warrants and certificates.

Read first and second times and referred to sifting committee.

Senate File 414, by committee on judiciary 1, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Farmers Mutual Insurance Association of Corning, Iowa, and to provide for the renewal of the charter of said Farmers Mutual Insurance Association.

Read first and second times and referred to sifting committee.

Senate File 415, by committee on consolidation and co-ordination, a bill for an act amending Chapter one hundred sixty-six (166), Code, 1935, to provide that the state board of social welfare shall be the board of control.

Read first and second times and referred to sifting committee.

MEMORIAL RESOLUTION CONSIDERED

Senator Kirketeg called up the memorial resolution for the late Honorable S. E. Fackler, found on page 634 of the Journal.

On motion of Senator Kirketeg, the resolution was adopted, and the President appointed as members of the committee Senators Kirketeg, Edwards, and Hopkins.

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 indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 123, a bill for an act relating to pension funds.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 127, a bill for an act relating to the powers and duties of permanent park boards.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 131, a bill for an act relating to the federal maternity and infancy act.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 186, a bill for an act relating to the dairy industry.

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

House File 66, a bill for an act relating to the installation of mechanical signals on motor vehicles.

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

House Concurrent Resolution 17 providing for a special recess of the 48th General Assembly on Friday afternoon, April 7th.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 186

(1) Amend section eleven (11) by inserting after the word "products" in lines five (5) and six (6) the words "charged with collection of this excise tax".

(2) Further amend section eleven (11) by striking the period at the end of said section and substituting a comma therefor, and adding thereto the following: "provided, that the commission has reasonable ground to believe that all of the tax herein levied has not been collected, or if it has been collected, that it has not been fully accounted for as herein provided."

(3) Amend by adding the following section as section 14:

Sec. 14. The provisions of this act shall be in full force and effect only from the effective date of this act to the thirty-first day of December, 1940, both dates inclusive.

(4) Amend by renumbering section 14 as section 15.

HOUSE CONCURRENT RESOLUTION 17

Whereas, Both Houses of the Legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the passion and death of the Lord to Whom they dedicate their daily efforts;

Whereas, Many members will absent themselves from the legislative halls during that time to attend services in their respective churches; therefore,

Be It Resolved by the House, the Senate Concurring: That a special recess be held on Good Friday afternoon, April 7, during the hours of twelve to three o'clock, out of reverence to the passion and death of our Lord.

HOUSE MESSAGES CONSIDERED

House File 66, a bill for an act to repeal sections four hundred twenty-nine (429) and three hundred forty-six (346) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to signal lamps and signal devices.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator Hill, Senate File 242, a bill for an act to amend section six thousand nine hundred forty-three-f fourteen (6943-f14), Code, 1935, as amended by Chapter one hundred eighty-five (185), section three (3) of the Acts of the Forty-seventh General Assembly, with reference to return by fiduciary of personal net income tax and providing limitations thereon, was taken up and considered.

Senator Hill offered the following amendments and moved their adoption:

Amend Senate File 242 by striking from section one (1), line ten (10), the word "amount" and substituting in lieu thereof the word "income".

Also amend Senate File 242 by striking from section one (1), line eleven (11), the word "amount" and substituting in lieu thereof the word "income".

The amendments were adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend Senate File 242 by adding after the period in line thirteen (13) the following:

"In the event that a fiduciary has heretofore failed to file a return in the settlement of an estate, the estate has been closed, the final report approved, and the fiduciary discharged, it shall be presumed that no income tax is owed the state of Iowa from such estate, which presumption shall be conclusive after January 1, 1940."

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, 44:

Augustine	Edwards	Hill	Moore
Baldwin	Ellis	Hoeven	Mowry
Bekman	Elthon	Hopkins	Pelzer
Benson	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Byers	Forsling	Leo	Smith
Corwin	Geske	Levis	Stewart
Cromwell	Gillette	Lundy	Talbott
Dean	Guernsey	Martin	Vrba
Dewey	Harvey	Mighell	Whitehill
Doran	Henningsen	Miller	Zeigler

Nays, none.

Absent or not voting, 6:

Beardsley	Donohue	Parker	Sjulin
Breen	Hart		

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

Senator Hill offered the following amendment to the title and moved its adoption:

Amend the title to Senate File 242 by adding in line six, immediately after the word "thereon", the following:

"and legalizing discharges of fiduciaries heretofore granted."

The amendment was adopted and the title, as amended, 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 Faul, Senate File 293, a bill for an act to amend and revise the law as it appears in section nine thousand eighty-seven (9087), Code, 1935, relating to the bringing of actions against certain insurance exchanges, 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 adding after the word "individually" in line twenty (20), section one (1), the following: "on account of their connection with or membership in such reciprocal exchange".

The amendment was adopted.

Senator Mowry offered the following amendment and moved its adoption:

Amend section one (1) of Senate File 293 by striking out the period (.) following the word "provided" in line twenty-one (21) and adding the following: ", however the provisions of this act shall not restrict the right of any one to maintain and prosecute his or her cause of action against the person liable for the injury or damage and the service of notice of the commencement of action upon such person in the manner provided for the commencement of actions as set out under Chapter four hundred eighty-nine (489), of the Code, 1935."

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 9:

Cromwell	Harvey	Hopkins	Mowry
Ellis	Henningsen	Miller	Talbott
Gillette			

Nays, 21:

Baldwin	Evans	Husted	Shaw
Beardsley	Faul	Levis	Sjulin
Breen	Geske	Lundy	Smith
Dean	Guernsey	Mighell	Whitehill
Doran	Hill	Pelzer	Zeigler
Elthon			

Absent or not voting, 20:

Augustine	Corwin	Hart	Moore
Bekman	Dewey	Hoeven	Parker
Benson	Donohue	Kirketeg	Schadt
Berg	Edwards	Leo	Stewart
Byers	Forsling	Martin	Vrba

The amendment was lost.

Senator Faul moved that the bill be read a third 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	Dewey	Hill	Moore
Baldwin	Doran	Hoeven	Schadt
Beardsley	Edwards	Hopkins	Shaw
Bekman	Elthon	Husted	Sjulin
Benson	Evans	Kirketeg	Smith
Berg	Faul	Leo	Stewart
Breen	Forsling	Levis	Vrba
Byers	Geske	Lundy	Whitehill
Cromwell	Guernsey	Mighell	Zeigler
Dean	Harvey	Miller	

Nays, 5:

Ellis	Henningsen	Mowry	Talbott
Gillette			

Absent or not voting, 6:

Corwin	Hart	Parker	Pelzer
Donohue	Martin		

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

Senator Faul 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 Forsling, action

on Senate File 403 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Guernsey, House File 176, a bill for an act to provide for the defining and licensing of refrigerated locker plants, and to provide a lien upon the food stored therein in favor of the lessor, was taken up and considered.

Senator Evans offered the following amendment and moved its adoption:

Amend House File 176 by striking the figures "17" in line three (3) of section nine (9) and inserting in lieu thereof the figures "15".

The amendment was 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, 46:

Augustine	Donohue	Henningsen	Mowry
Baldwin	Doran	Hill	Pelzer
Beardsley	Edwards	Hoeven	Schadt
Bekman	Ellis	Hopkins	Shaw
Benson	Elthon	Husted	Sjulin
Berg	Evans	Kirketeg	Smith
Breen	Faul	Leo	Stewart
Byers	Forsling	Levis	Talbott
Corwin	Geske	Lundy	Vrba
Cromwell	Gillette	Mighell	Whitehill
Dean	Guernsey	Moore	Zeigler
Dewey	Harvey		

Nays, none.

Absent or not voting, 4:

Hart	Martin	Miller	Parker
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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 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.

By unanimous consent, on request of Senator Evans, House File 176, as amended, was messaged to the House immediately.

By unanimous consent, on request of Senator Evans, Senate File 130, a companion bill to House File 176, was withdrawn from further consideration.

By unanimous consent, on request of Senator Kirketeg, action on Senate File 328 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Donohue, action on Senate File 64 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Baldwin, Senate File 368, a bill for an act to provide that fire equipment of cities and towns, regardless of the type of government, may be used outside of the corporate limits of such cities and towns under regulations prescribed by the council; and to provide that firemen operating equipment outside the corporate limits of cities and towns shall have the rights and privileges provided by Chapter three hundred twenty-two (322) and three hundred twenty-two-F one (322-F1), Code, 1935, 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	Edwards	Hopkins	Mowry
Baldwin	Ellis	Husted	Pelzer
Beardsley	Elthon	Kirketeg	Schadt
Berg	Faul	Leo	Shaw
Byers	Geske	Levis	Smith
Corwin	Guernsey	Lundy	Stewart
Cromwell	Harvey	Martin	Talbott
Dean	Henningsen	Mighell	Vrba
Dewey	Hill	Miller	Whitehill
Donohue	Hoeven	Moore	Zeigler
Doran			

Nays, none.

Absent or not voting, 9:

Bekman	Evans	Gillette	Parker
Benson	Forsling	Hart	Sjulin
Breen			

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 Baldwin, Senate File 385, a bill for an

act to amend section one (1), Chapter one hundred forty-five (145), Acts of the Forty-seventh General Assembly, defining bona fide subscribers of official newspapers, was taken up and considered.

Senator Baldwin offered the following amendment and moved its adoption:

Strike from line ten (10), the words "Further the board shall determine the status of", and capitalize the letter "t" of the word "those" in line ten (10).

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, 44:

Augustine	Donohue	Henningesen	Moore
Baldwin	Doran	Hill	Mowry
Beardsley	Edwards	Hoeven	Schadt
Benson	Ellis	Hopkins	Shaw
Berg	Elthon	Kirketeg	Sjulin
Breen	Evans	Leo	Smith
Byers	Geske	Levis	Stewart
Corwin	Gillette	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler

Nays, none.

Absent or not voting, 6:

Bekman	Forsling	Parker	Pelzer
Faul	Husted		

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 Whitehill, Senate File 390, a bill for an act to repeal Chapter one hundred sixty-eight (168) of the Code, 1935, relating to the Iowa Soldiers Home, located at Marshalltown, and to enact a substitute therefor, 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, 47:

Augustine	Doran	Hill	Mowry
Baldwin	Edwards	Hoeven	Pelzer
Beardsley	Ellis	Hopkins	Schadt
Bekman	Elthon	Husted	Shaw
Benson	Evans	Kirketeg	Sjulin
Berg	Faul	Leo	Smith
Byers	Forsling	Levis	Stewart
Corwin	Geske	Lundy	Talbott
Cromwell	Gillette	Martin	Vrba
Dean	Guernsey	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler
Donohue	Henningsen	Moore	

Nays, none.

Absent or not voting, 3:

Breen	Hart	Parker
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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 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.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Vrba 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 46 and 382.

EDWARD H. VRBA, *Acting Chairman Senate Committee.*
ALBERT STEINBERG, *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 46 and 382.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 14, 1939, he had approved the following:

Senate File 153, a bill for an act to amend section 4275, Code, 1935, relating to public high school attendance.

REPORTS 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 8, 33, 52, 62, 69, 76, 78, 119, 317, 32, 217, 307, 238, 296, and 442, and Senate Files 406, 330, 331, 244, 168, 88, 57, 232, and 109.

E. P. DONOHUE, *Chairman*.

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bill under consideration and recommends that it be voted out of the committee and immediately referred to the appropriations committee: Senate File 166.

E. P. DONOHUE, *Chairman*.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 334 passed the Senate and also the vote by which it went to its third reading.

STANLEY L. HART.

REPORT OF COMMITTEE

Senator Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 227, a bill for an act to create an agricultural land credit fund; to provide for appropriation of funds to apply as credit on taxes on agricultural lands; prescribing procedure for allocation of funds; providing a method of allocating funds to special charter cities; to prescribe the procedure for the making of such credit; to define agricultural lands and providing for the making of claims for credit as provided in this act; and to provide a method of appeal from the act of the boards of supervisors of the several counties relating to the said agricultural land credit, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 255, a bill for an act to provide for control and eradication of Bang's disease in cattle, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 271, a bill for an act to appropriate the sum of \$243.75 to the Moore Radio Shop, Chariton, Iowa, in payment of the loud speaker system in the House of Representatives, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *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 appropriations to the following named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with State Highway equipment, or on account of acts of commission or omission by the State Highway Commission or its employees, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *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 appropriations to Vern Logan, Frank Bunetta, George Cebuhar, Noah Murphy, Tony Briskey, Lester Haseltine, Elmer Banks, Dick Maiwald, Barney Battistone, Lester White, Wm. Kauzlarich, Dewey Fogelson, John Pernel, Treasurer of United Mine Workers of America, No. 13, and W. Scott Reiniger, Des Moines, reporter of case, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *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 the Electric Equipment Company, Des Moines, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *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 Melvin Apel, Rudd, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *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 Amana Society, Kathryn Boles, Chickasaw county, city of Cedar Falls, Walter Kneisel, Linn county, Otto J. Long, Muscatine county, Pure Ice Company, Jennie Edmunson Memorial Hospital, Sarah Starr, C. H. Stoner, and

the city of Iowa City, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *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 appropriations to the Readlyn Savings Bank at Readlyn, Iowa, the Farmers' State Bank at Plainfield, Iowa, the American Savings Bank at Avoca, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 255 by striking from section twenty (20), lines three (3) and four (4), the following:

"two hundred twenty-five thousand dollars (\$225,000.00)" and by inserting in lieu thereof:

"One hundred seventy-five thousand dollars (\$175,000.00)".

SANFORD ZEIGLER, JR.

MR. PRESIDENT: Amend Senate File 64 by striking section 1 and substituting in lieu thereof the following:

"Section 1. Scope. The provisions of this act shall apply to all assistants and employees of the State Highway Commission who are actually engaged in the work of maintaining the highways, including foremen directly engaged in the supervision of maintenance employees, and including mechanics employed in shops used in connection with highway maintenance."

Also amend Senate File 64 by striking all of section seven (7) and substituting in lieu thereof the following:

"Sec. 7. Present Employees. Persons regularly holding positions of employment within the scope of this act on the date this act becomes effective shall be appointed to and shall retain their positions under civil service only after passing noncompetitive practical examinations involving only the duties of the position they hold on the date of the taking effect of this act. The board shall within one (1) year following the effective date of this act prepare and give once to all such incumbents a qualifying examination as herein provided."

E. P. DONOHUE.

MR. PRESIDENT: Amend House File 442 by striking all of section one (1) and substituting in lieu thereof the following:

"Section 1. The proceedings heretofore taken by the town council of the incorporated town of West Okoboji, Dickinson county, Iowa, whereby on October 11, 1936, they issued warrant number 906 for \$500.00, and on October 27, 1936, they issued warrant number 927 for \$500.00 are

hereby declared to be legally sufficient, and said warrants are declared to be as valid as if every provision of law had been complied with, by said council, in the issuance of said warrants." L.S.GILLETTE.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 16, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Father J. J. Welsh, of St. Patrick's church of Melrose.

The Journal of March 15th was corrected and approved.

PROOF OF PUBLICATION

This is to certify that, as Secretary of the Senate, I have received proof of publication of House File 270, a proposed bill legalizing proceedings of the board of supervisors of Carroll county.

WALTER H. BEAM, *Secretary.*

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from citizens of Black Hawk county, opposing enactment of House File 155 and Senate Files 398 and 399.

By Senator Bekman, from citizens of Wapello county, opposing a change in the dates for shooting quail.

By Senator Talbott, from citizens of Poweshiek county, favoring enactment of House File 431.

By Senator Augustine, from cattle owners of Mahaska county, favoring enactment of Senate File 255.

By Senator Mowry, from citizens of Jasper county, favoring enactment of Senate File 120.

By Senator Gillette, from poultry producers of Kossuth, Emmet and Dickinson counties, favoring enactment of House File 562.

By Senator Kirketeg, from citizens of Brooks, opposing any legislation to amend the manner of electing county superintendents of schools.

By Senator Shaw, from citizens of Pocahontas county, favoring enactment of House File 96.

By Senator Shaw, from members and friends of Townsend Club No. 1 of Alta, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Breen, from citizens of Webster county, favoring enactment of House File 431.

INTRODUCTION OF BILLS

Senate File 416, by committee on claims, a bill for an act to make an appropriation to Des Moines county, Iowa.

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 Vera B. Tripp, Newton, Iowa.

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 Mrs. Olive Davis, Newton, Iowa.

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

Senate File 419, by committee on appropriations, a bill for an act to make an appropriation of state funds to the Iowa Industrial Commissioner for the payment of compensation benefits.

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 Brown & Son, Cedar Falls, Iowa; Foster's Funeral Home, Webster City, Iowa; Larkin-Knutson, New Hampton, Iowa; W. H. Longnecker, Eldora, Iowa; R. W. Mansfield, Malvern, Iowa; Frank H. Raynor, Glenwood, Iowa; Carl G. Schultz, Monona, Iowa; Thomas Funeral Service, Carlisle, Iowa; Joe Gantz, Sioux City, Iowa; P. E. Kehoe, Farley, Iowa; and Bessie K. Regel, Charles City, Iowa.

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

Senate File 421, by committee on agriculture, a bill for an act to amend section twenty-eight hundred ninety-four (2894), Code, 1935, and Chapter one hundred thirty-six (136), Code, 1935, relating to fairs and agricultural societies, and to repeal sections twenty-nine hundred two-d one (2902-d1), twenty-nine hundred twenty-one (2921), twenty-nine hundred twenty-two (2922), and twenty-nine hundred twenty-three (2923), Code, 1935, relating to state aid for agricultural societies and for short courses in agriculture.

Read first and second times and referred to sifting committee.

Senate File 422, by committee on agriculture, a bill for an act to make an appropriation for the purchase, distribution, storage and application of materials, and for other necessary, incidental, miscellaneous expenses connected with the prevention and control of major epidemic outbreaks of grasshoppers, chinch bugs, army worms, Japanese beetles, and other crop pests, and crop diseases.

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

Senate File 423, by committee on insurance, a bill for an act to repeal subdivisions one (1), two (2) and three (3) of section eighty-nine hundred twenty-seven (8927), Code 1935, and to enact a substitute therefor relating to investments of insurance companies other than life.

Read first and second times and referred to sifting committee.

Senate File 424, by committee on consolidation and co-ordination, a bill for an act providing that legal work of the state shall be under the direction of the attorney general.

Read first and second times and referred to sifting committee.

By unanimous consent, on request of Senator Evans, action on House File 114, set for a special order at 10:30 a. m., was deferred and the bill was made a special order of business for Tuesday, March 21st, at 10:30 a. m.

On motion of Senator Baldwin, House Concurrent Resolution 17 was taken up and considered.

HOUSE CONCURRENT RESOLUTION 17

Whereas, Both Houses of the Legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the passion and death of the Lord to Whom they dedicate their daily efforts;

Whereas, Many members will absent themselves from the legislative halls during that time to attend services in their respective churches; therefore,

Be It Resolved by the House, the Senate Concurring: That a special recess be held on Good Friday afternoon, April 7, during the hours of twelve to three o'clock, out of reverence to the passion and death of our Lord.

The resolution was adopted.

By unanimous consent, on request of Senator Forsling, he offered the following amendment to Senate File 64:

Amend Senate File 64 by striking all after the enacting clause and inserting in lieu thereof all of the subject matter of Senate File 138 following the enactment clause thereof.

Senator Forsling also requested and received unanimous consent to have the printing of the amendment in the Journal waived.

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 176, a bill for an act relating to the defining and licensing of refrigerator plants.

Also: That the House has concurred in Senate amendments to and passed House File 24, a bill for an act relating to thresherman's or cornsheller's lien.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS CONSIDERED

Senator Stewart called up for consideration Senate File 186, amended by the House, and moved that the Senate concur in the following amendments:

(1) Amend section eleven (11) by inserting after the word "products" in lines five (5) and six (6) the words "charged with collection of this excise tax".

(2) Further amend section eleven (11) by striking the period at the end of said section and substituting a comma therefor, and adding thereto the following: "provided, that the commission has reasonable ground to believe that all of the tax herein levied has not been collected, or if it has been collected, that it has not been fully accounted for as herein provided."

(3) Amend by adding the following section as section 14:

Sec. 14. The provisions of this act shall be in full force and effect only from the effective date of this act to the thirty-first day of December, 1940, both dates inclusive.

(4) Amend by renumbering section 14 as section 15.

The motion prevailed and the Senate concurred in the House amendments.

Senator Stewart moved that the bill be read a third time now, as amended, 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	Harvey	Mowry
Baldwin	Doran	Henningsen	Schadt
Bekman	Edwards	Hill	Shaw
Benson	Ellis	Husted	Sjulin
Berg	Elthon	Martin	Smith
Breen	Faul	Mighell	Stewart
Corwin	Forsling	Miller	Talbott
Cromwell	Geske	Moore	Whitehill
Dean	Gillette		

Nays, none.

Absent or not voting, 16:

Beardsley	Guernsey	Kirketeg	Parker
Byers	Hart	Leo	Pelzer
Donohue	Hoeven	Levis	Vrba
Evans	Hopkins	Lundy	Zeigler

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.

By unanimous consent, on request of Senator Baldwin, action on Senate File 64 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Forsling, action on Senate File 366 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Forsling, action on Senate File 403 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Kirketeg, action on Senate File 328 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Faul, action on Senate File 335 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Shaw, action on Senate File 406 was deferred and the bill allowed to retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Corwin, Senate File 330, a bill for an act to make the provisions of Chapter three hundred twenty-two-F1 (322-F1), Code, 1935, relating to retirement systems for policemen and firemen, applicable to special charter cities, 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, 44:

Augustine	Dewey	Henningsen	Moore
Baldwin	Doran	Hill	Mowry
Beardsley	Edwards	Hoeven	Parker
Bekman	Ellis	Hopkins	Schadt
Benson	Elthon	Husted	Shaw
Berg	Faul	Kirketeg	Sjulin
Breen	Forsling	Levis	Smith
Byers	Geske	Lundy	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Whitehill
Dean	Harvey	Miller	Zeigler

Nays, none.

Absent or not voting, 6:

Donohue	Hart	Pelzer	Vrba
Evans	Leo		

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.

On motion of Senator Corwin, Senate File 331, a bill for an act

to legalize the acts of special charter cities in operating under the provisions of Chapter three hundred twenty-two-F1 (322-F1), Code, 1935, providing for retirement systems for policemen and firemen, and in accepting contributions from members of the police and fire departments under the provisions of said Chapter, was taken up and considered.

Senator Corwin offered the following amendment and moved its adoption:

Amend Senate File 331 by changing the period to a comma at the end of Sec. 2 and adding the following:

"and the West Liberty Index, a newspaper published in West Liberty, Iowa."

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, 42:

Augustine	Donohue	Hill	Mowry
Baldwin	Doran	Hoeven	Parker
Beardsley	Edwards	Hopkins	Pelzer
Bekman	Ellis	Husted	Schadt
Benson	Elthon	Kirketeg	Shaw
Berg	Faul	Levis	Sjulin
Byers	Forsling	Martin	Smith
Corwin	Geske	Mighell	Stewart
Cromwell	Gillette	Miller	Talbott
Dean	Guernsey	Moore	Whitehill
Dewey	Harvey		

Nays, none.

Absent or not voting, 8:

Breen	Hart	Leo	Vrba
Evans	Henningsen	Lundy	Zeigler

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.

By unanimous consent, on request of Senator Donohue, action on Senate File 244 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Hill, action on

Senate File 168 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Berg, Senate File 88, a bill for an act to amend section fifty-seven hundred ninety-two (5792), Code, 1935, to authorize the levy of an additional tax not to exceed three-eighths of a mill by certain cities for general park purposes, 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, 38:

Augustine	Dewey	Hill	Miller
Baldwin	Doran	Hoeven	Mowry
Beardsley	Edwards	Hopkins	Schadt
Bekman	Ellis	Husted	Shaw
Benson	Elthon	Kirketeg	Smith
Berg	Faul	Levis	Stewart
Breen	Gillette	Lundy	Talbott
Corwin	Guernsey	Martin	Whitehill
Cromwell	Harvey	Mighell	Zeigler
Dean	Henningsen		

Nays, none.

Absent or not voting, 12:

Byers	Forsling	Leo	Pelzer
Donohue	Geske	Moore	Sjulin
Evans	Hart	Parker	Vrba

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 Baldwin, Senate File 57, a bill for an act to amend subsection six (6) of section eight thousand nine hundred twenty-seven (8927), Code, 1935, relating to investments by insurance companies formed for the purpose of insurance other than life insurance to permit investment of the capital and funds of such insurance companies in the corporate stock of such company in furtherance of a general savings and investment plan for employees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 57 by striking the quote and period in line eight (8) and adding thereto the following: "with the approval of the Iowa State Insurance Commissioner."

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, 41:

Augustine	Donohue	Henningsen	Moore
Baldwin	Doran	Hill	Mowry
Beardsley	Edwards	Hopkins	Pelzer
Benson	Ellis	Husted	Schadt
Berg	Elthon	Kirketeg	Shaw
Breen	Faul	Levis	Smith
Byers	Geske	Lundy	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Whitehill
Dean	Harvey	Miller	Zeigler
Dewey			

Nays, none.

Absent or not voting, 9:

Bekman	Hart	Leo	Sjulin
Evans	Hoeven	Parker	Vrba
Forsling			

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.

By unanimous consent, on request of Senator Faul, action on Senate File 232 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Shaw, action on Senate File 109 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Edwards, House File 8, a bill for an act to repeal Chapter one hundred forty-six (146), Acts of the Forty-seventh General Assembly; to repeal section fifty-four hundred fourteen (5414), Code, 1935, as amended by said Chapter one hun-

dred forty-six (146), and to enact a substitute therefor relating to bounties on certain animals and birds, was taken up and considered.

By unanimous consent, on request of Senator Edwards, action was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Pelzer, House File 33, a bill for an act to amend section six hundred sixteen (616), Code, 1935, relating to county conventions by political parties, was taken up and considered.

President pro tem Hoeven took the chair at 11:18.

Senator Pelzer moved that the bill be read a third 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	Hoeven	Parker
Baldwin	Edwards	Hopkins	Pelzer
Beardsley	Ellis	Husted	Schadt
Benson	Elthon	Kirketeg	Shaw
Berg	Faul	Levis	Sjulin
Breen	Geske	Lundy	Smith
Corwin	Guernsey	Martin	Stewart
Cromwell	Harvey	Miller	Talbott
Dean	Henningsen	Moore	Whitehill
Dewey	Hill	Mowry	Zeigler

Nays, none.

Absent or not voting, 10:

Bekman	Evans	Hart	Mighell
Byers	Forsling	Leo	Vrba
Donohue	Gillette		

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

Senator Pelzer 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 Mowry, House File 52, a bill for an act to amend section twenty-six hundred forty-four (2644), Code, 1935, relating to the definition of infectious and contagious diseases of live stock, and providing for the inclusion of Bang's disease in this classification, was taken up, and considered.

Senator Mowry moved that the bill be read a third 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	Harvey	Moore
Baldwin	Doran	Henningsen	Mowry
Beardsley	Edwards	Hill	Parker
Benson	Ellis	Hoeven	Pelzer
Berg	Elthon	Hopkins	Schadt
Breen	Evans	Husted	Shaw
Byers	Faul	Kirketeg	Sjulin
Corwin	Forsling	Levis	Smith
Cromwell	Geske	Lundy	Talbott
Dean	Gillette	Martin	Whitehill
Dewey	Guernsey	Mighell	Zeigler

Nays, none.

Absent or not voting, 6:

Bekman	Leo	Stewart	Vrba
Hart	Miller		

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

Senator Mowry 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 Faul, House File 62, a bill for an act to legalize and validate ordinance thirty-six hundred nineteen (3619), and amendments thereof, of the city of Des Moines, Iowa, relating to regulating the location and use of buildings, structures and land for trade, industry, commerce, residence or other purposes, regulating and restricting the height of buildings, determining the area of yards and other open spaces, regulating and determining the density of use of land and lot areas and dividing the city into districts, providing for the enforcement thereof, and a board of adjustment, and prescribing penalties for the violation thereof, and to legalize and validate all the acts and proceedings taken by the city council and its officers in the passage, publication and adoption of the form of said ordinance, and to legalize and validate the sufficiency of public hearings in relation thereto and the publicity and notice of the time and place of such hearings, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend House File 62 by striking section four (4) and renumbering the succeeding sections.

The amendment was adopted.

Senator Breen offered the following amendments and moved their adoption:

Amend House File 62 by changing the period (.) to a comma (,) at the end of section 1, and by adding thereto the following: "as of the date of the passage of said ordinance No. 3619."

Further amend by striking out section 2 of said House File 62.

Further amend by renumbering the sections.

President Hickenlooper took the chair at 11:30.

Roll call was requested.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 8:

Baldwin	Lundy	Moore	Parker
Dean	Miller	Mowry	Sjulin

Nays, 25:

Beardsley	Donohue	Harvey	Schadt
Bekman	Doran	Hill	Shaw
Berg	Elthon	Hopkins	Stewart
Byers	Evans	Husted	Talbott
Corwin	Faul	Leo	Whitehill
Cromwell	Forsling	Levis	Zeigler
Dewey			

Absent or not voting, 17:

Augustine	Geske	Henningsen	Mighell
Benson	Gillette	Hoeven	Pelzer
Breen	Guernsey	Kirketeg	Smith
Edwards	Hart	Martin	Vrba
Ellis			

The amendments were lost.

Senator Faul offered the following amendment and moved its adoption:

Amend House File 62 by inserting the words "the law" following the word "and" and preceding the word "now" in line two (2) of the second "Whereas" paragraph.

The amendment was adopted.

Senator Faul moved that the bill be read a third 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:

Baldwin	Dewey	Husted	Shaw
Beardsley	Donohue	Kirketeg	Sjulin
Bekman	Edwards	Leo	Smith
Benson	Elthon	Levis	Talbott
Berg	Faul	Martin	Whitehill
Corwin	Guernsey	Miller	Zeigler
Cromwell	Harvey	Schadt	

Nays, 10:

Doran	Forsling	Hill	Mowry
Ellis	Gillette	Hopkins	Pelzer
Evans	Henningsen		

Absent or not voting, 13:

Augustine	Geske	Lundy	Parker
Breen	Hart	Mighell	Stewart
Byers	Hoeven	Moore	Vrba
Dean			

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

Senator Faul 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 69, 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, 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, 38:

Augustine	Donohue	Henningsen	Mighell
Baldwin	Edwards	Hill	Miller
Bekman	Ellis	Hoeven	Moore
Benson	Elthon	Hopkins	Mowry
Berg	Evans	Husted	Parker
Breen	Faul	Kirketeg	Schadt
Byers	Geske	Leo	Smith
Corwin	Gillette	Levis	Whitehill
Cromwell	Guernsey	Martin	Zeigler
Dewey	Harvey		

Nays, 4:

Doran	Pelzer	Stewart	Talbott
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Absent or not voting, 8:

Beardsley	Forsling	Lundy	Sjulin
Dean	Hart	Shaw	Vrba

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.

By unanimous consent, on request of Senator Cromwell, the claims bills now on the calendar were made a special order of business at 10:30 a. m. Friday.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 2 and 59.

RALPH E. BENSON, *Chairman Senate Committee.*
ALBERT STEINBERG, *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 2 and 59.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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 March, 1939, sent to the Governor for his approval, Senate Files 2 and 59. **RALPH E. BENSON**, *Chairman.*

Passed on file.

REPORTS OF COMMITTEE

Senator Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 166, a bill for an act creating soil conservation districts, 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 be reported out without recommendation:

Amend Senate File 166 by striking the words and figures fifteen thousand dollars (\$15,000.00) in lines two (2) and three (3) of subsection A

of section sixteen (16) and inserting in lieu thereof the words and figures five thousand dollars (\$5,000.00).

L. H. DORAN, *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 Des Moines county, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *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 Vera B. Tripp, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 422, a bill for an act to make an appropriation for the purchase, distribution, storage and application of materials, and for other necessary, incidental, miscellaneous expenses connected with the prevention and control of major epidemic outbreaks of grasshoppers, chinch bugs, army worms, Japanese beetles, and other crop pests, and crop diseases, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *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 Mrs. Olive Davis, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *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 Brown & Son, Cedar Falls, Iowa; Foster's Funeral Home, Webster City, Iowa; Larkin-Knutson, New Hampton, Iowa; W. H. Longnecker, Eldora, Iowa; R. W. Mansfield, Malvern, Iowa; Frank H. Raynor, Glenwood, Iowa; Carl G. Schultz, Monona, Iowa; Thomas Funeral Service, Carlisle, Iowa; Joe Gantz, Sioux City, Iowa; P. E. Kehoe, Farley, Iowa; and Bessie K.

Regel, Charles City, Iowa, from the old age assistance fund, all relating to the division of old age assistance of the state board of social welfare, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File two hundred sixty-six (266) as follows:

1. By striking all of section nine (9) and renumbering the remaining sections.

2. By inserting a comma after the word "limits" in line seven (7) of section seven (7) and inserting the following after the comma: "which age limits shall not apply to those entitled to a preference under Chapter sixty (60), Code, 1935,".

FRANK C. BYERS.

MR. PRESIDENT: Amend Senate File 244 by striking the comma after the word "vehicle" in line six (6) and by striking from lines six (6) and seven (7) the following: "except semi-trailers not designed or equipped to operate under their own power,".

E. P. DONOHUE.

MR. PRESIDENT: Amend section two (2) of House File 8 by striking therefrom lines ten (10) and eleven (11).

L. H. DORAN.

MR. PRESIDENT: Amend Senate File 366, section nine (9) as follows:

1. By inserting in line three (3) after the word "the": "Union Tribune".

2. By inserting in line four (4) after the word "at": "Russell".

3. By inserting in line five (5) after the word "the": "Allerton News".

4. By inserting before the comma (,) in line six (6) the word "Allerton".

H. V. LEVIS.

MR. PRESIDENT: Amend Senate File 64 by striking all of section seven (7) and renumbering the remaining sections.

G. R. HILL.

MR. PRESIDENT: Amend Senate File 335 as follows:

1. Amend by striking the word "Amend", line one (1), section two (2), and inserting immediately following the figures "(8829)", line two (2), section two (2), the words "is amended".

2. Amend by striking the word "Amend", line one (1), section three (3), and inserting after the figure "(8)", line one (1), section three (3), the following: "of section eighty-eight hundred twenty-nine (8829) is amended".

3. Amend by striking the word "Amend", line one (1), section four (4), and inserting immediately after the comma (,) following the figure "8", line two (2), section four (4), the words "is amended".

4. Amend by striking the word "Amend", line one (1), section five (5), and inserting immediately after the figures "(8829)", line two (2), section five (5), the words "is amended".

GEORGE M. FAUL.

MR. PRESIDENT: Amend House File 114 as follows:

1. By striking all of section 31.

2. By adding to section 33 the following: "They shall also transfer from the primary road fund to the farm-to-market road fund on or before September 15, 1939, an additional sum of five hundred ninety-one thousand seven hundred thirty-six dollars (\$591,736.00), and on or before the 15th day of May, 1940, they shall transfer from the primary road fund to the farm-to-market road fund the additional sum of one million, two hundred fifty thousand dollars (\$1,250,000.00), and all funds transferred from the primary road fund as herein provided shall be used to match the federal allotment for farm-to-market roads."

E. P. DONOHUE.

K. A. EVANS.

MR. PRESIDENT: Amend Senate File 406 by striking subsection 2 of section 3.

W. MIGHELL.

MR. PRESIDENT: Amend House File 334 by striking all of section one (1) following the word "year" in line five (5) and inserting in lieu thereof the following: "and in transferring funds in the amount of ten thousand dollars (\$10,000) from the emergency fund to the general fund and making expenditures from and issuing warrants on said general fund in the amount of ten thousand dollars (\$10,000) to cover indebtedness incurred in the carrying on in cooperation with the federal government and the WPA of public projects in said city, are hereby legalized, and said expenditures are hereby declared to constitute legal, binding, and valid obligations and evidences of indebtedness of said city."

STANLEY L. HART.

MR. PRESIDENT: Amend Senate File 328 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Prevention of Waste. The production of, or search for, crude oil, petroleum or gas in the state of Iowa in such manner and under such conditions as to constitute waste of fresh water strata, coal strata, or mineral strata, encountered in any well drilled for oil or gas, or exploratory drilling for same, is hereby prohibited.

Sec. 2. Offset Drilling. If oil or gas is discovered in paying quantities on an adjoining leasehold, and the products therefrom are taken out of the ground and marketed, and said well is within three hundred thirty (330) feet of another lessor's property line, then within ninety (90) days after written notice has been given lessee to the effect that such oil or gas has commenced to be transported off and marketed from the said adjoining premises, the lessee or lessees of the land lying within three hundred thirty (330) feet of the said wells shall begin to drill an offset

well to each of such wells so located, so as to properly protect the lessor from drainage from offsetting wells; and upon failure on his part to so commence said offset well, and complete same with diligence, the said contract and lease shall automatically expire and become null and void.

Sec. 3. Notice to be given State Geologist. Notice shall be given to the State Geologist of the intention to drill, deepen, or plug any well or wells drilled for oil or gas purposes, and of the exact location of each and every such well. In case of drilling, notice shall be given in writing at least five (5) days prior to the commencement of drilling operations for oil and gas.

Sec. 4. Plugging dry and abandoned wells. Dry or abandoned wells must be plugged by confining all oil, gas, or water in the strata in which they occur by the use of mud-laden fluid and in addition to mud-laden fluid, cement and plugs may be used, and all such wells shall first be thoroughly cleaned out of the bottom of the hole and before the casing is removed from the hole, the hole shall be filled from the bottom up to the top with mud-laden fluid of maximum density and which shall weigh at least twenty-five per cent (25%) more than equal volume of water; provided, the state geologist may direct that some other method shall be used. Before plugging dry and abandoned wells, notice shall be given to the state geologist and to all available adjoining lease and property owners and they may be present to witness the plugging of these wells; but plugging shall not be delayed because of the inability to deliver notices to adjoining lease and property owners.

Sec. 5. Log, potential and plugging record to be filed. The owner or operator shall, upon the completion of any well, drilled for oil or gas purposes, file with the state geologist a complete record of log of the same, duly signed and sworn to, upon the blanks to be furnished by the state geologist; and upon plugging any well for any cause whatsoever, a complete record of the plugging thereof shall be made out and fully verified on blanks to be furnished by the state geologist; and producers shall also report in writing, separately, the potential of any producing well, within ten (10) days from the completion of its initial potential test.

Sec. 6. Duty to have forfeited lease released; affidavit of non-compliance to be recorded; notice to land owner; remedies. When any oil or gas lease, heretofore, or hereafter, given on land situated in Iowa and recorded, shall become forfeited by failure of lessee to comply with its provisions or of the Iowa law, it shall be the duty of lessee, within sixty (60) days after date of forfeiture of any such lease to have such lease surrendered in writing, duly acknowledged and placed on record in the county where the leased land is situated, or lease may be released by a marginal release or margin of record thereof, without cost to owner of land described therein. If said lessee shall fail to execute and record a release of such recorded lease within the time provided for, then the owner of land may execute and file with the recorder of the county or counties in which such forfeited lease has been recorded an affidavit of non-compliance in substantially the following form:

AFFIDAVIT OF NON-COMPLIANCE

STATE OF IOWA..... }
County of } ss.

....., being first duly sworn, upon his oath, deposes and says that he is..... as referred to in an oil and gas mining lease datedday of, 19....., and which lease is recorded in volume..... page..... of the county records of.....county,, and which said lease covers the following described lands.....

And further, deponent says that onday of.....19..... under the terms of said lease, there should have been paid to him or deposited to his credit in the.....bank of..... the sum of.....DOLLARS (\$.....), the payment of which was necessary in order to keep the above described lease in force and effect. Deponent hereby swears the above payment has never been made to him or his representatives, in money or otherwise, nor has same been deposited to his credit in the above bank.

And further, deponent says that there has been no drilling or development of any nature or kind whatsoever done on the land covered by the lease referred to herein, as called for under the terms of said lease.

.....
.....
Subscribed and sworn to before me, a Notary Public in and forCounty, Iowa, this.....day of....., 19.....
My commission expires.....

Notary Public

AFFIDAVIT OF THE BANKER

STATE OF IOWA..... }
County of } ss.

I,, (Cashier) (President) of theBank of..... being first duly sworn upon my oath, hereby declare there has not been deposited to the credit of..... in the.....Bank of..... by..... or any other party, any sum of money whatsoever, in payment of rental under the terms of said oil and gas mining lease herein referred to.

Witness my hand this.....day of....., 19.....

.....
(Cashier) (President) of.....Bank

Subscribed and sworn to before me, a Notary Public in and for said county and state on the.....day of....., 19.....
My commission expires.....

Notary Public

And file same with the recorder of county or counties in which such forfeited lease has been recorded.

If the lessee shall within thirty (30) days after the filing of such affidavit, give notice in writing to the county recorder of the county where

said land is located that said lease has not been forfeited and that said lessee still claims that said lease is in full force and effect, then the said affidavit shall not be recorded but the county recorder shall notify the owner of the land of the action of the lessee, and the owner of the land shall be entitled to the remedies provided by this Act for the cancellation of such disputed lease. If the lessee shall not notify the county recorder as above provided, then the county recorder shall record said affidavit, and thereafter the record of the said lease shall not be notice to the public of the existence of said lease or of any interest therein or rights thereunder, and said record shall not be received in evidence in any court of the state on behalf of the lessee against the lessor, and said lease shall stand forfeited.

Sec. 7. Action to obtain lease; damages, costs and attorney's fees; attachment. Should the owner of such lease neglect or refuse to execute a release as provided by this act, or contend lease is in full force and effect, then the owner of the leased premises may sue in any court of competent jurisdiction to obtain such release, and he may also recover in such action the sum of one hundred dollars (\$100.00) as damages, and all costs, together with a reasonable attorney's fee for preparing and prosecuting the suit, and he may also recover any additional damages that the evidence in the case will warrant. In all such actions, writs of attachment may issue as in other cases.

Sec. 8. Extension upon contingency, affidavit. If a recorded lease contains the statement of any contingency upon the happening of which the term of any such lease may be extended, the owner of said lease may at any time before the expiration of the definite term of said lease file with said county recorder an affidavit setting forth the description of the lease, that the affiant is the owner thereof and the facts showing that the required contingency has happened, or the record of such lease shall not impart notice to the public of the continuance of said lease. This affidavit shall be recorded in full by the county recorder and such record together with that of the lease shall be due notice to the public of the existence and continuing validity of said lease, until the same shall be forfeited, cancelled, set aside, or surrendered according to law.

Sec. 9. Liens for labor or materials and of contractor and subcontractor; manner of perfecting liens, enforcement of liens. Provisions of Chapter four hundred fifty-one (451) of the Code, 1935, as to mechanic's liens and/or labor and materials furnished for improvements on real estate and of contractors and subcontractors, shall apply to labor and materials furnished for gas and/or oil wells, or pipe lines, and such liens shall not attach on the real estate, but shall attach to the whole of the lease held, and upon the gas and/or oil wells, buildings and appurtenances and pipe lines for which said labor or materials were furnished, and shall be perfected and enforced as provided by said chapter.

Sec. 10. State or any municipality to have authority to execute leases. The state or any municipality is hereby authorized to enter into a gas or oil lease upon such terms as may be agreed upon, subject to the approval of the district court of the county in which the land is located, upon filing an application in the district court of such county and by

giving notice to the public by publishing a notice of the said application for four (4) weeks in the newspaper designated for legal publications in said county stating the time and place where said application will come on for hearing and that objections thereto will be heard at such time.

Sec. 11. Alienation of oil and gas and mineral rights. No contract alienating gas, oil, or mineral rights or royalties from the title to real estate shall be valid or binding for a period exceeding twenty-one (21) years.

Sec. 12. Invalidation. If any section, subsection, paragraph or provision of this act shall be held to be invalid by any court for any reason it shall be presumed that this act would have been passed by the legislature without such invalid section, subsection, paragraph or provision, and such finding shall not in any way affect the remainder of this act.

O. J. KIRKETEG.

MR. PRESIDENT: 1. Amend Senate File 407 by striking the words "the following" in line one of the title and inserting in lieu thereof the word "certain".

2. Amend Senate File 407 by inserting after the word "Fund" in line two of section one (1) before the comma (,) the words "of the state".

FRED CROMWELL.

MR. PRESIDENT: Amend Senate File 408 as follows:

1. By inserting in section one (1), line two (2), after the word "fund" the words "of the state".

2. By inserting in section one (1), line twenty-four (24), after the word "Board", the following: "the addresses of all of said claimants being Centerville, Iowa, except the last two, who are of Des Moines, Iowa".

3. By striking from section two (2), line four (4), the second "the", and inserting in lieu thereof the word "said".

FRED CROMWELL.

MR. PRESIDENT: 1. Amend Senate File 411, section one (1), line two (2), by inserting after the word "fund" the words "of the state".

2. Amend Senate File 411, section one (1), line three (3), by inserting after the word "Society" a comma (,) and the words "Amana, Iowa".

3. Amend Senate File 411, section one (1), line seven (7), by inserting after the word "Boles" a comma (,) and the words "Glenwood, Iowa".

4. Amend Senate File 411, section one (1), line twenty (20), by inserting after the word "Kneisel" a comma (,) and the words "Horton, Kansas".

5. Amend Senate File 411, section one (1), line twenty-nine (29), by inserting after the word "Long" a comma (,) and the words "Keosauqua, Iowa".

6. Amend Senate File 411, section one (1), line thirty-eight (38), by inserting after the word "Company" a comma (,) and the words "Mt. Ayr, Iowa".

7. Amend Senate File 411, section one (1), line forty-two (42), by inserting after the word "Hospital" a comma (,) and the words "Council Bluffs, Iowa".

8. Amend Senate File 411, section one (1), line forty-six (46), by inserting after the word "Starr" a comma (,) and the words "Council Bluffs, Iowa,".

9. Amend Senate File 411, section one (1), line fifty (50), by inserting after the word "Stoner", a comma (,) and the words "of Hardin county, Iowa,".
FRED CROMWELL.

MR. PRESIDENT: (1) Amend Senate File 412 by striking the word "banks" in line six of Section 1, line five of Section 2, and line five of Section 3, and inserting in lieu thereof in each instance the word "bank".

(2) Amend Senate File 412 by inserting after the word "Bank" in line two of Section 1 the following: ", Readlyn, Iowa,".

(3) Amend Senate File 412 by inserting after the word "Bank" in line two of Section 2 the following: ", Plainfield, Iowa,".

(4) Amend Senate File 412 by inserting after the word "Bank" in line two of Section 3 the following: ", Tripoli, Iowa,".

(5) Amend Senate File 412 by inserting after the word "Bank" in line two of Section 4 the following: ", Avoca, Iowa,".
FRED CROMWELL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 17, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. D. B. Sorden, pastor of the Reorganized Church of Jesus Christ of Latter Day Saints, of Lamoni. The Journal of March 16th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from citizens of Grundy Center, favoring enactment of House File 536.

By Senator Harvey, from citizens of Harrison county, favoring enactment of House File 431.

By Senator Breen, from citizens of Webster county, favoring enactment of House File 431.

By Senator Faul, from members of Staves Memorial U. B. Church of Des Moines, favoring enactment of House File 1.

By Senator Faul, from citizens of Polk county, favoring enactment of House File 1.

By Senator Faul, from members of the Highland Park Church of Christ, of Des Moines, favoring enactment of House File 1.

By Senator Faul, from citizens of Polk county, favoring enactment of Senate File 17.

By Senator Zeigler, from merchants of Fairfield, favoring enactment of Senate File 238.

By Senator Zeigler, from citizens of Keokuk, favoring enactment of House File 536.

INTRODUCTION OF BILLS

Senate File 425, by committee on election reform, a bill for an act to amend section eight hundred sixty-four (864), Code, 1935,

relating to canvass of votes, so as to change the order in which candidates shall be listed on the abstract of votes.

Read first and second times and referred to sifting committee.

Senate File 426, by committee on tax revision, a bill for an act to amend sections five thousand ninety-three-f 2 (5093-f2), and five thousand ninety-three-f 3 (5093-f3), Code, 1935, and section five thousand ninety-three-f 29 (5093-f29), Code, 1935, as amended; all relating to the motor vehicle fuel tax.

Read first and second times and referred to sifting committee.

Senate File 427, by committee on tax revision, a bill for an act to amend sections five thousand ninety-three-f two (5093-f2), five thousand ninety-three-f four (5093-f4), five thousand ninety-three-f nine (5093-f9) and five thousand ninety-three-f twenty-nine (5093-f29), Code, 1935, relating to the motor vehicle fuel tax.

Read first and second times and referred to sifting committee.

Senate File 428, by committee on tax revision, a bill for an act to amend section six thousand nine hundred forty-three-c twenty-seven (6943-c27), Code, 1935, relating to the powers of the Iowa state board of assessment and review.

Read first and second times and referred to sifting committee.

Senate File 429, by committee on tax revision, a bill for an act to amend section fourteen (14) of Chapter one hundred ninety-six (196), Acts of the 47th General Assembly, relating to the sales tax act.

Read first and second times and referred to sifting committee.

Senate File 430, by committee on tax revision, a bill for an act to amend section sixty-nine hundred fifty-nine (6959), Code, 1935, relating to the listing by the assessor of exempt property.

Read first and second times and referred to sifting committee.

Senate File 431, by committee on public schools, a bill for an act to amend section four thousand four hundred eighty-seven (4487), Code, 1935, to authorize investment of permanent school fund moneys in bonds of the State of Iowa or any political subdivision thereof at prevailing interest rates and acceptance by

State Comptroller of interest thereon as whole amount of interest due on funds so invested.

Read first and second times and referred to sifting committee.

Senate File 432, by committee on cities and towns, a bill for an act to amend Chapter three hundred four (304), Code, 1935, and to amend Chapter one hundred sixty-five (165), Acts of the Forty-seventh General Assembly, all relating to electric utilities and motor bus lines, and to provide that said Chapter three hundred four (304), Code, 1935, shall be applicable to cities acting under special charter.

Read first and second times and referred to sifting committee.

Senate File 433, by committee on consolidation and co-ordination, a bill for an act repealing section thirty-seven hundred eighty-two (3782), Code, 1935, and enacting a substitute therefor, making the attorney general a member of the board of parole.

Read first and second times and referred to sifting committee.

Senate File 434, by committee on election reform, a bill for an act to amend section eight hundred eighty-seven (887), Code, 1935, relating to double election boards so as to provide for mandatory appointment of double election boards and the time thereof.

Read first and second times and referred to sifting committee.

By unanimous consent, Senator Edwards introduced to the Senate the coach and members of the Diagonal basketball team.

By unanimous consent, Senator Hoeven introduced to the Senate the coach and members of the Newkirk basketball team.

By unanimous consent, Senator Benson introduced to the Senate the coach and members of the Sac City basketball team.

By unanimous consent, Senator Henningsen introduced to the Senate the coach and members of the Clinton basketball team.

By unanimous consent, Senator Pelzer introduced to the Senate Prof. Metcalf and his class in civil government from the Cumberland high school.

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 164, a bill for an act relating to insurance other than life.

Also: 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 create a department of public safety and centralization of all peace officers.

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

House File 151, a bill for an act regulating the sale of young domestic fowls.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 164

(1) Amend section three (3) by inserting after the word "premium" at the end of line three (3) the following: "or membership fee".

(2) Amend section four (4) by striking the period at the end of line eight (8) and by substituting in lieu thereof the following: ", provided, however, said countersigning commission shall not exceed one-half of the total commission on any line, form, or type of insurance."

HOUSE AMENDMENTS TO SENATE FILE 379

(1) Amend section two (2) by inserting after the word "be" in line (2) the words "the attorney general of the state, hereinafter designated as".

Further amend section two (2) by striking all of said section following the first sentence therein.

(2) Amend by striking all of section three (3).

(3) Amend section four (4) by inserting after the first word "The" in line one (1) the words "attorney general as such".

Further amend section four (4) by striking from line ten (10) the words "provisions of this section" and inserting in lieu thereof the words "foregoing limitation as to political party membership".

(4) Amend section five (5) by striking from line five (5) the word and figures "seventeen (17)" and inserting in lieu thereof the following: "twenty (20)".

(5) Amend section six (6) by striking from line three (3) the words "persons and".

(6) Amend section seven (7) by striking from lines one (1) and two (2) thereof the following: ", with the approval of the governor,".

(7) Amend section twelve (12) by inserting in line three (3) thereof after the word "officers" the following: ", not exceeding a total of six (6) weeks' length in any one (1) year,".

Further amend section twelve (12) by inserting in line four (4) fol-

lowing the comma after the word "Iowa" the following: "or the course of instruction in public safety education given at Iowa state college of agriculture and mechanic arts,".

(8) Amend section thirteen (13) as follows:

(a) By striking from line two (2) the words "highway patrol" and inserting in lieu thereof the words "department of public safety".

(b) By striking from line three (3) the word "officers".

(c) By striking from line four (4) the word "officers" and inserting in lieu thereof the word "members".

(9) Amend section sixteen (16) by inserting in line four (4) thereof following the word "bond" the following: ", conditioned upon the faithful discharge of their duties,".

Further amend section sixteen (16) by adding at the end thereof the following: "The premium on said bond shall be paid from the funds of this department."

(10) Amend section eighteen (18) by striking from line three (3) the following: "clothing,".

(11) Amend by striking section nineteen (19) and inserting in lieu thereof the following:

"Sec. 19. The commissioner may cooperate with any recognized agency in the education of the public in highway safety and no money shall be expended for such purpose except it be specifically appropriated by the legislature for that purpose.

Any recognized agency receiving appropriations of state money for public safety shall annually file with the auditor of state an itemized statement of all its receipts and expenditures."

(12) Amend section twenty-three (23) by striking from lines six (6) and seven (7) the following: "thirteen thousand four hundred fifteen (13415),".

(13) Amend section twenty-four (24) by striking all of said section and substituting therefor the following:

Sec. 24. Section thirteen thousand four hundred fifteen (13415), Code, 1935, is hereby repealed and the following enacted in lieu thereof:

"There is hereby created a chief of the division of criminal investigation who shall, subject to the supervision of the commissioner of public safety, have charge of this division."

Sec. 24a. Section thirteen thousand four hundred sixteen (13416), Code, 1935, is amended by striking the words "attorney general" in lines one (1) and two (2) and substituting therefor the words "commissioner of public safety"; further amend by striking from line eight (8) the words "attorney general" and substituting therefor the words "commissioner of public safety"; further amend by striking from line two (2) the word "system" and substituting therefor the word "bureau"; and further amend by striking from line two (2) the word "may" and substituting therefor the word "shall".

(14) Amend by adding after section twenty-five (25) the following sections:

Sec. 25a. Section two thousand eleven (2011), Code, 1935, is hereby amended by striking from the last line thereof the words "state bureau

of investigation" and inserting in lieu thereof the words "commissioner of public safety".

Sec. 25b. Section fifty-one hundred eighty-two-d one (5182-d1), Code, 1935, is hereby amended by striking from line three (3) thereof the words "bureau of investigation" and inserting in lieu thereof the words "commissioner of public safety".

Sec. 25c. Section twelve thousand nine hundred forty-one-d one (12941-d1), Code, 1935, is amended by substituting the words "commissioner of public safety" wherever the words "chief of the state bureau of investigation" appear therein; also by striking the word "chief" from line ten (10) and inserting in lieu thereof the word "commissioner".

Sec. 25d. Section one hundred eighteen (118) of chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, is hereby amended by striking from lines five (5) and six (6) thereof the words "state bureau of investigation" and inserting in lieu thereof the words "commissioner of public safety".

(15) Amend by striking all of section forty-three (43) and substituting in lieu thereof the following:

Sec. 43. Section two hundred twenty-three (223) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, is amended by striking the remainder of the section beginning with the word "maintenance" in line three (3) and substituting therefor the following: "general fund of the state, provided that for each operator's license issued by a county sheriff for which a license fee is paid, the sheriff issuing the same shall be entitled to retain the sum of fifteen (15) cents and for each chauffeur's license, the sum of fifty (50) cents, which shall be credited to the county general fund."

(16) Amend section forty-five (45) by striking the period at the end thereof and inserting in lieu thereof a semicolon and the following: "further amend by striking the words "motor vehicle department" in line five (5) and inserting in lieu thereof the following words: "department of public safety".

(17) Amend section eighty-three (83) by striking all of said section after the comma in line five (5) and inserting in lieu thereof the following: "upon the request of the commissioner of public safety the state commerce commission shall suspend such certificate of necessity until the safety regulations prescribed by the department of public safety are complied with or the commission may revoke the certificate at its discretion."

(18) Amend section eighty-four (84) by striking the period in line six (6) and adding the following: "which it is hereby empowered to do."

(19) Amend section ninety-five (95) by striking from lines one (1) and two (2) thereof the following: ", including the governor and attorney general,".

Further amend said section ninety-five (95) by striking therefrom lines seven (7) to fourteen (14), inclusive.

(20) Amend the title as follows:

(a) Amend line one (1) by inserting after the word "safety" the fol-

lowing: "and designating the attorney general as the chief executive officer thereof".

(b) Amend line four (4) by inserting after the word "activities" the following: ", and relating to inspection and like services of the Iowa state commerce commission".

(c) Amend line ten (10) by striking the following therefrom: "thirteen thousand four hundred fifteen (13415)".

(d) Amend line fifteen (15) by striking therefrom the word "and".

(e) Amend line sixteen (16) by inserting therein preceding the word "Code" the following: "two thousand eleven (2011), fifty-one hundred eighty-two-d one (5182-d1), and twelve thousand nine hundred forty-one-d one (12941-d1)".

(f) Amend line seventeen (17) by inserting after the figures "(1619)" the following: "and section thirteen thousand four hundred fifteen (13415)"; also amend by striking the word "a" at the end of said line.

(g) Amend line eighteen (18) by striking the word "substitute" and inserting in lieu thereof the word "substitutes".

(h) Amend line sixty-five (65) by inserting after the comma following the figures "(97)" the following: "one hundred eighteen (118)".

HOUSE MESSAGES CONSIDERED

House File 151, a bill for an act to amend chapter one hundred sixty-one-D one (161-D1), Code, 1935, relating to the sale of live stock, defining certain terms used in this act, providing certain regulations as to the sale of baby chicks, providing for the licensing of handlers and dealers thereof, and providing penalties for the violation of this act.

Read first and second times and referred to sifting committee.

HOUSE AMENDMENTS CONSIDERED

Senator Faul called up for consideration Senate File 164, amended by the House, and moved that the Senate concur in the following amendments:

(1) Amend section three (3) by inserting after the word "premium" at the end of line three (3) the following: "or membership fee".

(2) Amend section four (4) by striking the period at the end of line eight (8) and by substituting in lieu thereof the following: ", provided, however, said countersigning commission shall not exceed one-half of the total commission on any line, form, or type of insurance."

The motion prevailed and the Senate concurred in the House amendments.

Senator Faul moved that the bill be read a third 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	Dewey	Henningsen	Miller
Beardsley	Ellis	Hoeven	Moore
Bekman	Elthon	Hopkins	Mowry
Benson	Faul	Husted	Pelzer
Berg	Forsling	Kirketeg	Schadt
Breen	Geske	Leo	Shaw
Byers	Guernsey	Lundy	Smith
Cromwell	Hart	Martin	Talbott
Dean	Harvey	Mighell	Vrba

Nays, none.

Absent or not voting, 14:

Baldwin	Edwards	Levis	Stewart
Corwin	Evans	Parker	Whitehill
Donohue	Gillette	Sjulin	Zeigler
Doran	Hill		

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

Senator Faul 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 Dewey, Senate Resolution 14 was taken up and considered.

SENATE RESOLUTION 14

Whereas, A petition was presented to the Executive Council on the 23rd day of February, 1939, bearing the signatures of 44 senators asking the Executive Council to provide a loud speaking amplifying system for the Senate Chamber, and

Whereas, The Executive Council thereafter submitted certain information to the Senate with reference to the cost of such undertaking, and

Whereas, The Senate is of the opinion that a loud speaker amplifying system should be installed in the Senate Chamber forthwith,

Now Therefore, It is recommended by the Senate that we ask the Executive Council to forthwith install an adequate amplifying system in the Senate Chamber, said installation to be made under the supervision of E. F. Brown of the State Radio station, and,

Be It Further Resolved: That the President of the Senate appoint a

committee of three to supervise the location and the purchase of such equipment as may be necessary.

A. CLAIRE DEWEY.	STANLEY L. HART.
O. H. HENNINGSEN.	ROBERT W. HARVEY.
ROSS R. MOWRY.	G. R. HILL.
L. B. FORSLING.	CHARLES B. HOEVEN.
A. E. AUGUSTINE.	GEORGE M. HOPKINS.
HOWARD C. BALDWIN.	ORA E. HUSTED.
WILLIAM S. BEARDSLEY.	O. J. KIRKETEG.
ELMER K. BEKMAN.	RICHARD V. LEO.
RALPH E. BENSON.	HUGH W. LUNDY.
JOHN P. BERG.	FRANK D. MARTIN.
EDWARD BREEN.	WINFRED MIGHELL.
FRANK C. BYERS.	HENRY D. MILLER.
E. P. CORWIN.	MORRIS MOORE.
FRED CROMWELL.	GEORGE L. PARKER.
EARL DEAN.	FRANK PELZER.
E. P. DONOHUE.	FREDERICK C. SCHATZ.
L. H. DORAN.	ALBERT J. SHAW.
HOWARD W. EDWARDS.	CARL O. SJULIN.
FRANK E. ELLIS.	COLFAX C. SMITH.
LEO ELTHON.	PAUL P. STEWART.
K. A. EVANS.	JOHN E. TALBOTT.
GEORGE M. FAUL.	EDWARD H. VRBA.
M. K. GESKE.	B. C. WHITEHILL.
LESTER GILLETTE.	SANFORD ZEIGLER, JR.
HUGH G. GUERNSEY.	B. B. HICKENLOOPER.

On motion of Senator Dewey, the resolution was adopted.

The President announced the appointment of Senators Dewey, Henningson, and Benson as members of the committee to act under Senate Resolution 14.

THIRD READING OF BILLS

The time having arrived for the special orders of business, Senate File 407, a bill for an act to make appropriations to the following named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with State Highway Equipment, or on account of acts of commission or omission by the State Highway Commission or its employees, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell offered the following amendments and moved their adoption:

1. Amend Senate File 407 by striking the words "the following" in line one of the title and inserting in lieu thereof the word "certain".
2. Amend Senate File 407 by inserting after the word "Fund" in line two of section one (1) before the comma (,) the words "of the state".

The amendments were adopted.

Senator Cromwell moved that the bill be read a third 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	Mowry
Beardsley	Ellis	Husted	Parker
Bekman	Elthon	Kirketeg	Pelzer
Benson	Faul	Leo	Schadt
Berg	Forsling	Lundy	Shaw
Byers	Guernsey	Martin	Smith
Cromwell	Hart	Mighell	Stewart
Dean	Harvey	Miller	Talbott
Dewey	Henningsen	Moore	Vrba

Nays, none.

Absent or not voting, 14:

Baldwin	Edwards	Hill	Sjulin
Breen	Evans	Hoeven	Whitehill
Corwin	Geske	Levis	Zeigler
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 Cromwell 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 Cromwell, Senate File 408, a bill for an act to make appropriations to Vern Logan, Frank Bunetta, George Cebuhar, Noah Murphy, Tony Briskey, Lester Haseltine, Elmer Banks, Dick Maiwald, Barney Battistone, Lester White, Wm. Kauzlarich, Dewey Fogelson, John Pernei, Treasurer of United Mine Workers of America, No. 13, and W. Scott Reiniger, Des Moines, reporter of case, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell offered the following amendments and moved their adoption:

Amend Senate File 408 as follows:

1. By inserting in section one (1), line two (2), after the word "fund" the words "of the state".

2. By inserting in section one (1), line twenty-four (24), after the word "Board", the following: "the addresses of all of said claimants being Centerville, Iowa, except the last two, who are of Des Moines, Iowa".

3. By striking from section two (2), line four (4), the second "the", and inserting in lieu thereof the word "said".

The amendments were adopted.

Senator Cromwell moved that the bill be read a third 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	Hopkins	Parker
Beardsley	Ellis	Husted	Pelzer
Benson	Elthon	Kirketeg	Schadt
Berg	Faul	Leo	Shaw
Breen	Forsling	Levis	Sjulin
Byers	Guernsey	Lundy	Smith
Corwin	Hart	Martin	Stewart
Cromwell	Harvey	Mighell	Talbott
Dean	Henningsen	Miller	Vrba
Dewey	Hill	Moore	Zeigler
Donohue	Hoeven	Mowry	

Nays, none.

Absent or not voting, 7:

Baldwin	Edwards	Geske	Whitehill
Bekman	Evans	Gillette	

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

Senator Cromwell 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 Cromwell, Senate File 409, a bill for an act to make an appropriation to the Electric Equipment Company, Des Moines, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell moved that the bill be read a third 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	Moore
Beardsley	Ellis	Hopkins	Mowry
Benson	Evans	Husted	Parker
Berg	Forsling	Kirketeg	Pelzer
Breen	Gillette	Leo	Schadt
Byers	Guernsey	Levis	Shaw
Corwin	Hart	Lundy	Smith
Cromwell	Harvey	Martin	Talbott
Dewey	Henningsen	Mighell	Vrba
Doran	Hill	Miller	Zeigler

Nays, none.**Absent or not voting, 10:**

Baldwin	Donohue	Geske	Stewart
Bekman	Elthon	Sjulin	Whitehill
Dean	Faul		

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

Senator Cromwell 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 Cromwell, Senate File 410, a bill for an act to make an appropriation to Melvin Apel, Rudd, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell moved that the bill be read a third 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	Hopkins	Parker
Beardsley	Edwards	Husted	Pelzer
Benson	Ellis	Kirketeg	Schadt
Berg	Evans	Leo	Shaw
Breen	Forsling	Levis	Sjulin
Byers	Guernsey	Lundy	Smith
Corwin	Hart	Martin	Stewart
Cromwell	Harvey	Mighell	Talbott
Dean	Henningsen	Miller	Vrba
Dewey	Hill	Moore	Zeigler
Donohue	Hoeven	Mowry	

Nays, none.**Absent or not voting, 7:**

Baldwin	Elthon	Geske	Whitehill
Bekman	Faul	Gillette	

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

Senator Cromwell 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 Cromwell, Senate File 411, a bill for an act to make appropriations to Amana Society, Kathryn Boles, Chickasaw County, City of Cedar Falls, Walter Kneisel, Linn County, Otto J. Long, Muscatine County, Pure Ice Company, Jennie Edmunson Memorial Hospital, Sarah Starr, C. H. Stoner, and the City of Iowa City, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell offered the following amendments and moved their adoption:

1. Amend Senate File 411, section one (1), line two (2), by inserting after the word "fund" the words "of the state".

2. Amend Senate File 411, section one (1), line three (3), by inserting after the word "Society" a comma (,) and the words "Amana, Iowa,".

3. Amend Senate File 411, section one (1), line seven (7), by inserting after the word "Boles" a comma (,) and the words "Glenwood, Iowa,".

4. Amend Senate File 411, section one (1), line twenty (20), by inserting after the word "Kneisel" a comma (,) and the words "Horton, Kansas,".

5. Amend Senate File 411, section one (1), line twenty-nine (29), by inserting after the word "Long" a comma (,) and the words "Keosauqua, Iowa,".

6. Amend Senate File 411, section one (1), line thirty-eight (38), by inserting after the word "Company" a comma (,) and the words "Mt. Ayr, Iowa,".

7. Amend Senate File 411, section one (1), line forty-two (42), by inserting after the word "Hospital" a comma (,) and the words "Council Bluffs, Iowa,".

8. Amend Senate File 411, section one (1), line forty-six (46), by inserting after the word "Starr" a comma (,) and the words "Council Bluffs, Iowa,".

9. Amend Senate File 411, section one (1), line fifty (50), by inserting after the word "Stoner", a comma (,) and the words "of Hardin county, Iowa,".

The amendments were adopted.

Senator Evans offered the following amendment and moved its adoption:

Amend Senate File 411 by striking from lines seven (7) and eight (8) the words and figures "one thousand dollars (\$1,000.00)" and inserting in lieu thereof the words and figures "forty-five hundred dollars (\$4,500.00)".

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 411 by striking from lines twenty (20) and twenty-one (21) the words and figures "one thousand dollars (\$1,000.00)" and inserting in lieu thereof the words and figures "twenty-five hundred dollars (\$2,500.00)".

By unanimous consent, on request of Senator Bekman, his amendment was withdrawn.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 411 by striking from lines twenty (20) and twenty-one (21) of section one (1) the words and figures "one thousand dollars (\$1,000.00)" and inserting in lieu thereof the words and figures "fifteen hundred dollars (\$1,500.00)".

The amendment was adopted.

Senator Cromwell moved that the bill be read a third 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	Doran	Henningsen	Moore
Baldwin	Edwards	Hill	Mowry
Beardsley	Ellis	Hoeven	Parker
Bekman	Elthon	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Breen	Faul	Kirketeg	Shaw
Byers	Forsling	Leo	Sjulin
Corwin	Geske	Levis	Stewart
Cromwell	Gillette	Lundy	Talbott
Dean	Guernsey	Martin	Vrba
Dewey	Hart	Mighell	Zeigler
Donohue	Harvey	Miller	

Nays, none.

Absent or not voting, 3:

Benson	Smith	Whitehill
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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 Cromwell 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 Benson 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 24, 154, 176, 210, 276, 412, 421, 439, 443 and 457.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 24, 154, 176, 210, 276, 412, 421, 439, 443 and 457.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 16, 1939, he had approved the following:

Senate File 56, extending the term of office of Thomas McDermott.

Senate File 175, making permanent certain temporary transfers of funds of Monroe county.

Senate File 294, legalizing outstanding warrants by Norway Township, Humboldt county.

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 66 and 327, and Senate Files 414, 400, 404, 204, 119, 334, 320, 181, 367 and 322.

E. P. DONOHUE, *Chairman.*

REQUEST FOR CALL OF THE SENATE

The undersigned members of the Senate request a call of the Senate for Monday, March 20th, 1939 at 10:00 o'clock A. M. for the purpose of considering Senate File 17 and especially for the consideration of motion

to withdraw said Senate File 17 from the Sifting Committee and to place the same upon the calendar of the Senate.

EDWARD BREEN.

A. J. SHAW.

EDWARD VRBA.

C. C. SMITH.

EARL DEAN.

G. R. HILL.

A. CLAIRE DEWEY.

CARL O. SJULIN.

A. E. AUGUSTINE.

WM. S. BEARDSLEY.

L. H. DORAN.

L. S. GILLETTE.

ROSS R. MOWRY.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 403 by striking lines one (1) and two (2) of section two (2) and inserting in lieu thereof the following: "Sec. 2. This act shall become effective July 1, 1939, following its".

ORA E. HUSTED.

MR. PRESIDENT: Amend Senate File 244 by changing the period (.) at the end of line ten (10) to a semicolon (;) and by adding thereto the following:

"and no motor vehicle or combination of motor vehicles used for transporting any other motor vehicle or motor vehicles shall be operated over any highway after January 1, 1940 if such motor vehicle or combination, with or without load, exceeds a height of eight (8) feet, nor if any part of an axle of any motor vehicle being transported is elevated more than three (3) feet above any other axle of the same motor vehicle, nor where any part of a motor vehicle being transported extends over the driver's compartment of the motor vehicle by which it is being transported."

M. X. GESKE.

MR. PRESIDENT: Amend the amendment filed by me on March 16, 1939, to Senate File 64 by inserting after line 10 of Section 9 of said amendment the following:

"Head of department shall be considered to be the individual or group of individuals who are not subordinate to any other individual or group of individuals."

L. B. FORSLING.

MR. PRESIDENT: Amend section 9 of Senate File 227 as follows:

1. By striking from lines two (2) and three (3) the following: "in matter of computation of such credit,";

2. By striking from line three (3) the word "making" and inserting in lieu thereof the word "entering".

CHAS. B. HOEVEN.

MR. PRESIDENT: 1. Amend Senate File 412 by striking from lines two (2) and three (3) of section two (2) "one thousand sixty-eight dollars and six cents (\$1,068.06)" and inserting in lieu thereof "nine hundred nine dollars and seventy-three cents (\$909.73)".

2. Amend Senate File 412 by striking from lines two (2) and three (3) of section three (3) "nine hundred nine dollars and seventy-three cents (\$909.73)" and inserting in lieu thereof "one thousand sixty-eight dollars and six cents (\$1,068.06)".

3. Further amend Senate File 412 by striking out all of Section four (4) and renumbering the remaining sections. **FRED CROMWELL.**

Senator Levis moved to recess until 1:30 p. m.

Senator Donohue offered as a substitute that the Senate adjourn until 10:00 a. m. Monday. The motion prevailed, and the substitution was made.

Roll call was requested.

On the question "Shall the Senate adjourn until 10:00 a. m. Monday?" the vote was:

Ayes, 27:

Augustine	Dean	Guernsey	Miller
Baldwin	Dewey	Hart	Moore
Beardsley	Donohue	Hoeven	Parker
Bekman	Elthon	Husted	Schadt
Breen	Faul	Kirketer	Talbott
Byers	Forsling	Levis	Vrba
Corwin	Geske	Martin	

Nays, 21:

Berg	Gillette	Leo	Shaw
Cromwell	Harvey	Lundy	Sjulin
Doran	Henningsen	Mighell	Smith
Edwards	Hill	Mowry	Stewart
Ellis	Hopkins	Pelzer	Zeigler
Evans			

Absent or not voting, 2:

Benson Whitehill

The motion prevailed and the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 20, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Wayne C. Stauffer, pastor of the First Methodist church of Onawa.

The Journal of March 17th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Zeigler, from rural mail carriers of Van Buren county, favoring enactment of the farm-to-market road bill.

By Senator Berg, from citizens of Black Hawk county, opposing enactment of House File 155 and Senate Files 398 and 399.

By Senator Martin, from Iowa Retail Grocers Association of Scott county, opposing enactment of House File 387.

By Senator Leo, from citizens of Benton, Iowa, Poweshiek and Tama counties, opposing enactment of House File 155.

By Senator Moore, from Class C permit holders of Council Bluffs, opposing enactment of House File 387.

By Senator Harvey, from citizens of Crawford, Carroll, Ida, Sac, Monona, Harrison, Adams, Buena Vista, Montgomery, Page and Union counties, favoring enactment of House File 431.

By Senator Mighell, from independent business men of LeMars, favoring enactment of Senate File 17.

By Senator Cromwell, from the Burlington Trades and Labor Assembly, favoring enactment of Senate Files 279, 280 and 281.

By Senator Stewart, from land owners in the Independent School District of Oelwein, favoring enactment of Senate File 227.

By Senator Baldwin, from Townsend Club No. 2 of Dubuque,

favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Byers, from citizens of Linn county, opposing any change in the pharmacy law, and opposing enactment of House Files 155, 351 and 169, and Senate File 92.

By Senator Byers, from citizens of Linn county, favoring enactment of House File 431.

By Senator Doran, from the Iowa State Old Age Pension Association, Inc., at Roadside Settlement, S. E. 7th and Scott, Des Moines, favoring an amendment to Senate File 17 providing for the earmarking of the chain store tax for old age pensions.

INTRODUCTION OF BILLS

Senate File 435, by committee on election reform, a bill for an act to amend Chapter forty (40), Code of Iowa, 1935, to provide for the conduct of schools of instruction for election boards by the county auditor.

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 House has concurred in Senate amendments to and passed House File 62, a bill for an act legalizing certain ordinances of the city of Des Moines.

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

House File 90, a bill for an act relating to taxes for police department maintenance.

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

House File 270, a bill for an act relating to a temporary transfer of funds.

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

House File 541, a bill for an act relating to the hospital for epileptics and the school for feeble minded.

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

House File 603, a bill for an act relating to the sale and issuance of refunding bonds of the town of Farragut.

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

Senate File 45, a bill for an act to legalize certain default judgments and decrees.

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

Senate File 162, a bill for an act relating to bonds for park commissioners.

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

Senate File 293, a bill for an act relating to insurance exchanges.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 603, a bill for an act to legalize the proceedings relating to the sale and issuance of refunding bonds of the town of Farragut, in the county of Fremont, state of Iowa, and the proceedings providing for the levy of taxes to pay said bonds and the interest thereon.

Read first and second times and referred to sifting committee.

House File 541, a bill for an act to amend Chapter one hundred seventy-two (172) of the Code, 1935, relating to the hospital for epileptics and the school for feeble minded; providing liability for, collection, and payment of the cost of supporting patients of said institution; and repealing section thirty-four hundred seventy-four (3474) of the Code, 1935.

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

House File 270, a bill for an act to make permanent a temporary transfer made October 10, 1938, by authority of the state comptroller of nineteen thousand dollars (\$19,000.00) from the maintenance and construction fund of Carroll county, Iowa, to the poor fund of said county.

Read first and second times and referred to sifting committee.

House File 90, a bill for an act to amend section sixty-two hundred eleven (6211), Code, 1935, relating to the annual levy of a special tax for police maintenance fund in cities having a population of twelve thousand (12,000) or more, regardless of the form of government, and relating to the total millage levy in such cities.

Read first and second times and referred to sifting committee.

SENATE RESOLUTION 15

Senator Mighell offered the following resolution:

Whereas, Agriculture is the basic industry of the State of Iowa on the prosperity of which all other industry and business depend for their existence and success, and the stability of the government and social order is dependent upon the preservation and stability of our farm homes.

Whereas, Such stability is dependent upon the promotion and protection of the family-sized farm by securing to the farm operator his equitable share of the national income, by providing all possible safeguards against the liquidation of farm homes by climatic and business cycles and other sinister forces that are now depleting the farm population of the state.

Whereas, The legislature has now devoted over two-thirds of its probable tenure to the consideration of lesser business interests and routine measures to the exclusion of all fundamental proposals to solve or alleviate the economic status of the farm home.

Whereas, Mortgage foreclosures have greatly increased since the lapse of the moratorium laws thus increasing the already burdensome surplus of farm tenants who are being forced off the land by the forming of larger and ever larger farming units and thereby increasing the army of the unemployed in our cities and towns and in like proportion decreasing the number of paying customers for the merchants while adding to the burden of relief.

Whereas, Such abnormal conditions of surplus and nomadic tenancy result in permanent waste of soil fertility, destruction of community life, and family unity and endanger the health, morals and general welfare of the state as a whole, therefore,

Be It Resolved by the Senate of the Forty-eighth General Assembly, That it is the judgment and desire of the Senate that the legislature shall remain in session so long as need exists for the proper consideration of and action upon all measures proposed or recommended by the committees on agriculture and on tenancy reform which may assist, through closer federal cooperation or independent action by the state, in the stabilization of agriculture on a parity with other industry and labor or alleviate or eliminate the alarming increase in tenancy in Iowa, which with its short time leases and ruinous soil waste threatens the permanent fertility of the land and the social and economic welfare of the tenant and the community in which he lives.

That the laws of Iowa should encourage longer periods of tenure, protect the interests of both landlord and tenant in practices that improve the farm and conserve the soil and extend over good years the fair rental payment due in years of crop shortage or extremely low prices and provide for the arbitration of disputes between landlords and tenants.

That the deficiency judgment should be abolished, the farm homestead of the pioneers be re-established and made secure as the only guarantee

for passing on unimpaired the greatest inheritance of natural wealth any people ever received. That this we hold to be our bounden duty to future generations and, by the grace of God, our greatest privilege.

That we invite all farm organizations and commissions or their representatives who subscribe to these principles to join with us in restoring Iowa to the people.

Senator Mighell asked unanimous consent to suspend the rules and take up Senate Resolution 15 at this time. Objection was made.

FELICITATIONS

By unanimous consent, on request of Senator Baldwin, Senator Byers was introduced as "Grandpa Byers".

By unanimous consent, on request of Senator Berg, Senator Corwin was introduced as "Grandpa Corwin".

By unanimous consent, on request of Senator Corwin, Senator Shaw was introduced as "Grandpa Shaw".

Best wishes were extended.

SPECIAL ORDER

By unanimous consent, on request of Senator Faul, Senate File 232 was made a special order of business for Thursday at 10:30 a. m.

THIRD READING OF BILLS

On motion of Senator Cromwell, Senate File 412, a bill for an act to make appropriations to the Readlyn Savings Bank at Readlyn, Iowa, the Farmers' State Bank at Plainfield, Iowa, the American Savings Bank at Tripoli, Iowa, and the Citizens Savings Bank at Avoca, Iowa, a special order for this time, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell offered the following amendments and moved their adoption:

(1) Amend Senate File 412 by striking the word "banks" in line six of section 1, line five of section 2, and line five of section 3, and inserting in lieu thereof in each instance the word "bank".

(2) Amend Senate File 412 by inserting after the word "Bank" in line two of section 1 the following: ", Readlyn, Iowa,".

(3) Amend Senate File 412 by inserting after the word "Bank" in line two of section 2 the following: ", Plainfield, Iowa,".

(4) Amend Senate File 412 by inserting after the word "Bank" in line two of section 3 the following: ", Tripoli, Iowa,".

(5) Amend Senate File 412 by inserting after the word "Bank" in line two of section 4 the following: ", Avoca, Iowa,".

The amendments were adopted.

Senator Cromwell offered the following amendments and moved their adoption:

1. Amend Senate File 412 by striking from lines two (2) and three (3) of section two (2) "one thousand sixty-eight dollars and six cents (\$1,068.06)" and inserting in lieu thereof "nine hundred nine dollars and seventy-three cents (\$909.73)".

2. Amend Senate File 412 by striking from lines two (2) and three (3) of section three (3) "nine hundred nine dollars and seventy-three cents (\$909.73)" and inserting in lieu thereof "one thousand sixty-eight dollars and six cents (\$1,068.06)".

3. Further amend Senate File 412 by striking out all of section four (4) and renumbering the remaining sections.

The amendments were adopted.

Senator Cromwell moved that the bill be read a third 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	Husted	Parker
Baldwin	Evans	Kirketeg	Pelzer
Beardsley	Faul	Leo	Schadt
Bekman	Geske	Lundy	Shaw
Breen	Guernsey	Martin	Smith
Cromwell	Hart	Mighell	Stewart
Dean	Harvey	Miller	Talbott
Dewey	Henningsen	Moore	Vrba
Edwards	Hoeven	Mowry	Whitehill
Ellis	Hopkins		

Nays, none.

Absent or not voting, 12.

Benson	Corwin	Forsling	Levis
Berg	Donohue	Gillette	Sjulin
Byers	Doran	Hill	Zeigler

The bill having received a constitutional two-thirds majority was declared to have passed the Senate.

Senator Evans offered the following amendment to the title and moved its adoption:

Amend by striking from lines three (3) and four (4) of the title the following: ", and the Citizens Savings Bank at Avoca, Iowa".

The amendment was adopted, and the title as amended was agreed to.

Senator Cromwell 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 Cromwell, Senate File 416, a bill for an act to make an appropriation to Des Moines county, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell moved that the bill be read a third 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	Husted	Parker
Baldwin	Faul	Kirketeg	Pelzer
Bekman	Geske	Leo	Schadt
Breen	Guernsey	Lundy	Shaw
Cromwell	Hart	Martin	Smith
Dean	Harvey	Mighell	Stewart
Dewey	Henningsen	Miller	Talbott
Edwards	Hoeven	Moore	Vrba
Ellis	Hopkins	Mowry	Whitehill
Elthon			

Nays, none.

Absent or not voting, 13.

Beardsley	Corwin	Forsling	Levis
Benson	Donohue	Gillette	Sjulin
Berg	Doran	Hill	Zeigler
Byers			

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

Senator Cromwell 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 Cromwell, Senate File 417, a bill for an act to make an appropriation to Vera B. Tripp, Newton, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell offered the following amendments and moved their adoption:

1. Amend Senate File 417 by inserting after the comma in line six (6)

of section one (1) following the word "Commission" the words "which occurred".

2. Amend Senate File 417 by striking the word "collision" in line three (3) of section three (3) and inserting in lieu thereof the word "accident".

The amendments were adopted.

Senator Cromwell 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, 36.

Augustine	Edwards	Henningsen	Moore
Baldwin	Ellis	Hoeven	Mowry
Beardsley	Elthon	Hopkins	Parker
Bekman	Evans	Kirketeg	Schadt
Benson	Faul	Leo	Shaw
Breen	Geske	Lundy	Stewart
Cromwell	Guernsey	Martin	Talbott
Dean	Hart	Mighell	Vrba
Dewey	Harvey	Miller	Whitehill

Nays, 3.

Husted	Pelzer	Smith
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Absent or not voting, 11.

Berg	Donohue	Gillette	Sjulin
Byers	Doran	Hill	Zeigler
Corwin	Forsling	Levis	

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

Senator Cromwell 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 Cromwell, Senate File 418, a bill for an act to make an appropriation to Mrs. Olive Davis, Newton, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell moved that the bill be read a third 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	Husted	Parker
Baldwin	Evans	Kirketeg	Pelzer
Beardsley	Faul	Leo	Schadt
Benson	Geske	Lundy	Shaw
Breen	Guernsey	Martin	Smith
Cromwell	Hart	Mighell	Stewart
Dean	Harvey	Miller	Talbott
Dewey	Henningsen	Moore	Vrba
Edwards	Hoeven	Mowry	Whitehill
Ellis	Hopkins		

Nays, none.

Absent or not voting, 12.

Bekman	Corwin	Forsling	Levis
Berg	Donohue	Gillette	Sjulin
Byers	Doran	Hill	Zeigler

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

Senator Cromwell 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 Cromwell, Senate File 420, a bill for an act to make appropriations to Brown & Son, Cedar Falls, Iowa; Foster's Funeral Home, Webster City, Iowa; Larkin-Knutson, New Hampton, Iowa; W. H. Longnecker, Eldora, Iowa; R. W. Mansfield, Malvern, Iowa; Frank H. Raynor, Glenwood, Iowa; Carl G. Schultz, Monona, Iowa; Thomas Funeral Service, Carlisle, Iowa; Joe Gantz, Sioux City, Iowa; P. E. Kehoe, Farley, Iowa; and Bessie K. Regel, Charles City, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell moved that the bill be read a third 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	Hopkins	Parker
Baldwin	Elthon	Husted	Pelzer
Beardsley	Evans	Kirketeg	Schadt
Bekman	Faul	Leo	Shaw
Benson	Geske	Lundy	Smith
Breen	Guernsey	Martin	Stewart
Cromwell	Hart	Mighell	Talbott
Dean	Harvey	Miller	Vrba
Dewey	Henningsen	Moore	Whitehill
Edwards	Hoeven	Mowry	

Nays, none.

Absent or not voting, 11.

Berg	Donohue	Gillette	Sjulin
Byers	Doran	Hill	Zeigler
Corwin	Forsling	Levis	

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

Senator Cromwell 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 Forsling, action on Senate File 403 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Kirketeg, Senate File 328, a bill for an act relating to oil and gas wells; defining commission and waste; prevention of waste; offset drilling; notice to be given commission; plugging dry and abandoned wells; log potential and plugging record to be filed; duty of lessee to have forfeited lease released, publication notice, affidavit to be recorded, notice to landowner, remedies; action to obtain release, damages, costs and attorney's fees, attachment; surrender of lease by lessee; record of surrender; record of lease as notice for definite term, extension upon contingency, affidavit; demand for release before bringing action, evidence; lien of contractor on gas and oil leasehold or pipe line for labor and material; filing of statement; lien of subcontractor or materialman on gas and oil leasehold or pipe line; lien statement for labor or materials, filing and record in district court; enforcement of liens; state or any subdivision to have authority to execute leases; alienation of oil and gas and mineral rights; enforcement of act; appeal; penalty for violations; injunction and other remedies; costs, commission to assess; invalidation, was taken up, considered, and the report of the committee adopted.

Senator Kirketeg moved the adoption of the amendment filed by him, found on pages 668-672, inclusive, of the Journal.

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, 38.

Augustine	Ellis	Hoeven	Mowry
Baldwin	Elthon	Hopkins	Parker
Beardsley	Evans	Husted	Pelzer
Bekman	Faul	Kirketeg	Schadt
Benson	Forsling	Leo	Shaw
Breen	Geske	Martin	Smith
Cromwell	Guernsey	Mighell	Talbott
Dean	Hart	Miller	Zrba
Dewey	Harvey	Moore	Whitehill
Edwards	Henningsen		

Nays, none.

Absent or not voting, 12.

Berg	Donohue	Hill	Sjulin
Byers	Doran	Levis	Stewart
Corwin	Gillette	Lundy	Zeigler

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

Senator Kirketeg offered the following amendment to the title and moved its adoption:

Amend Senate File 328 by striking all of the title and inserting in lieu thereof the following:

An act relating to oil and gas wells; prohibiting waste of fresh water strata, coal strata, or mineral strata; offset drilling; notice to be given state geologist; plugging dry and abandoned wells; log, potential and plugging record to be filed; duty to have forfeited lease released, affidavit of non-compliance to be recorded, notice to land owner, remedies; same, action to obtain release, damages, costs and attorney's fees, attachment; extension upon contingency, affidavit; liens for labor or materials and of contractor and subcontractor, manner of perfecting liens, enforcement of liens; state or any municipality to have authority to execute leases; alienation of oil and gas and mineral rights; invalidation.

The amendment was adopted, and the title as amended was agreed to.

Senator Kirketeg 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, action on Senate File 64 was deferred and the bill allowed to retain its place on the calendar.

EXTRA COPIES

By unanimous consent, on request of Senator Whitehill, 300 additional copies of Senate File 105 were ordered printed.

ACTION REGARDING SENATE FILE 17

MR. PRESIDENT: I hereby withdraw my name as a signer of the demand for a call of the Senate filed on Friday, March 17, 1939, with reference to Senate File 17 and the proposed motion to withdraw the same from the Sifting Committee.

C. O. SJULIN.

Announcement was made that Senator Ellis had signed the call.

MR. PRESIDENT: I move that Senate File 17 be withdrawn from the sifting committee and placed upon the Senate calendar.

A. J. SHAW.

EDWARD BREEN.

Senator Breen called up for consideration the foregoing motion filed by Senator Shaw and himself to withdraw Senate File 17 from the sifting committee.

Roll call disclosed that all Senators were present except Senators Gillette and Stewart.

The President instructed the sergeant-at-arms to notify the absentees.

By unanimous consent, on request of Senator Doran, Senator Gillette and Senator Stewart were excused from the call of the Senate.

Senator Donohue raised the point of order that, under Rule 35, the motion to withdraw Senate File 17 was premature.

Senator Donohue moved that action on the pending motion be deferred and made a special order of business at 10:15 a. m. Thursday, March 23d.

Senator Smith moved the previous question.

On motion of Senator Hopkins, the Senate recessed until 2:15 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

SENATE FILE 2 RECALLED

By unanimous consent, on request of Senator Hill, Senate File 2 was recalled from the Governor for further consideration by the Senate.

Roll call disclosed the presence of all Senators except Senators Geske, Gillette, Moore and Stewart.

By unanimous consent, on request of Senator Shaw, the unexcused absent members were excused until such time as a roll call was ordered.

Senators Geske and Moore appeared in the Senate Chamber, and the call was declared complete.

Senator Elthon offered as a substitute for the motion by Senator Donohue the following:

MR. PRESIDENT: I move that the Senate request the sifting committee to place Senate Files 17 and 222 on the calendar and that a committee of eight be appointed by the President of the Senate to write a proposed bill and offer it as a substitute for Senate File 17 not later than next Monday at 10:00 a. m. and at that time Senate File 17 be made a special order.

Senator Baldwin raised the point of order that the substitute motion was out of order because the previous question had been already put.

The chair ruled that the point of order was well taken.

Roll call was requested.

On the question "Shall the motion by Senator Donohue prevail?" the vote was:

Ayes, 31.

Baldwin	Donohue	Hopkins	Pelzer
Bekman	Edwards	Husted	Schadt
Benson	Elthon	Kirketeg	Sjulin
Berg	Evans	Leo	Smith
Byers	Faul	Levis	Talbott
Corwin	Guernsey	Martin	Whitehill
Cromwell	Harvey	Miller	Zeigler
Dewey	Henningsen	Parker	

Nays, 17.

Augustine	Ellis	Hill	Moore
Beardsley	Forsling	Hoeven	Mowry
Breen	Geske	Lundy	Shaw
Dean	Hart	Mighell	Vrba
Doran			

Absent or not voting, 2.

Gillette	Stewart
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The motion prevailed.

Senator Donohue moved that a special committee of seven be

appointed by the chair to redraft Senate Files 17 and 222 and report at 10:15 a. m. Thursday.

The motion prevailed, and the President appointed as members of such committee Senators Bekman, chairman, Berg, Breen, Corwin, Forsling, Levis, and Shaw.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 33, 52, 62 and 69 and Senate Files 45, 162, 164, 186 and 293.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 33, 52, 62, and 69, and Senate Files 45, 162, 164, 186, and 293.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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 March 1939, sent to the Governor for his approval. Senate Files 45, 162, 164, 186 and 293.

RALPH E. BENSON, *Chairman.*

Passed on file.

SENATE CONCURRENT RESOLUTION 11

Senators Beardsley, Levis, and Lundy offered the following concurrent resolution:

Whereas, The National Congress is at this time conducting an investigation into the freight rate structure, and

Whereas, This investigation has developed into a struggle of Southern and Western states for a general freight rate revision, and

Whereas, The present freight rate structure is unfair and discriminatory against the Southern and Western areas of our country, retarding industrial development of these areas, discriminating against the consumers of these areas and contributing to the paralysis of the great basic industry of these areas which is agriculture, and

Whereas, The effect of the present freight rate structure in its discrimination against the South and West gives a preference to the Northeastern area of the United States, which in effect is the equivalent of a tariff barrier within the Union, the result of which is to confine industrial development to the Northeastern area of the United States and retard or stop industrial development in the South and West, thereby interfering with the general social and economic development of the nation, now, therefore,

Be It Resolved by the Senate, The House Concurring: That we hereby memorialize congress requesting them to continue this investigation and complete this work making the necessary corrections during this session of congress to the end that the discriminatory provisions may be corrected and that the cause of economic equality and social and economic progress may be served.

Be It Further Resolved, That a copy of this resolution be sent to the President of the United States, to the Honorable Lister Hill, United States Senator from Alabama, chairman of the committee of the National Congress which is now charged with the responsibility of making this investigation, and that a copy of this resolution also be sent to each member of the National Congress from the state of Iowa and to the governors of the sister states of the union.

SENATE CONCURRENT RESOLUTION 12

Senator Berg offered the following concurrent resolution:

Whereas, the people of Denmark, who were among the early settlers of Iowa, have enhanced our economic welfare by their patriotic devotion to the principles of our democracy and by their thrift and industry; and through their individual organizations have contributed much to our educational and religious development and to the social well-being of our state, and

Whereas, Crown Prince Fredrik and Crown Princess Ingrid of Denmark, will be the guests of various fraternal and social organizations of this state, and

Whereas, their visit to the state of Iowa should be officially recognized in an appropriate manner by the state of Iowa, therefore

Be It Resolved by the Senate, the House Concurring: That the President of the Senate designate not to exceed five members of the Senate, and the Speaker of the House designate not to exceed five members of the House, to act with the Governor in representing the state of Iowa at the reception to be held for Crown Prince Fredrik and Crown Princess Ingrid of Denmark at the Hotel Fort Des Moines, Des Moines, Iowa, on the 20th day of April, 1939.

Be It Further Resolved, That the Governor of Iowa be requested to designate such further representation as he may deem advisable to act as an official escort.

COMMUNICATION FROM THE GOVERNOR

STATE OF IOWA
Executive Office
Des Moines

George A. Wilson
Governor

March 20, 1939

To the Honorable Members of the Senate
Forty-eighth Iowa General Assembly:

Gentlemen: Pursuant to your request, I have the honor to return herewith Senate File 2.

GAW:W

Respectfully yours,

GEO. A. WILSON.

AMENDMENTS FILED

MR. PRESIDENT: Amend House Concurrent Resolution 16 by striking the last paragraph and inserting in lieu thereof the following:

"Be It Resolved by the House of Representatives, the Senate Concurring, That the Governor of the state of Iowa, be and he is hereby requested to appoint a committee composed of not to exceed seven (7) members of the Senate and not to exceed seven (7) members of the House of Representatives to act with him to represent the state of Iowa at the reception to be held for Crown Prince Olaf and Crown Princess Martha of Norway at Luther College at Decorah, Iowa, May 6 and 7, 1939. The Governor is further requested to designate such further representation as he may deem advisable to act as an official escort.

The members of said committee shall serve without expense to the state of Iowa."

J. BERG.

MR. PRESIDENT: Amend the Baldwin amendment found on page 135 of the Senate Journal by substituting for that amendment the following: "Amend the Baldwin amendment to Senate File 17, section one (1), line eight (8), by inserting after the word "theatres", the following: "telegraph companies, telephone companies, insurance companies, radio stations, banks, transportation systems, agricultural activities,".

H. C. BALDWIN.

On motion of Senator Doran, the Senate adjourned until 10 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 21, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. C. H. Schlesselman, pastor of the Associated Church of Allison.

The Journal of March 20th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Martin, from retail grocers of Scott county, opposing enactment of House File 387.

By Senator Henningsen, from parent-teachers associations of Clinton, favoring enactment of Senate File 120.

By Senator Henningsen, from citizens of Clinton county, opposing enactment of Senate File 92.

By Senator Corwin, from citizens of Muscatine county, favoring enactment of Senate Files 246 and 305.

By Senator Schadt, from citizens of Iowa City, opposing enactment of House File 387.

By Senator Schadt, from citizens of Johnson county, opposing any change in the membership law of the Iowa State Conservation Commission Board.

INTRODUCTION OF BILLS

Senate File 436, by committee on highways, a bill for an act to prevent the voting of additional primary road bonds in any county which has previously authorized one or more such bond issues.

Read first and second times and referred to sifting committee.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 17, 1939, he had approved the following:

Senate File 59, relating to public high school facilities for children cared for in a charitable institution.

Senate File 66, relating to indexing of conditional sales of personal property.

Senate File 96, relating to the solemnizing of marriages.

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 235, a bill for an act relating to funeral expenses for persons receiving old age assistance.

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

House File 391, a bill for an act regarding paving over which street railways or motor driven busses operate.

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 relating to persons legally liable for the support of insane or idiotic persons.

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

House File 542, a bill for an act relating to the institution for feeble minded.

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

Senate File 113, a bill for an act relating to the imposition of a tax on the gross receipts from retail sales.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 385, a bill for an act defining bona fide subscribers of official newspapers.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 385

Amend section one (1) by inserting after the word "subscribers" in line eleven (11) the following: ", defined as in paragraph one (1),".

HOUSE MESSAGES CONSIDERED

House File 391, a bill for an act to amend section six thousand fifty-one-c one (6051-c1), Code, 1935, relating to paving, repaving, constructing, reconstructing, resurfacing, repairing, or maintaining streets or thoroughfares over which street railways or pas-

senger carriers operate trackless-trolley passenger busses or self-propelled motor-driven passenger busses over fixed routes wholly within cities under the commission form of government having a population of one hundred twenty-five thousand or over; imposing license fees or taxes therefor on said street railways or passenger carriers so operated; providing for the payment of such license fees or taxes for the paving, repaving, constructing, reconstructing, resurfacing, repairing, or maintaining the streets and roadways over which any such street railways or passenger carriers shall operate such trackless-trolley passenger busses or self-propelled motor-driven passenger busses, and for the reconstruction, repair, servicing, and maintenance of sewers and catch basins serving said streets and roadways; providing that the license fees or taxes so imposed shall be in lieu of all other taxes or license fees, general, special or local, except motor vehicle fuel license fees and motor vehicle license fees on self-propelled motor-driven passenger busses levied by the state, to which such motor driven passenger busses or trackless-trolley passenger busses may be subject, and shall also be in lieu of all special assessment taxes for the paving, repaving, constructing, reconstructing, resurfacing, repairing, or maintaining the streets and roadways over which said busses are operated or for the construction, reconstruction, repair, or maintenance of sewers serving said streets and roadways; and repealing all laws or parts of laws in conflict herewith.

Read first and second times and referred to sifting committee.

House File 235, a bill for an act to repeal section fifty-two hundred ninety-six-f twenty-five (5296-f25), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, and to enact a substitute therefor, relating to funeral expenses for persons receiving old age assistance.

Read first and second times and referred to sifting committee.

House File 540, a bill for an act to amend Chapter one hundred seventy-eight (178), Code of Iowa, 1935, and to amend section three thousand five hundred ninety-five (3595), section three thousand five hundred ninety-eight (3598), Code, 1935, and to repeal section three thousand five hundred ninety-seven (3597), Code, 1935, and to enact a substitute therefor; relating to per-

sons legally liable for the support of insane or idiotic persons; providing for the collection of sums advanced by the county for their support, and the power of the board of supervisors to compromise said liability; and creating a lien on real estate owned by any person receiving assistance under said chapter, or husband or wife of such person, and relating to the record of such lien, and the release or compromise of such lien, and relating to claims against estates of persons who have received such assistance.

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

House File 542, a bill for an act to repeal sections thirty-four hundred six (3406), thirty-four hundred seven (3407), thirty-four hundred eight (3408), thirty-four hundred nine (3409), and thirty-four hundred ten (3410) of the Code, 1935, relating to the institution for feeble minded and to enact a substitute therefor, providing liability for, collection, and payment of the costs of supporting inmates of said institution.

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

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 128, relating to the license and sale of cigarettes, beg leave to report that we have had the same under consideration and recommend the following:

That the Senate recede from its amendment to the second part of House Amendment 2, and that the Senate concur in said amendment.

That the Senate concur in House Amendment 7 and part 2 of 8.

J. BERG.

OSCAR JOHNSON.

SANFORD ZEIGLER, JR.

PHIL ROAN.

E. K. BEKMAN.

C. F. SHIMANEK.

EDW. BREEN.

H. P. ECKERMAN.

On the part of the Senate.

On the part of the House.

The following communication received by the Secretary was read to the Senate:

From the Vatican, 25 February 1939.

EUGENE Cardinal PACELLI,
Camerlengo of the Holy Roman Church,
has the honor to express heartfelt thanks for the sentiments of sincere sympathy manifested on the death of His Holiness Pope Pius XI.

By unanimous consent, Senator Faul presented the members of the Des Moines Unit of the National Old Age Pension League.

By unanimous consent, Superintendent Lindsley of Mt. Vernon and his class in United States Government were presented to the Senate by Senator Byers.

By unanimous consent, Senator Harvey presented Mr. Harry Stein, a member of the school board, and members of the school of Schleswig.

THIRD READING OF BILLS

The time having arrived for the special order of business, House File 114, 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 provide for certain transfer of funds from the primary road fund to the farm-to-market road fund; 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; and to amend section one hundred seventy-five (175), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, and section forty-seven hundred fifty-five-b three (4755-b3), Code, 1935, was taken up and considered.

Senator Gillette offered the following amendment and moved its adoption:

Amend House File 114 as follows:

Amend section 31 of House File 114 by striking all of lines 4 and 5 thereof.

By unanimous consent, on request of Senator Gillette, action on the amendment was deferred.

Senator Evans offered the following amendment and moved its adoption:

Amend section seven (7) by inserting the words "as a single fund" after the word "fund" in line three (3).

The amendment was adopted.

Senator Evans offered the following amendment and moved its adoption:

Amend section nine (9) by

(a) striking the word "fifteen" in line nine (9) and substituting the word "ten"

(b) striking the figure "15" in line ten (10) and substituting the figure "10"

(c) striking the words "secondary road" in line ten (10) and substituting the word "highway".

The amendment was adopted.

Senator Evans offered the following amendment and moved its adoption:

Amend section nine (9) by striking from line twelve (12) the word "fifteen" and the figure "15" and inserting in lieu thereof the word "ten" and the figure "10".

Further amend section nine (9) by striking from line thirteen (13) the words "secondary road" and inserting in lieu thereof the word "highway".

Further amend section nine (9) by striking from line nineteen (19) the word "fifteen" and the figure "15" and inserting in lieu thereof the word "ten" and the figure "10", and by striking from line nineteen (19) the words "secondary road" and inserting the word "highway" in lieu thereof.

The amendment was adopted.

Senator Evans offered the following amendment and moved its adoption:

Amend section thirteen (13) by striking the comma (,) following the word "plans" in line three (3) and inserting in lieu thereof the word "and".

The amendment was adopted.

Senator Evans offered the following amendment and moved its adoption:

Amend section twenty-nine (29) by adding the following:

"The amount so expended for maintenance work by the Highway Commission shall be reimbursed to said county's allotment of the farm-to-market road fund, from said county's secondary road maintenance fund, before any more farm-to-market road projects in said county are approved by the Commission."

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 40:

Augustine	Edwards	Harvey	Pelzer
Beardsley	Ellis	Henningesen	Schadt
Benson	Elthon	Hill	Shaw
Berg	Evans	Hopkins	Sjulin
Byers	Faul	Husted	Smith
Cromwell	Forsling	Kirketeg	Stewart
Dean	Geske	Leo	Talbott
Dewey	Gillette	Levis	Vrba
Donohue	Guernsey	Martin	Whitehill
Doran	Hart	Parker	Zeigler

Nays, 6:

Baldwin	Hoeven	Moore	Mowry
Breen	Lundy		

Absent or not voting, 4:

Bekman	Corwin	Mighell	Miller
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The amendment was adopted.

By unanimous consent, on request of Senator Evans, amendments 5 and 6, found on page 608 of the Journal, were withdrawn.

Senator Gillette offered the following amendment and moved its adoption:

Amend by striking all of section 33 and enacting in lieu thereof the following:

"Sec. 33. There is hereby appropriated from the general fund of the state, not otherwise appropriated, to the farm-to-market road fund the sum of six hundred fifty-eight thousand, two hundred and sixty-four dollars (\$658,264.00), said sum to be used to match the federal allotment for farm-to-market roads for the fiscal year ending June 30, 1938. There shall be appropriated in each succeeding fiscal year a sum from the general fund to the farm-to-market road fund necessary to match the federal allotment for that year.

Senator Mighell offered the following as a substitute for the amendment by Senator Gillette and moved its adoption:

Amend by striking section thirty-three (33) and substituting the following:

In all cases where funds have been allotted or appropriated or may hereafter be allotted or appropriated by the government of the United States for the improvement of secondary or farm-to-market roads in the counties of this state the county board of supervisors of any county is hereby authorized to set aside and appropriate from the secondary road fund of the county sufficient sums as may be required to match said federal appropriation allotted to said county. Whereupon they shall designate the location and character of the improvements or construction to be made subject to the approval of the state highway commission.

The substitute motion was lost.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

By unanimous consent, on request of Senator Kirketeg, Senate File 328 was ordered engrossed.

CONSIDERATION OF HOUSE FILE 114 RESUMED

Consideration of the amendment by Senator Gillette to House File 114 was resumed.

Senator Donohue offered the following as a substitute for the amendment by Senator Gillette:

Amend by adding to Sec. 33 the following:

"They shall also transfer from the primary road fund to the farm-to-market road fund on or before September 15, 1939, an additional sum of five hundred ninety-one thousand seven hundred thirty-six dollars (\$591,736.00), and on or before the 15th day of May, 1940, they shall transfer from the primary road fund to the farm-to-market road fund the additional sum of one million two hundred fifty thousand dollars (\$1,250,000.00), and all funds transferred from the primary road fund as herein provided shall be used to match the federal allotment for farm-to-market roads."

Senator Kirketeg moved the previous question on the substitute amendment by Senator Donohue.

The motion prevailed.

Roll call was requested.

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

Ayes, 31:

Bekman	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Byers	Forsling	Leo	Smith
Corwin	Hart	Levis	Stewart
Cromwell	Harvey	Martin	Talbott
Donohue	Hill	Mowry	Vrba
Doran	Hoeven	Parker	Whitehill
Edwards	Hopkins	Pelzer	

Nays, 16:

Augustine	Dean	Gillette	Mighell
Baldwin	Ellis	Guernsey	Miller
Beardsley	Elthon	Henningsen	Moore
Breen	Geske	Lundy	Zeigler

Absent or not voting, 3:

Benson	Dewey	Sjulin
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The substitution was made.

Roll call was requested on the substitute amendment.

On the question "Shall the substitute amendment be adopted?" the vote was:

Ayes, 35:

Bekman	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Byers	Faul	Kirketeg	Sjulin
Corwin	Forsling	Leo	Smith
Cromwell	Hart	Levis	Stewart
Dewey	Harvey	Martin	Talbott
Donohue	Henningsen	Mowry	Vrba
Doran	Hill	Parker	Whitehill
Edwards	Hoeven	Pelzer	

Nays, 14:

Augustine	Dean	Guernsey	Miller
Baldwin	Ellis	Lundy	Moore
Beardsley	Geske	Mighell	Zeigler
Breen	Gillette		

Absent or not voting, 1:

Benson

The substitute amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking all of Sec. twenty-two (22) and inserting in lieu thereof the following:

"Sec. 22. Right-of-way for farm-to-market road projects under this act may be acquired by the county. However, the county board may request the state highway commission to acquire such right-of-way and in such event such right-of-way shall be paid for out of the county's allotment of the farm-to-market road fund."

The amendment was adopted.

By unanimous consent, on request of Senator Donohue he withdrew the second section of his amendment found on page 668 of the Journal.

Senator Donohue moved the adoption of the following amendment:

Amend by striking all of section 31.

The motion prevailed and the amendment was adopted.

By unanimous consent, Senator Doran withdrew the first three sections of his amendment found on pages 608 and 609 of the Journal.

Senator Doran moved the adoption of section four (4) of his amendment as follows:

Amend by inserting the following in said bill as section thirty-six (36):

"Sec. 36. Section nineteen hundred twenty-one-f one hundred twenty-five (1921-f125), Code, 1935, is hereby amended by striking all of said section after the period at the end of line eight (8) and substituting the following in lieu thereof:

'b. All license fees and taxes collected by the treasurer of state previous to January first, 1941, shall accrue to the state sinking fund for public deposits as created by Chapter 352-A1 of the Code. All license fees and taxes collected by the treasurer of state on and after January first, 1941, shall be credited to the farm-to-market road fund.' "

Senator Donohue raised the point of order that the amendment by Senator Doran was not germane to the bill under consideration.

By unanimous consent, Senator Donohue withdrew his point of order.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22:

Augustine	Doran	Hill	Moore
Baldwin	Ellis	Hoeven	Shaw
Beardsley	Geske	Lundy	Smith
Benson	Gillette	Mighell	Vrba
Breen	Guernsey	Miller	Zeigler
Dean	Harvey		

Nays, 27:

Bekman	Edwards	Hopkins	Parker
Berg	Elthon	Husted	Pelzer
Byers	Evans	Kirketeg	Schadt
Corwin	Faul	Leo	Sjulin
Cromwell	Forsling	Levis	Stewart
Dewey	Hart	Martin	Talbott
Donohue	Henningsen	Mowry	

Absent or not voting, 1:

Whitehill

The amendment was lost.

Senator Gillette offered the following amendment and moved its adoption:

Amend as follows:

1. Add as a new section following section 34 the following:

"Sec. 35. No part of any secondary road nor of any street in a municipality shall be taken into and made a part of the primary road system unless recommended by the state highway commission and approved either by the state legislature or unanimously by the executive council.

2. Renumber the remaining section.

Senator Berg offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Senator Gillette by striking from line five (5) thereof the word "unanimously".

The amendment to the amendment was adopted.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 7:

Dean	Gillette	Mighell	Moore
Ellis	Hopkins	Miller	

Nays, 38:

Augustine	Donohue	Hoeven	Schadt
Baldwin	Doran	Husted	Shaw
Beardsley	Edwards	Kirketeg	Sjulin
Bekman	Evans	Leo	Smith
Benson	Faul	Levis	Stewart
Berg	Forsling	Lundy	Talbott
Breen	Hart	Mowry	Vrba
Byers	Harvey	Parker	Whitehill
Cromwell	Henningsen	Pelzer	Zeigler
Dewey	Hill		

Absent or not voting, 5:

Corwin	Geske	Guernsey	Martin
Elthon			

The amendment was lost.

Senator Faul offered the following amendment and moved its adoption:

Amend House File 114 by inserting immediately after the word "account" in line four (4) of section ten (10) the following: "secondary roads used for rural mail delivery,".

By unanimous consent, on request of Senator Faul, the following was added immediately after the word "delivery" in the last line thereof: "and school routes".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 37:

Augustine	Edwards	Hoeven	Moore
Baldwin	Ellis	Hopkins	Mowry
Beardsley	Evans	Husted	Pelzer
Bekman	Faul	Kirketeg	Schadt
Benson	Geske	Leo	Shaw
Berg	Guernsey	Levis	Smith
Breen	Harvey	Lundy	Talbott
Corwin	Henningsen	Mighell	Vrba
Dewey	Hill	Miller	Zeigler
Doran			

Nays, 10:

Byers	Elthon	Parker	Stewart
Cromwell	Forsling	Sjulin	Whitehill
Donohue	Hart		

Absent or not voting, 3:

Dean	Gillette	Martin
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The amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend by striking sections thirty-one (31), thirty-two (32) and thirty-three (33) of said bill and substituting in lieu thereof the following:

"Sec. 31. The net proceeds of the sales-use tax on motor vehicles and trailers collected under the provisions of Chapters one hundred ninety-six (196) and one hundred ninety-eight (198) of the laws of the Forty-seventh (47th) General Assembly or as said Chapters may be amended, shall be credited to the farm-to-market road fund.

"The provisions of this section shall take precedence over any other provisions of law with respect to the disposition of the proceeds of the sales-use tax on motor vehicles and trailers."

Senator Donohue raised the point of order that the subject matter of the amendment had already been voted on.

By unanimous consent, Senator Donohue withdrew his point of order.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 12:

Augustine	Dean	Gillette	Miller
Baldwin	Ellis	Guernsey	Moore
Breen	Geske	Mighell	Vrba

Nays, 29:

Benson	Edwards	Hill	Parker
Berg	Evans	Hopkins	Schadt
Byers	Faul	Husted	Shaw
Corwin	Forsling	Leo	Stewart
Cromwell	Hart	Levis	Talbott
Dewey	Harvey	Martin	Whitehill
Donohue	Henningesen	Mowry	Zeigler
Doran			

Absent or not voting, 9:

Beardsley	Hoeven	Lundy	Sjulin
Bekman	Kirketeg	Pelzer	Smith
Elthon			

The amendment was lost.

Senator Breen offered the following amendment and moved its adoption:

Amend by striking sections thirty-one (31), thirty-two (32) and thirty-three (33) and substituting in lieu thereof the following:

"Sec. 31. There is hereby transferred to the farm-to-market road fund all of the tax collected under section 1921-f118, Code, 1935, and the state treasurer, upon collection of said tax, shall transfer said tax forthwith to said fund."

Senator Donohue raised the point of order that the subject matter of the amendment had already been voted on.

The President held the point of order well taken.

By unanimous consent, on request of Senator Gillette the amendment filed by him, found on page 316 of the Journal, on which action had previously been deferred, was withdrawn.

Senator Baldwin offered the following amendment:

Amend section 31 by striking all of said section and inserting in lieu thereof the following: "Sec. 31. All funds necessary to make this act effective shall be derived from moneys collected under Chapter seventy-eight (78), sections one thousand five hundred sixty-three (1563), and one thousand five hundred seventy (1570) of the Code of Iowa."

By unanimous consent, on request of Senator Baldwin, his amendment was withdrawn.

Senators Baldwin and Moore offered the following amendment and moved its adoption :

Amend section fourteen (14) by striking from lines eleven (11) and twelve (12) the following :

“, nor to any relative within the third degree of consanguinity or affinity,”.

The amendment was adopted.

Senators Hoeven and Forsling offered the following amendment and moved its adoption :

Amend by inserting the following after the title and before the enacting clause :

Whereas, The need for earliest consideration of farm-to-market roads to better serve rural Iowa is recognized, and

Whereas, Federal funds are now available for construction of farm-to-market roads conditioned on the State of Iowa matching the funds so offered by the federal government, and

Whereas, The matching of such federal funds is a good business policy and will materially advance the road building program of the state, and

Whereas, Unless the State of Iowa makes immediate provision to match said federal funds as aforesaid the federal funds which may now be had will be lost to the State and for which reason an emergency does now exist, and

Whereas, All state moneys other than those heretofore devoted to primary roads are required for other state purposes and requirements, and

Whereas, It appears that state moneys not now immediately available other than primary road funds as aforesaid may be available on and after January 1, 1941, for the further construction of farm-to-market roads.

Now Therefore :

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption :

Amend House File 114 by striking all of section 32 and renumbering the remaining sections.

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption :

Amend section 35 by striking from lines one (1) and two (2) the words “motor vehicle license fees” and inserting in lieu thereof the following: “primary road fund”.

By unanimous consent, on request of Senator Donohue, his amendment was withdrawn.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking all of section 35.

The amendment was 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	Edwards	Hoeven	Pelzer
Boardsley	Elthon	Hopkins	Schadt
Bekman	Evans	Husted	Shaw
Benson	Faul	Kirketeg	Sjulin
Berg	Forsling	Leo	Smith
Byers	Geske	Levis	Stewart
Corwin	Guernsey	Lundy	Talbott
Cromwell	Hart	Martin	Vrba
Dewey	Harvey	Moore	Whitehill
Donohue	Henningsen	Mowry	Zeigler
Doran	Hill	Parker	

Nays 7:

Baldwin	Dean	Gillette	Miller
Breen	Ellis	Mighell	

Absent or not voting, none.

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

Senator Donohue offered the following amendment to the title and moved its adoption:

Amend the title by striking therefrom the following:

"Section one hundred seventy-five (175), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, and".

The amendment was adopted, and the title as amended 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.

Senator Breen asked and received unanimous consent to have the following remarks printed in the Journal:

MR. PRESIDENT: Everyone knows that the people of Iowa were prom-

ised when primary roads were voted that the primary road funds would never be diverted until the primary road system was completed and the last primary road bond paid. Now the Senate and House of the Iowa legislature, for political reasons, find it expedient to repudiate these promises of yesterday.

We vote "no" on House File 114 because we believe that the promises of democracies and legislators, no less than the promises of individuals, are not to be lightly regarded. At the present time there are \$80,000,000.00 outstanding in primary road bonds, as a debt against the primary road fund. Three thousand four hundred (3,400) miles of primary roads remain unimproved.

House File 114, in spite of attempts to amend it so that the funds would be taken from the general fund in which there is now a surplus of over \$6,000,000.00, from the use tax, the beer tax, robs the primary road fund of \$2,500,000.00, makes it impossible to match federal funds of the same amount, impairs the obligation of the bondholders and leaves gaps totalling hundreds of miles in our primary road system.

We are for farm-to-market roads, but we oppose and denounce this callous breach of trust and violation of faith with the people of Iowa.

H. D. MILLER.

H. C. BALDWIN.

FRANK E. ELLIS.

EARL DEAN.

W. MIGHELL.

L. S. GILLETTE.

EDWARD BREEN.

By unanimous consent on request of Senator Beardsley, Hon. Lloyd Thurston was presented to the Senate, and he addressed the Senate briefly.

SENATE FILE 2 REMESSAGED

By unanimous consent, on request of Senator Hill, Senate File 2 was remessaged to the Governor.

HOUSE AMENDMENTS CONSIDERED

Senator Forsling called up for consideration Senate File 379, amended by the House, and moved that the Senate refuse to concur in the House amendments, found on pages 677-680, inclusive, of the Senate Journal.

The motion prevailed and the Senate refused to concur in the House amendments.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 113.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 113.

BILLS SENT TO THE GOVERNOR

Senator Benson from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 21st day of March, 1939, sent to the Governor for his approval, Senate File 113.

RALPH E. BENSON, *Chairman.*

Passed on file.

RESIGNATION OF COMMITTEE CLERK

MR. PRESIDENT: I hereby tender my resignation as clerk for Senator Whitehill, effective March 20, 1939.

SADIE M. LOWRY.

The resignation was accepted.

REPORT OF COMMITTEE ON CLERKS

MR. PRESIDENT: The following assignment of a clerk has been made to fill vacancy caused by resignation:

Senator Whitehill—Ardith Biersborn.

L. H. DORAN, *Chairman.*

LEO ELTHON.

EDWARD H. VRBA.

The report was adopted.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 404 as follows:

1. From section one (1) strike lines four (4) to twelve (12), inclusive, and insert in lieu thereof the following:

"All manufacturers, importers, jobbers, firms, associations, corporations, or persons, before selling, offering or exposing for sale or distributing in this state any brand of commercial feed, shall have printed on, or attached to each bag, package, and/or carton, in a conspicuous place, or delivered with each bulk lot, a label which shall contain a legible statement, printed in the English language, clearly and truly setting out:".

2. From section one (1) strike lines twenty-six (26) to thirty-nine (39) inclusive, and insert in lieu thereof the following:

"(h) The minimum percentage of phosphorus (P) and of iodine (I), and the maximum percentage of calcium (ca) and of salt (NaCl), if the same be present in mixed feeds containing more than a total of five per cent (5%) of one or more mineral ingredients, or other unmixed materials used as mineral supplements, and in mineral feeds, mixed or unmixed, which are manufactured, represented and sold for the primary purpose of supplying mineral elements in rations for animals or birds, and containing mineral elements generally regarded as dietary factors essential for normal nutrition; provided that if no nutritional properties other than those of a mineral nature be claimed for a mineral feed product, the per centums of crude protein, crude fat, and crude fiber may be omitted."

3. To section one (1), at the end of line forty-two (42), add close quotes (").

ORA E. HUSTED.

MR. PRESIDENT: Amend Senate File 365 by inserting after the word "rules" in line two (2) of section three (3) the following:

"for the safe and proper construction, installation, repair, use and operation of steam boilers in the state".

FRED CROMWELL.

MR. PRESIDENT: Amend Senate File 120 by adding to section 13 thereof, at the end of said section, a new subparagraph, as follows:

"(7) Any school corporation maintaining a local district pension system which has not been merged with this annuity system shall receive annually from the state annuity accumulation fund a pro rata share of the amount paid into that fund by the state of Iowa for the same fiscal year, as provided for in sections nine (9) and eleven (11) of this act, in the proportion that the assessed valuation of all taxable property, except moneys and credits, in that school corporation bears to the assessed valuation of all the taxable property, except moneys and credits, in the state. Each such payment shall be made by a warrant drawn by the state comptroller on requisition authorized by resolution of the retirement board, which warrant, when drawn, shall be delivered to the secretary of the retirement board for record and transmittal to the secretary of the school corporation entitled thereto."

L. B. FORSLING.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 22, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. A. P. Blough, pastor of the Church of the Brethren of Waterloo.

The Journal of March 21st was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Mowry, from the Newton Parent-Teachers Association Council, favoring legislation providing for teachers' annuity, aid for dependent children, and designating marijuana as a noxious weed.

By Senator Mowry, from citizens of Jasper county, favoring teachers' annuity.

By Senator Breen, from citizens of Webster county, opposing enactment of House File 1.

By Senator Moore, from members of The Booster's Club of Keg Creek Township District No. 7, Pottawattamie county, favoring teachers' annuity.

By Senator Baldwin, from citizens of Dubuque county, favoring enactment of Senate File 305.

By Senator Faul, from voters in the Third Precinct of Des Moines, opposing the exclusion of Class "C" beer permits.

By Senator Cromwell, from citizens of Burlington, opposing the exclusion of Class "C" beer permits.

By Senator Martin, from citizens of Scott county, urging support of housing legislation.

By Senator Martin, from retail grocers of Scott county, opposing House File 387.

By Senator Whitehill, from citizens of Marshall county, favoring enactment of House Files 64 and 174, and Senate File 107.

By Senator Corwin, from the board of supervisors of Muscatine county, favoring enactment of Senate File 207 and House File 189.

By Senator Beardsley, from Townsend Club No. 2 of Osceola, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By unanimous consent, on request of Senator Whitehill, Miss Anna May Lockner, National President of the Ladies' Auxiliary of the Veterans of Foreign Wars, of St. Petersburg, Florida, was presented and she addressed the Senate briefly.

Senator Beardsley called up for consideration Senate Concurrent Resolution 11 and moved its adoption.

SENATE CONCURRENT RESOLUTION 11

Whereas, The National Congress is at this time conducting an investigation into the freight rate structure, and

Whereas, This investigation has developed into a struggle of Southern and Western states for a general freight rate revision, and

Whereas, The present freight rate structure is unfair and discriminatory against the Southern and Western areas of our country, retarding industrial development of these areas, discriminating against the consumers of these areas and contributing to the paralysis of the great basic industry of these areas which is agriculture, and

Whereas, The effect of the present freight rate structure in its discrimination against the South and West gives a preference to the Northeastern area of the United States, which in effect is the equivalent of a tariff barrier within the Union, the result of which is to confine industrial development to the Northeastern area of the United States and retard or stop industrial development in the South and West, thereby interfering with the general social and economic development of the nation, now, therefore,

Be It Resolved by the Senate, the House Concurring: That we hereby memorialize Congress requesting them to continue this investigation and complete this work making the necessary corrections during this session of Congress to the end that the discriminatory provisions may be corrected and that the cause of economic equality and social and economic progress may be served.

Be It Further Resolved, That a copy of this resolution be sent to the President of the United States, to the Honorable Lister Hill, United States Senator from Alabama, chairman of the committee of the National Congress which is now charged with the responsibility of making this investigation, and that a copy of this resolution also be sent to each

member of the National Congress from the state of Iowa and to the governors of the sister states of the union.

Roll call was requested.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 37:

Augustine	Edwards	Hoeven	Mowry
Beardsley	Elthon	Hopkins	Shaw
Bekman	Evans	Husted	Sjulin
Benson	Faul	Kirketeg	Smith
Berg	Forsling	Leo	Stewart
Breen	Gillette	Levis	Talbott
Byers	Guernsey	Lundy	Vrba
Dean	Harvey	Mighell	Whitehill
Dewey	Hill	Miller	Zeigler
Doran			

Nays, 8:

Baldwin	Cromwell	Geske	Henningsen
Corwin	Ellis	Hart	Moore

Absent or not voting, 5:

Donohue	Parker	Pelzer	Schadt
Martin			

The resolution was adopted.

By unanimous consent, on request of Senator Beardsley, Senate Concurrent Resolution 11 was messaged to the House immediately.

THIRD READING OF BILLS

The time having arrived for the special order of business, Senate File 120, 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 its 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 its 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, with report of committee on social security recommending amendment and passage, was taken up, considered, and the report of the committee adopted, and the report of committee on appropriations, without recommendation, was taken up, considered, and the report of the committee adopted.

The following committee amendments were taken up and considered:

Amend Senate File 120 as follows:

1. By inserting in line 49 of section 7 thereof, after the word "to", the words "one-half of".

2. By striking from line 53 of section 7 thereof the words and figures "fifty dollars (\$50.00)" and inserting in lieu thereof the words and figures "thirty dollars (\$30.00)".

3. By inserting in line 57 of section 7 thereof, after the word "by", the words "one-half of".

4. By striking from line 62 of section 7 thereof the words and figures "fifty dollars (\$50.00)" and inserting in lieu thereof the words and figures "thirty dollars (\$30.00)".

5. By striking from line 91 of section 7 thereof the words and figures "nine-tenths (.9)" and inserting in lieu thereof the words and figures "four-tenths (.4)", and by striking from line 93 of section 7 thereof the words and figures "forty-five dollars (\$45.00)" and inserting in lieu thereof the words and figures "twenty-five dollars (\$25.00)".

6. By striking from line 96 of section 7 thereof the words and figures "nine-tenths of one per centum (.9%)" and inserting in lieu thereof the words and figures "four-tenths of one per centum (.4%)", and by striking from lines 101 and 102 of section 7 thereof the words and figures "forty-five dollars (\$45.00)" and inserting in lieu thereof the words and figures "twenty-five dollars (\$25.00)".

7. By striking from lines 106 and 107 of section 7 thereof the words

and figures "twenty-two dollars and fifty cents (\$22.50)" and inserting in lieu thereof the words and figures "fifteen dollars (\$15.00)", and by striking from lines 109 and 110 thereof the words and figures "twenty-two dollars and fifty cents (\$22.50)" and inserting in lieu thereof the words and figures "fifteen dollars (\$15.00)".

8. By striking from line 27 of section 9 thereof the words and figures "three thousand dollars (\$3,000.00)" and inserting in lieu thereof the words and figures "two thousand dollars (\$2,000.00)".

9. By striking from line 146 of section 9 thereof the words and figures "five and eight hundredths per centum (5.08%)" and inserting in lieu thereof the words and figures "two and sixteen hundredths per centum (2.16%)".

10. By striking from lines 147 and 148 of section 9 thereof the words and figures "one million two hundred fifty thousand dollars (\$1,250,000.00)" and inserting in lieu thereof the words and figures "five hundred thirty thousand dollars (\$530,000.00)".

11. Amend section 11 thereof by changing the comma (,) after the word "contribution" in line 27 to a period (.) and by striking the remainder of the sentence.

By unanimous consent, on request of Senator Bekman, amendment three (3) by the committee on social security was withdrawn.

The amendments were adopted.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 437, by committee on judiciary 1, a bill for an act to amend section fourteen hundred forty-seven (1447), Code, 1935, relating to the transcript of testimony taken in arbitration proceedings when the alleged injured party or beneficiary is financially unable to pay transcript charges.

Read first and second times and referred to sifting committee.

Senate File 438, by committee on judiciary 1, a bill for an act to amend Senate File No. Two (2), Acts 48th General Assembly, relating to the audit of counties, cities and towns, and school districts.

Read first and second times and referred to sifting committee.

Senate File 439, by committee on judiciary 1, a bill for an act to amend section ninety-seven hundred fifty-two (9752), Code 1935, to authorize guardians to mortgage or encumber personal property and to obtain benefits under Chapter four hundred twenty-seven (427) of the Code of 1935 by sealing grain.

Read first and second times and referred to sifting committee.

CONSIDERATION OF SENATE FILE 120 RESUMED

Senator Forsling offered the following amendment and moved its adoption:

Amend Senate File 120 by adding to section 13 thereof, at the end of said section, a new subparagraph, as follows:

“(7) Any school corporation maintaining a local district pension system which has not been merged with this annuity system shall receive annually from the state annuity accumulation fund a pro rata share of the amount paid into that fund by the state of Iowa for the same fiscal year, as provided for in sections nine (9) and eleven (11) of this act, in the proportion that the assessed valuation of all taxable property, except moneys and credits, in that school corporation bears to the assessed valuation of all the taxable property, except moneys and credits, in the state. Each such payment shall be made by a warrant drawn by the state comptroller on requisition authorized by resolution of the retirement board, which warrant, when drawn, shall be delivered to the secretary of the retirement board for record and transmittal to the secretary of the school corporation entitled thereto.”

The amendment was adopted.

Senator Bekman offered the following amendments and moved their adoption:

“Amend by striking from line 57 of section 7 the words ‘the number of his years of creditable’ and inserting in lieu thereof the words ‘the sum of the number of his years of membership service and one-half the number of his years of prior’.”

Further amend by striking from lines 71 and 72 of subparagraph (15) of section 1 the words and figures “three thousand dollars (\$3,000.00)” and by inserting in lieu thereof the words and figures “two thousand dollars (\$2,000.00)”.

The amendments were adopted.

Senator Elthon offered the following amendments and moved their adoption:

Amend Senate File 120 as follows:

Strike the word "Medical" from paragraph three (3) of section one (1) line nine (9), and insert in lieu thereof the word "Physicians".

Strike from the first line of section four (4) the following: "Medical Board (1) A medical board" and insert in lieu thereof the following: "Physicians Board (1) A board".

Strike from line twenty (20) of paragraph three (3) section four (4) the word "medical" and insert in lieu thereof the word "physicians".

Strike from line twenty-one (21) of paragraph three (3) section four (4) the word "medical".

Strike from line twenty-two (22) of paragraph three (3) section four (4) the word "medical" and insert in lieu thereof the term "physicians".

Strike line one hundred sixteen (116) of section seven (7) which reads: "sixty (60) years to undergo a medical examination by the medical" and insert in lieu thereof the following: "sixty (60) years to undergo an examination by the physicians".

Strike from line one hundred seventeen (117) of section seven (7) the word "medical" and insert in lieu thereof the word "physicians".

Strike from line one hundred twenty (120) of section seven (7) the word "medical".

Strike from line one hundred twenty-five (125) of section seven (7) the word "medical" and insert in lieu thereof the term "physicians".

Roll call was requested.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 25:

Augustine	Doran	Gillette	Sjulin
Baldwin	Edwards	Guernsey	Smith
Bekman	Ellis	Levis	Talbott
Corwin	Elthon	Martin	Vrba
Cromwell	Faul	Miller	Whitehill
Dean	Geske	Parker	Zeigler
Dewey			

Nays, 3:

Hopkins	Mighell	Schadt
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Absent or not voting, 22:

Beardsley	Evans	Hoeven	Moore
Benson	Forsling	Husted	Mowry
Berg	Hart	Kirketeg	Pelzer
Breen	Harvey	Leo	Shaw
Byers	Henningsen	Lundy	Stewart
Donohue	Hill		

The amendments were adopted.

By unanimous consent, on request of Senator Cromwell, the following corrections were made:

1. Insert in section seven (7), subdivision (5), paragraph (d), line seven (7), the word "the" following the word "attaining".

2. Strike from section nine (9), subdivision three (3), paragraph (b), line sixteen (16), the word "in" following the word "funds" and insert in lieu thereof the word "on".

Senator Mighell moved that action on Senate File 120 be deferred until one week from today, Wednesday, March 29th, at 10:30 a. m.

Roll call was requested.

Senator Byers moved to amend the motion by changing the time to 10:30 p. m.

The amendment was adopted.

On the question "Shall the motion as amended prevail?" the vote was:

Ayes, 1:

Baldwin

Nays, 38:

Beardsley	Edwards	Hoeven	Mowry
Bekman	Ellis	Hopkins	Parker
Benson	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Breen	Forsling	Leo	Sjulin
Byers	Guernsey	Lundy	Talbott
Cromwell	Hart	Martin	Vrba
Dean	Harvey	Mighell	Whitehill
Dewey	Henningesen	Miller	Zeigler
Doran	Hill		

Absent or not voting, 11:

Augustine	Elthon	Levis	Smith
Corwin	Geske	Moore	Stewart
Donohue	Gillette	Pelzer	

The motion was lost.

Senator Mighell offered the following amendment and moved its adoption:

Amend by striking section twenty (20).

The amendment was adopted.

Senator Doran moved the previous question, which motion prevailed.

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, 38:

Augustine	Doran	Henningsen	Mowry
Baldwin	Elthon	Hill	Parker
Bekman	Evans	Hoeven	Schadt
Berg	Faul	Hopkins	Shaw
Breen	Forsling	Kirketeg	Sjulin
Byers	Geske	Leo	Talbott
Corwin	Gillette	Lundy	Vrba
Cromwell	Guernsey	Martin	Whitehill
Dean	Hart	Mighell	Zeigler
Dewey	Harvey		

Nays, 8:

Benson	Ellis	Moore	Smith
Edwards	Levis	Pelzer	Stewart

Absent or not voting, 4:

Beardsley	Donohue	Husted	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 Cromwell 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 bill in which the concurrence of the House was asked:

Senate File 219, a bill for an act relative to operating and moving certain vehicles upon the highways and providing conditions under which permits may be issued for said purpose.

Also: That the House insists on its amendments to Senate File 379, a bill for an act to create a department of public safety and requests a conference and the Speaker has appointed as conferees on the part of the House, Representatives Peisen, Lampman, Risse and Moore.

A.C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 219

(1) Strike everything after the enacting clause and insert in lieu thereof the following:

Section 1. Section four hundred ninety-one (491), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, is hereby amended by inserting after the word "move" in line six (6) thereof the words "for a distance not exceeding twenty-five (25) miles", and by striking the period at the end of said section and adding thereto

the following: “, provided, however, that the state highway commission or such local authorities may in their discretion issue a special permit for the movement of road construction machinery and equipment for a distance exceeding twenty-five (25) miles if such machinery and equipment is to be used upon construction projects within the state of Iowa, or is manufactured within the state of Iowa, and the weight of such machinery and equipment so moved, exclusive of vehicle, does not exceed forty thousand (40,000) pounds.

(2) Amend the title by inserting in line four (4) thereof, after the word “vehicles”, the following: “and road construction machinery and equipment”.

CONFERENCE COMMITTEE ON SENATE FILE 379

President Hickenlooper announced that, as President of the Senate, he had appointed Senators Forsling, Levis, Byers, and Henningsen as members of the conference committee on the part of the Senate, on Senate File 379.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 64 by striking all of section twelve (12), and inserting in lieu thereof the following:

“Sec. 12. Removal. The State Highway Commission may remove or suspend not more than two (2) per cent of the employees covered by this act without cause during any one year, from which dismissal or suspension there shall be no right of appeal. Over and above the two (2) per cent of the number of employees herein referred to shall not be removed or suspended arbitrarily, but may be removed or suspended for misconduct or failure to properly perform his duties as may be determined by the Board”.

E. K. BEKMAN.

MR. PRESIDENT: Amend Senate File 366 as follows:

1. By inserting after the word “may” in line 12 of section 1 the following: “upon paying all delinquent installments of special assessments”.

2. By inserting after the word “taxes” in line 15 of section 1 the following: “subsequently maturing installments of special assessments, if any”.

3. By inserting after the word “taxes” in line 61 of section 1 the following: “together with subsequently maturing installments of special assessments, if any”.

L. B. FORSLING.

MR. PRESIDENT: Amend Senate File 373 by adding at the end of section 6 the following: “When, in the judgment of the board a retailer, such as a telegraph or telephone company, is greatly inconvenienced by the use of prepaid tax receipts, it may devise a more suitable means of collecting the actual amount of tax collected by such retailer.”

A. CLAIRE DEWEY.

MR. PRESIDENT: Amend Senate File 398 by striking all of sub-division three (3) of Sec. 4 and inserting in lieu thereof the following:

"3. Persons who sell, offer or expose for sale concentrated lye, household cleansing agents, insecticides and fungicides in original unbroken packages, mineral mixtures, commercial feed, paints, paint solvents, denatured alcohol, stock dips and fly sprays, providing that these articles are not in violation of existing laws."

E. P. DONOHUE.

H. C. BALDWIN.

MR. PRESIDENT: Amend Senate File 232 as follows:

1. Amend by inserting immediately after section nine (9) as section ten (10) the following:

"Section thirty-six hundred sixty-one-a eighty (3661-a80), Code, 1935, as amended by section nine (9), Chapter one hundred eighteen (118), Acts of the Forty-seventh General Assembly, is amended by striking all of said section after the word "shall" in line four (4) and inserting in lieu thereof the following: "contain such information as the subdivision of child welfare may require."

2. Amend by renumbering the original section ten (10) as section eleven (11).

3. Amend by inserting immediately after section eleven (11) as section twelve (12) the following:

"Section ten thousand five hundred one-b two (10501-b2), Code, 1935, is amended by striking from line three (3) the word 'to' and inserting in lieu thereof the following: 'shall report such petition to the subdivision of child welfare which shall'."

4. Amend by renumbering the succeeding sections.

5. Amend by striking from line nineteen (19), section sixteen (16) as renumbered, the word "part" and inserting in lieu thereof the word "act".

6. Amend by striking from line seventy-two (72), section sixteen (16) as renumbered, the word "department" following the word "The" and inserting in lieu thereof the word "dependent".

GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 334 as follows:

1. Amend by striking from lines six (6) and seven (7) of section two (2), the following: ", to be known as sections.....and.....are".

2. Amend by striking the period in line eight (8), section two (2) and inserting in lieu thereof a colon (:).

3. Amend by striking from line nine (9), section two (2), the following: "Section.....".

4. Amend by inserting immediately before the word "Qualifications" in line nine (9) of section two (2) quotation marks (").

5. Amend by striking from line thirty-three (33), section two (2), the following: "Section.....".

6. Amend by inserting immediately after the period following the word "beneficiaries" in line forty-one (41), section two (2) quotation marks (").

GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 334 by striking from line thirty-four (34), section two (2), the word "proceedings" and inserting in lieu thereof the word "proceeds".

GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 17 by inserting immediately after section 1 to be known as subsection (1) the following:

(1) Included within this license tax shall be theaters operating for amusement purposes and offering such entertainment as motion pictures, vaudeville, and general legitimate stage performances. The same definitions as are applied to mercantile establishments and stores shall be applicable to this section, as well as the method of computing the tax upon said theaters, and the amount of tax as set out in the various brackets of this act shall be imposed as shown under section 3, numbers 1 to 16 inclusive.

W. MIGHELL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 23, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Arthur Kindred, pastor of the Methodist Church of Decorah.

The Journal of March 22d was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Zeigler, from merchants of Packwood, favoring enactment of House File 155.

By Senator Martin, from citizens of Scott county, opposing enactment of House File 351.

By Senator Cromwell, from citizens of Des Moines county, favoring enactment of House File 68.

By Senator Baldwin, from employees of the National Tea Company, of Dubuque, opposing enactment of House File 67 and Senate File 17.

By Senator Donohue, from members and friends of Townsend Club No. 2 of Charles City, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

INTRODUCTION OF BILLS

Senate File 440, by committee on public lands and buildings, a bill for an act to provide for the erecting and equipping of an office building on the state capitol grounds; to authorize the executive council and legislative advisory committee to designate the location of said building; to authorize the executive council and legislative advisory committee to employ an architect or architects to prepare plans and specifications and to enter into a contract or contracts for erection and equipping of said office building; and to provide for an appropriation therefor.

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

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 22, 1939, he had approved the following:

Senate File 113, relating to the imposition of a tax on gross receipts from retail sales.

Senator Berg called up for consideration Senate Concurrent Resolution 12 and moved its adoption:

SENATE CONCURRENT RESOLUTION 12

Whereas, The people of Denmark, who were among the early settlers of Iowa, have enhanced our economic welfare by their patriotic devotion to the principles of our democracy and by their thrift and industry; and through their individual organizations have contributed much to our educational and religious development and to the social well-being of our state, and

Whereas, Crown Prince Fredrik and Crown Princess Ingrid of Denmark, will be the guests of various fraternal and social organizations of this state, and

Whereas, Their visit to the state of Iowa should be officially recognized in an appropriate manner by the state of Iowa, therefore

Be It Resolved by the Senate, the House Concurring: That the President of the Senate designate not to exceed five members of the Senate, and the Speaker of the House designate not to exceed five members of the House, to act with the Governor in representing the state of Iowa at the reception to be held for Crown Prince Fredrik and Crown Princess Ingrid of Denmark at the Hotel Fort Des Moines, Des Moines, Iowa, on the 20th day of April, 1939.

Be It Further Resolved, That the Governor of Iowa be requested to designate such further representation as he may deem advisable to act as an official escort.

The resolution was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Beardsley called up for consideration Senate File 219, amended by the House, and moved that the Senate concur in the following amendments:

(1) Strike everything after the enacting clause and insert in lieu thereof the following:

Section 1. Section four hundred ninety-one (491), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, is

hereby amended by inserting after the word "move" in line six (6) thereof the words "for a distance not exceeding twenty-five (25) miles", and by striking the period at the end of said section and adding thereto the following: ", provided, however, that the state highway commission or such local authorities may in their discretion issue a special permit for the movement of road construction machinery and equipment for a distance exceeding twenty-five (25) miles if such machinery and equipment is to be used upon construction projects within the state of Iowa, or is manufactured within the state of Iowa, and the weight of such machinery and equipment so moved, exclusive of vehicle, does not exceed forty thousand (40,000) pounds.

(2) Amend the title by inserting in line four (4) thereof, after the word "vehicles", the following: "and road construction machinery and equipment".

The motion prevailed, and the Senate concurred in the House amendments.

Senator Beardsley moved that the bill, as amended, be read a third 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	Edwards	Hopkins	Parker
Baldwin	Ellis	Husted	Pelzer
Beardsley	Elthon	Kirketeg	Shaw
Bekman	Evans	Leo	Sjulin
Benson	Faul	Lundy	Smith
Berg	Geske	Martin	Stewart
Breen	Gillette	Mighell	Talbott
Corwin	Guernsey	Miller	Vrba
Cromwell	Hart	Moore	Whitehill
Dean	Harvey	Mowry	Zeigler
Dewey	Hoeven		

Nays, none.

Absent or not voting, 8:

Byers	Doran	Henningsen	Levis
Donohue	Forsling	Hill	Schadt

The bill as amended 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.

The time having arrived for the special order of business, the

motion to withdraw Senate File 17 from the sifting committee and place it on the calendar, was taken up and considered.

On motion of Senator Bekman, action on the special order was deferred until 2:00 p. m. Monday, March 27th.

HOUSE AMENDMENT CONSIDERED

Senator Baldwin called up for consideration Senate File 385, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1) by inserting after the word "subscribers" in line eleven (11) the following: ", defined as in paragraph one (1),".

The motion prevailed, and the Senate concurred in the House amendment.

Senator Baldwin moved that the bill be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 42:

Augustine	Elthon	Husted	Pelzer
Baldwin	Evans	Kirketeg	Schadt
Beardsley	Faul	Leo	Shaw
Bekman	Geske	Lundy	Sjulin
Benson	Gillette	Martin	Smith
Corwin	Guernsey	Mighell	Stewart
Cromwell	Hart	Miller	Talbott
Dean	Harvey	Moore	Vrba
Dewey	Hill	Mowry	Whitehill
Edwards	Hoeven	Parker	Zeigler
Ellis	Hopkins		

Nays, none.

Absent or not voting, 8:

Berg	Byers	Doran	Henningsen
Breen	Donohue	Forsling	Levis

The bill as amended 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.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Parker, Senate File 400, a bill for an act to amend Chapter one hundred seventy (170), and sections thirty-two hundred eighty-seven (3287), thirty-two hundred ninety-two (3292), thirty-two hundred ninety-three (3293), thirty-three hundred (3300), thirty-three hundred thirty (3330), thirty-three hundred thirty-one (3331), thirty-three hundred thirty-two (3332), thirty-three hundred fifty-two (3352), thirty-three hundred fifty-six (3356), thirty-three hundred ninety-five (3395), thirty-three hundred ninety-six (3396), thirty-four hundred two (3402), thirty-four hundred six (3406), thirty-four hundred sixty-seven (3467), thirty-four hundred seventy-five (3475), thirty-four hundred seventy-six (3476), thirty-four hundred seventy-seven (3477), thirty-four hundred ninety-nine (3499), and thirty-five hundred four (3504), Code, 1935, all relating to the powers and duties of the superintendent of each of the institutions operated under the board of control; providing for the appointment of a business manager for such institutions, and prescribing his powers and duties; providing for the appointment of a farm manager for all state institutions under the supervision of the board of control; and to provide for the changing of the name of the institution for the feeble-minded at Glenwood to the Glenwood State School, a committee bill, was taken up and considered.

Senator Stewart offered the following amendment and moved its adoption:

Amend Senate File 400 by striking out all of subsection 6 of section 18, and renumbering the remaining subsections.

Senator Hoeven moved the previous question on all pending amendments and the main bill.

The motion prevailed.

Roll call was requested on the amendment.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 21:

Augustine
Baldwin
Beardsley

Breen
Corwin
Dean

Doran
Edwards
Ellis

Geske
Gillette
Guernsey

Hopkins	Miller	Shaw	Vrba
Lundy	Moore	Stewart	Whitehill
Mighell			

Nays, 28:

Bekman	Evans	Hoeven	Parker
Benson	Faul	Husted	Pelzer
Berg	Forsling	Kirketeg	Schadt
Byers	Hart	Leo	Sjulin
Dewey	Harvey	Levis	Smith
Donohue	Henningsen	Martin	Talbott
Elthon	Hill	Mowry	Zeigler

Absent or not voting, 1:

Cromwell

The amendment was lost.

Senator Bekman offered the following amendment, previously filed, and moved its adoption:

Amend section nineteen by striking from lines three (3) and four (4) the following:

“, and the board shall fix the salary to be paid such appointee.”, and inserting in lieu thereof the following:

“. The salary of the superintendent shall be fixed by the General Assembly.”

By unanimous consent, on request of Senator Bekman, his amendment was changed by striking from line ten (10) of section sixteen (16) the words “designated by the board of control” and inserting in lieu thereof the following: “fixed by the General Assembly”.

The amendment was lost.

Senator Stewart offered the following amendment and moved its adoption:

Amend section 19 by striking from line 1 the word “governor” and inserting in lieu thereof the words “board of control”.

Senator Elthon raised the point of order that the amendment was not eligible as the previous question had already been ordered.

The President held that the point of order was well taken.

Senator Parker 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, 48:

Augustine	Doran	Hill	Mowry
Baldwin	Ellis	Hoeven	Parker
Beardsley	Elthon	Hopkins	Pelzer
Bekman	Evans	Husted	Schadt
Benson	Faul	Kirketeg	Shaw
Berg	Forsling	Leo	Sjulin
Breen	Geske	Levis	Smith
Byers	Gillette	Lundy	Stewart
Corwin	Guernsey	Martin	Talbott
Dean	Hart	Mighell	Vrba
Dewey	Harvey	Miller	Whitehill
Donohue	Heningsen	Moore	Zeigler

Nays, none.

Absent or not voting, 2:

Cromwell Edwards

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.

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 failed to pass the following bill in which the concurrence of the House was asked:

Senate File 51, a bill for an act relating to the levy of tax for park purposes.

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 adding an additional exemption to certain types of vehicles.

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

House File 189, a bill for an act providing for the procuring of liability and property damage insurance covering the operation of any motor vehicle operated by the state of Iowa, etc.

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

Senate File 378, a bill for an act relating to the change in name of the board of railroad commissioners.

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 relating to the Iowa Soldiers Home.

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

Senate File 401, a bill for an act relating to the report of the state highway commission.

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

Senate File 402, a bill for an act relating to old age assistance.

Also: 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 streets adjacent to state owned property.

Also: 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 relating to binding and repairs of library collections.

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

House File 245, a bill for an act relating to salaries under the commission form of government.

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

House File 400, a bill for an act relating to the sale and regulation of beer and malt liquors.

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

House File 466, a bill for an act relating to the liability of a driver of an emergency vehicle.

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

House File 623, a bill for an act to authorize disinterested employees of a corporation to take acknowledgments on instruments running to the corporation.

Also: That the House has refused to concur in Senate amendments to House File 114, a bill for an act to designate a farm-to-market road system.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 137

Amend Senate File 137 by striking all of section two (2), the publication clause.

THIRD READING OF BILLS

The time having arrived for the special order of business, Senate File 232, a bill for an act to amend and revise Chapter one hundred eighteen (118), Acts of the Forty-seventh General Assembly, relating to a unified supervision of child welfare activities in the state,

the promotion and establishment of child welfare service and the licensing, inspection and supervision of private institutions for the care and placing of children; to amend section thirty-six hundred sixty-one-a forty-three (3661-a43), Code, 1935, relating to the definition of children's boarding homes to be licensed and inspected hereunder; to amend section ten thousand five hundred one-b seven (10501-b7), Code, 1935, relating to commitment of children when adoptions are revoked; to repeal sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one-b 1 (3641-b1), thirty-six hundred forty-two (3642), and thirty-six hundred forty-three (3643), Code, 1935, relating to widows' pensions; to provide a program of uniform, state-wide aid to dependent children in conformity with the Social Security Act of the Congress of the United States; to prescribe the powers and duties of the state board of social welfare, the county boards of social welfare, the county departments of social welfare and of counties and their boards of supervisors with regard to the foregoing matters; and to provide for a division of child welfare and aid to dependent children in the state department of social welfare, and prescribe its powers and duties, was taken up and considered.

Action was deferred temporarily.

SENATE INSISTS ON AMENDMENTS

Senator Evans called up for consideration House File 114 and moved that the Senate insist on its amendments, and request a conference committee.

The motion prevailed.

Senator Faul moved that the Senate recess until 1:45 p. m.

Senator Baldwin offered as a substitute that the Senate recess until 2:00 p. m.

The motion prevailed and the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 441, by committee on judiciary 2, a bill for an act to legalize the action of the board of supervisors of Floyd County,

Iowa, in acquiring title to Lot Five (5), Block Two (2), Oak Park Addition to Charles City, Iowa, and to legalize the expenditure of the sum of nine hundred thirty-two dollars and thirty-two cents (\$932.32), for the repair and construction of a house upon the said real estate.

Read first and second times and referred to sifting committee.

Senate File 442, by committee on cities and towns, a bill for an act authorizing cities of the first class to levy, with the consent of the Comptroller, the Emergency Fund Tax, or any part thereof, authorized by section three hundred seventy-three (373), Code, 1935, for the years 1939 to 1946, both years inclusive, and anticipate the same by issuing bonds; said bonds to be issued only in the years 1939 and 1940; the proceeds of said bonds to be used only to pay the city's share of the cost of federal work relief projects of a construction nature, excluding buildings and building repairs.

Read first and second times and referred to sifting committee.

Senate File 443, by committee on judiciary 2, a bill for an act to authorize the collection, by garnishment proceedings, by the Iowa state board of assessment and review of any income tax, sales tax, or use tax owed to the state, and to prescribe the procedure therefor.

Read first and second times and referred to sifting committee.

Senate File 444, by committee on public schools, a bill for an act to amend section four thousand five hundred five (4505), Code, 1935, and to provide for payment of losses of permanent school funds from the temporary school fund.

Read first and second times and referred to sifting committee.

CONSIDERATION OF SENATE FILE 232 RESUMED

Senator Faul offered the following amendment and moved its adoption:

Amend by striking from line nineteen (19), section sixteen (16) as renumbered, the word "part" and inserting in lieu thereof the word "act".

The amendment was adopted.

By unanimous consent, Senator Faul withdrew amendment 6 filed by him, found on page 735 of the Journal.

Senator Faul offered the following amendments and moved their adoption:

Amend Senate File 232 as follows:

1. Amend by inserting immediately after the word "in" of line twenty-six (26), section two (2), the word "the".
2. Amend by striking the word "Devise" from line thirty-eight (38), section three (3), and inserting in lieu thereof the words "The state department shall devise".
3. Amend by inserting immediately following the comma (,) after the word "three" in line two (2) of section eight (8), the following: "(3661-a43),".
4. Amend by striking the figure "2" from line three (3) of section eight (8) and inserting in lieu thereof the word "two".
5. Amend by striking from line twenty-five (25), section fourteen (14), the words "Who has" and inserting in lieu thereof the word "Has".

The amendments were adopted.

Senator Faul offered the following amendments and moved their adoption:

Amend Senate File 232 as follows:

1. Amend by inserting immediately after section nine (9) as section ten (10) the following:

"Section thirty-six hundred sixty-one-a eighty (3661-a80), Code, 1935, as amended by section nine (9), Chapter one hundred eighteen (118), Acts of the Forty-seventh General Assembly, is amended by striking all of said section after the word "shall" in line four (4) and inserting in lieu thereof the following: "contain such information as the subdivision of child welfare may require."

Amend by renumbering the original section ten (10) as section eleven (11).

By unanimous consent, on request of Senator Faul, the first amendment was changed by striking the syllable "sub" from the word "subdivision".

The amendments were adopted.

Senator Faul offered the following amendments and moved their adoption:

Amend by inserting immediately after section eleven (11) as section twelve (12) the following:

"Section ten thousand five hundred one-b two (10501-b2), Code, 1935, is amended by striking from line three (3) the word 'to' and inserting in lieu thereof the following: 'shall report such petition to the subdivision of child welfare which shall'."

Amend by renumbering the succeeding sections.

By unanimous consent, on request of Senator Faul, his first

amendment was changed by adding after the word "to" the words "which appears at the end of the line", and by striking the syllable "sub" from the word "subdivision".

By unanimous consent, on request of Senator Faul, the amendments were withdrawn.

Senator Faul offered the following amendment and moved its adoption:

Amend by striking from section three (3) all of subdivision (4).

The amendment was adopted.

Senator Faul moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 50:

Augustine	Doran	Hill	Mowry
Baldwin	Edwards	Hoeven	Parker
Beardsley	Ellis	Hopkins	Pelzer
Bekman	Elthon	Husted	Schadt
Benson	Evans	Kirketeg	Shaw
Berg	Faul	Leo	Sjulin
Breen	Forsling	Levis	Smith
Byers	Geske	Lundy	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler
Donohue	Henningesen		

Nays, none.

Absent or not voting, none.

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

Senator Faul offered the following amendment to the title and moved its adoption:

Amend the title by inserting immediately after the semicolon (;) in line ten (10) thereof the following: "to amend section thirty-six hundred sixty-one-a eighty (3661-a80), Code, 1935, as amended by section nine (9), Chapter one hundred eighteen (118), Acts of the Forty-seventh General Assembly, relating to annual reports of child-placing agencies;"

The amendment was adopted, and the title as amended was agreed to.

Senator Faul 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 took up for consideration the following conference committee report and moved its adoption :

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 128, relating to the license and sale of cigarettes, beg leave to report that we have had the same under consideration and recommend the following:

That the Senate recede from its amendment to the second part of House Amendment 2, and that the Senate concur in said amendment.

That the Senate concur in House Amendment 7 and part 2 of 8.

J. BERG.

SANFORD ZEIGLER, JR.

E. K. BEKMAN.

EDW. BREEN.

OSCAR JOHNSON.

PHIL ROAN.

C. F. SHIMANEK.

H. P. ECKERMAN.

On the part of the Senate.

On the part of the House.

The report was adopted.

Senator Berg moved that the Senate recede from its amendment to the second part of House Amendment 2.

The motion prevailed, and the Senate receded.

Senator Berg moved that the Senate concur in House Amendments 7 and 8.

The motion prevailed, and the Senate concurred.

Senator Berg moved that Senate File 128, a bill for an act to repeal all of Chapter seventy-eight (78), Code, 1935, except sections one thousand five hundred fifty-three (1553) 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, 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 and provide for the collection of the tax by the affixation of stamps or impressing of indicia by means of a stamping machine upon individual packages of cigarettes, cigarette papers and tubes; to provide for the purchase of stamping machines; to require permits

and bonds for dealers in cigarettes, cigarette papers and tubes; to provide for the enforcement and administration of said tax; to define certain unlawful acts relating to the manner of sale, distribution, and solicitation for the sale of cigarettes, cigarette papers and tubes; and to provide penalties for the violation of the provisions of this act, be read a third time now, as amended, which motion prevailed and the bill was read a third time.

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

Ayes, 49:

Augustine	Doran	Henningsen	Moore
Baldwin	Edwards	Hill	Mowry
Beardsley	Ellis	Hoeven	Parker
Bekman	Elthon	Hopkins	Pelzer
Benson	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Breen	Forsling	Leo	Sjulin
Byers	Geske	Levis	Smith
Corwin	Gillette	Lundy	Stewart
Cromwell	Guernsey	Martin	Talbott
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler
Donohue			

Nays, none.

Absent or not voting, 1:

Vrba

The bill, as amended, 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.

By unanimous consent, on request of Senator Berg, Senate File 128 was messaged to the House immediately.

SPECIAL ORDER

By unanimous consent, on request of Senator Levis, Senate File 406 was made a special order of business for 10:00 a. m. Wednesday, March 29th.

By unanimous consent, on request of Senator Forsling, action on Senate File 403 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Donohue, action

on Senate File 64 was deferred and the bill allowed to retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Forsling, Senate File 366, a bill for 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-b one (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 effected by any such agreement, 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, was taken up and considered.

Senator Forsling offered the following amendments and moved their adoption:

Amend Senate File 366 as follows:

1. By inserting after the word "may" in line 12 of section 1 the following: "upon paying all delinquent installments of special assessments".
2. By inserting after the word "taxes" in line 15 of section 1 the following: "subsequently maturing installments of special assessments, if any".
3. By inserting after the word "taxes" in line 61 of section 1 the following: "together with subsequently maturing installments of special assessments, if any".

The amendments were adopted.

Senator Levis offered the following amendments and moved their adoption:

Amend Senate File 366, section nine (9) as follows:

1. By inserting in line three (3) after the word "the": "Union Tribune".
2. By inserting in line four (4) after the word "at": "Russell".
3. By inserting in line five (5) after the word "the": "Allerton News".
4. By inserting before the comma (,) in line six (6) the word "Allerton".

The amendments were adopted.

Senator Forsling moved that the bill be read a third 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	Edwards	Hoeven	Parker
Baldwin	Ellis	Hopkins	Pelzer
Beardsley	Elthon	Husted	Schadt
Bekman	Faul	Kirketeg	Shaw
Benson	Forsling	Leo	Sjulin
Breen	Geske	Levis	Smith
Byers	Gillette	Lundy	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Vrba
Dean	Harvey	Moore	Whitehill
Dewey	Henningsen	Mowry	Zeigler
Donohue	Hill		

Nays, none.

Absent or not voting, 4:

Berg	Doran	Evans	Miller
------	-------	-------	--------

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

Senator Forsling 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 Doran, Senate File 419, a bill for an act to make an appropriation of state funds to the Iowa Industrial Commissioner for the payment of compensation benefits, 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, 45:

Augustine	Edwards	Hill	Mowry
Baldwin	Ellis	Hoeven	Pelzer
Beardsley	Elthon	Hopkins	Schadt
Bekman	Evans	Husted	Shaw
Benson	Faul	Kirketeg	Sjulin
Berg	Geske	Leo	Smith
Byers	Gillette	Levis	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Dewey	Henningsen	Moore	Zeigler
Doran			

Nays, none.

Absent or not voting, 5:

Breen	Forsling	Lundy	Parker
Donohue			

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.

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 138, a bill for an act relating to the support of insane persons.

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 to define, regulate, license and tax itinerant merchants.

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 relating to gravel beds owned by counties for highway purposes.

Also: I am directed to request the return of Senate File 123, a bill for an act relating to pension funds and providing that same apply to deputy bailiffs of municipal courts in cities having a population of one hundred twenty-five thousand (125,000) or more.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 94, 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.

House File 189, a bill for an act providing for the procuring of liability and property damage insurance covering the operation of any motor vehicle operated by the state of Iowa and by any county, city, town, commission, bureau, department, or political subdivision thereof; providing for the payment of said insurance; pro-

viding for the liability of operators of motor vehicles belonging to the state of Iowa or any political subdivision thereof; and providing for the carrying of liability insurance by independent contractors performing public contracts.

Read first and second times and referred to sifting committee.

House File 233, a bill for an act to amend section one hundred eighty-four (184), of the Code, 1935, by excluding binding, re-binding and repairs of library collections from term "printing".

Read first and second times and referred to sifting committee.

House File 245, a bill for an act to amend section sixty-five hundred nineteen (6519), Code, 1935, relating to salaries of minor officers, assistants, and other employees of cities under the commission form of government.

Read first and second times and referred to sifting committee.

House File 400, a bill for an act to amend sections 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 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), all of the Code, 1935; to repeal sections one thousand nine hundred twenty-one-f one hundred seventeen (1921-f117) and one thousand nine hundred twenty-one-g three (1921-g3), Code, 1935, and to enact substitutes therefor; to insert new sections in 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 per-

sons keeping for sale and selling spirituous intoxicating liquor, and providing for the publication of such names in their respective counties, 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 466, a bill for an act to amend section three hundred fifty-three (353) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to the liability of a driver of an emergency vehicle carrying fire apparatus.

Read first and second times and referred to sifting committee.

House File 623, a bill for an act to authorize disinterested employees of a corporation to take acknowledgments on instruments running to the corporation.

Read first and second times and referred to sifting committee.

Committee substitute for House File 155, a bill for an act to define, regulate, license, and tax itinerant merchants; to provide for the administration and enforcement of this act by the motor vehicle department of the office of the secretary of state and by peace officers and magistrates; to provide for the disposition of the revenues derived from said license fees and taxes; to require itinerant merchants to obtain and carry motor vehicle liability and property damage insurance, and bonds conditioned to pay damages for civil liability incurred and conditioned to pay taxes; to provide for exemptions from this act; to provide criminal penalties and civil liabilities for violation of this act; to provide for restraining by injunction violation of this act; and to provide that this act shall take effect upon publication.

Read first and second times and referred to sifting committee.

House File 138, a bill for an act to amend section thirty-five hundred twenty-seven (3527), Code, 1935, to repeal section thirty-five hundred twenty-eight (3528), Code, 1935, and to amend sec-

tion thirty-six hundred four (3604), Code, 1935, relating to the commitment, care, and support of insane persons.

Read first and second times and referred to sifting committee.

House File 165, a bill for an act to amend section forty-six hundred fifty-nine (4659), Code, 1935, relating to gravel beds or other material suitable for surfacing highways owned or leased by counties, to permit use of gravel or other suitable material therefrom for surfacing of lanes and driveways leading to surfaced public roads.

Read first and second times and referred to sifting committee.

CONFERENCE COMMITTEE ON HOUSE FILE 114

President Hickenlooper announced that, as President of the Senate, he had appointed Senators Evans, Donohue, Zeigler, and Hoeven as members of the conference committee on the part of the Senate, on House File 114.

AMENDMENTS FILED

MR. PRESIDENT: Amend section fifteen (15) of Senate File 64 by striking all of lines one (1) to six (6) inclusive, and the word "discharged" in line seven (7), and by inserting in lieu thereof the following:

"Sec. 15. Employees diminished. Whenever public interest requires a diminution in the number of employees under civil service, the same may be reduced by the state highway commission. In making such discharges the commission shall take into consideration the competency and efficiency of the employees employed, provided however, that preference may be given to previous duration of service". E. K. BEKMAN.

MR. PRESIDENT: Amend House File 155, subsection four (4) of subsection (b) of section one (1) by striking out the word "or" after the figures "3149", and substituting the following: "wholesale fish market or fish peddlers under provision of section". J. BERG.

MR. PRESIDENT: Amend Senate File 341 by striking all after the enacting clause and by inserting the following:

"Section 1. Each member of the General Assembly is authorized to nominate and appoint annually from his or her district, one person, at least sixteen (16) years of age, and otherwise eligible, who shall, by virtue of such appointment, receive a scholarship which shall entitle the holder thereof to gratuitous instruction in the University of Iowa, Iowa City, or Iowa State College of Agriculture and Mechanical Arts, Ames, or Iowa State Teachers College, Cedar Falls, for a period of four (4) years. The candidate for such scholarship so nominated, if a graduate

of an accredited school, shall be admitted on the same conditions as to educational qualifications as are graduates of such accredited schools not so appointed to scholarship, and if any such candidate is not a graduate of an accredited school, he or she shall meet such conditions as to educational qualifications or examination as are required in such cases.

"Sec. 2. Each member of the General Assembly shall file with the Registrar, on or before the first Monday in August of each year, the name and address of the student nominated to receive such scholarship, together with the affidavits of such member of the General Assembly and of one other competent person that such nominee is in needy circumstances, together with the names and addresses of two alternate candidates, with like affidavits and no nominations shall be accepted later than such date.

"Sec. 3. Should such appointee refuse his appointment or fail to meet the educational qualifications hereinbefore provided, one of the alternate candidates may be selected by such appointing member of the General Assembly.

"Sec. 4. Should any person awarded such scholarship to any such institution fail to complete the four (4) year term of instruction for academic reasons or otherwise, said scholarship shall lapse and be of no further effect and no right shall exist to appoint a person to the unexpired scholarship.

"Sec. 5. The provisions of this act shall apply to all terms in said schools, including summer school.

"Sec. 6. The term 'gratuitous instruction', as used in this act, shall be construed to mean an exemption from tuition and entrance fees but shall not include an exemption from laboratory fees or other fees required for the expenses involved in particular courses." R. V. LEO.

MR. PRESIDENT: Amend Senate File 323, section one (1) by striking from line six the words "and/or board" and inserting in lieu thereof the words "or room and board".

Further amend Senate File 323 by adding as section four (4) following section three (3) the following:

"Sec. 4. Amend section fifty-two hundred ninety-six-f twelve (5296-f12), as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding thereto a new subsection as follows:

11. Is not, while a recipient, residing in a boarding house, owned or subsidized by the federal, state, or municipal government."

Further amend Senate File 323 by renumbering section four (4) as section five (5).

Amend the title of Senate File 323 by striking the comma (,) preceding the word "Code" in line six (6) and inserting the following: "and section fifty-two hundred ninety-six-f twelve (5296-f12), and by striking from line eight (8) the words "board and/or room" and inserting in lieu thereof the words "room or room and board". J. BERG.

MR. PRESIDENT: Amend House File 271 by striking from section one lines three and four the words and figures: "Two Hundred Forty-three

Dollars and Seventy-five cents (\$243.75)" and by inserting in lieu thereof the following: "Four hundred thirty dollars and seventy-five cents (\$430.75)".

A. CLAIRE DEWEY.

On motion of Senator Parker, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 24, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Clark W. Howard, President of Tabor College of Tabor, and Past State Chaplain of the Iowa American Legion.

The Journal of March 23d was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Mighell, from poultry producers, of Ida county, favoring enactment of House File 562.

By Senator Shaw, from citizens of Humboldt and Pocahontas counties, favoring enactment of House File 96.

By Senator Gillette, from the Civic Study Club of Spencer, favoring enactment of Senate File 305.

By Senator Dewey, from citizens of Washington county, opposing enactment of House File 155.

By Senator Dewey, from citizens of Henry county, opposing enactment of Senate File 92.

By Senator Faul, from citizens of Des Moines, opposing abolition of Class "C" beer permits.

INTRODUCTION OF BILLS

Senate File 445, by committee on consolidation and co-ordination, a bill for an act to amend Chapters three hundred ninety-two (392), three hundred ninety-three-C one (393-C1), and three hundred ninety-three-E one (393-E1), and section eighty-six hundred five (8605), all of the Code, 1935, and Chapters two hundred eight (208) and two hundred nine (209), Acts of the Forty-seventh General Assembly so as (1) to transfer to the commissioner

of insurance the duties heretofore conferred upon the auditor of state in the administration and enforcement of said Chapter three hundred ninety-two (392), relating to "Sale of Stock on Installment Plan"; (2) to transfer to the commissioner of insurance the duties heretofore conferred upon the secretary of state in the administration and enforcement of said Chapter three hundred ninety-three-C one (393-C1), relating to the "Iowa Securities Act"; (3) to transfer to the commissioner of insurance the duties heretofore conferred upon the secretary of state in the administration and enforcement of said Chapter three hundred ninety-three-E one (393-E1), relating to "Membership Sales"; and (4) to provide the method for the removal of the commissioner of insurance.

Read first and second times and referred to sifting committee.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 23, 1939, he had approved the following:

Senate File 2, relating to examination of the financial condition and transactions of counties, school districts, and municipal corporations.

Senate File 45, legalizing default judgments and decrees in certain actions.

Senate File 162, relating to bonds for park commissioners.

Senate File 164, relating to insurance commissions to be paid by foreign insurance companies.

Senate File 186, relating to the dairy industry, and creating the Iowa Dairy Industry Commission.

Senate File 293, relating to the bringing of actions against certain insurance exchanges.

By unanimous consent, Senator Hill presented to the Senate Superintendent Masters and his class from the Blairsburg High school.

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 19, 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 166, a bill for an act relating to a tax upon motor vehicles.

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

House File 340, a bill for an act relating to registration plates for motor vehicles.

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

Senate File 380, a bill for an act to change the name of the board of assessment and review.

Also: I am directed to inform your honorable body that the House has adopted the conference committee report on and passed Senate File 128, a bill for an act relating to the tax and restrictions on the sale of cigarettes.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 19, a bill for an act to amend Chapter four hundred fifty-six (456), Code, 1935, relating to artisan's lien and the enforcement thereof.

Read first and second times and referred to sifting committee.

House File 166, a bill for an act to amend section one hundred sixty (160) of Chapter one hundred thirty-four (134), Acts of Forty-seventh General Assembly, so as to provide that motor vehicles registered under said Chapter shall not be subject to a personal property tax except when in storage as unregistered motor vehicle during preceding registration year.

Read first and second times and referred to sifting committee.

House File 340, a bill for an act to amend section fifty (50) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to registration plates for motor vehicles.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 378, 390, 401 and 402.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 378, 390, 401 and 402.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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, 1939, sent to the Governor for his approval, Senate Files 378, 390, 401 and 402.

RALPH E. BENSON, *Chairman.*

Passed on file.

HOUSE FILE 334 RECONSIDERED

Senator Hart moved to take from the table his motion to reconsider the vote by which House File 334 passed the Senate, which motion prevailed.

Senator Hart moved that the Senate reconsider the vote by which House File 334 passed the Senate.

On the question "Shall the Senate reconsider the vote by which House File 334 passed the Senate?" the vote was:

Ayes, 46:

Augustine	Ellis	Hoeven	Mowry
Baldwin	Elthon	Hopkins	Pelzer
Beardsley	Evans	Husted	Schadt
Bekman	Faul	Kirketeg	Shaw
Benson	Forsling	Leo	Sjulin
Berg	Geske	Levis	Smith
Corwin	Gillette	Lundy	Stewart
Dean	Guernsey	Martin	Talbott
Dewey	Hart	Mighell	Vrba
Donohue	Harvey	Miller	Whitehill
Doran	Henningsen	Moore	Zeigler
Edwards	Hill		

Nays, none.

Absent or not voting, 4:

Breen Byers Cromwell Parker

The motion prevailed.

Senator Hart moved to reconsider the vote by which House File 334 passed to its third reading, which motion prevailed.

Senator Hart offered the following amendment and moved its adoption:

Amend by striking all of section one (1) following the word "year" in line five (5) and inserting in lieu thereof the following: "and in transferring funds in the amount of ten thousand dollars (\$10,000) from the emergency fund to the general fund and making expenditures from and issuing warrants on said general fund in the amount of ten thousand dollars (\$10,000) to cover indebtedness incurred in the carrying on in cooperation with the federal government and the WPA of public projects in said city, are hereby legalized, and said expenditures are hereby declared to constitute legal, binding, and valid obligations and evidences of indebtedness of said city."

The amendment was adopted.

THIRD READING OF BILLS

Senator Hart moved that House File 334, a bill for an act to legalize action of the city council of the city of Fort Madison, Iowa, in transferring funds in the amount of \$10,000 from the emergency fund to the general fund, and expending this \$10,000 from the general fund in excess of appropriations and anticipated revenues for such fiscal year, and to make such expenditures legal, binding and valid obligations of the city of Fort Madison, Iowa, be read a third 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	Elthon	Hopkins	Parker
Baldwin	Evans	Husted	Pelzer
Beardsley	Faul	Kirketeg	Schadt
Bekman	Forsling	Leo	Shaw
Benson	Geske	Levis	Sjulin
Berg	Gillette	Lundy	Smith
Corwin	Guernsey	Martin	Stewart
Dewey	Hart	Mighell	Talbott
Donohue	Harvey	Miller	Vrba
Doran	Henningsen	Moore	Whitehill
Edwards	Hill	Mowry	Zeigler
Ellis	Hoeven		

Nays, none.

Absent or not voting, 4:

Breen Byers Cromwell Dean

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

Senator Hart 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 Mighell asked unanimous consent to take up Senate Resolution 15.

Objection was made.

Senator Mighell moved that the Senate revert to the consideration of resolutions.

The motion was lost.

CONFERENCE COMMITTEE ON SENATE FILE 379

MR. PRESIDENT: The undersigned members of the conference committee appointed to consider the difference with the House on Senate File 379 beg leave to report that they are unable to agree on a report and ask to be discharged.

For the House:

DEAN W. PEISEN
H. F. RISSE
L. O. LAMPMAN
E. A. MOORE.

For the Senate:

L. B. FORSLING
O. H. HENNINGSEN
FRANK C. BYERS
H. V. LEVIS.

The report was adopted and the committee discharged.

President Hickenlooper appointed as members of the second conference committee, on the part of the Senate, on Senate File 379, Senators Forsling, Hart, Sjulín, and Kirketeg.

AMENDMENTS WITHDRAWN

By unanimous consent, on request of Senator Mowry, his amendment to Senate File 334, found on page 503 of the Journal, was withdrawn.

By unanimous consent, on request of Senator Mowry, his amendment to Senate File 335, found on pages 503 and 504 of the Journal, was withdrawn.

HOUSE AMENDMENT CONSIDERED

Senator Baldwin called up for consideration Senate File 137,

amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 137 by striking all of section two (2), the publication clause.

The motion prevailed, and the Senate concurred in the House amendment.

THIRD READING OF BILLS

Senator Baldwin moved that Senate File 137, a bill for an act to amend section forty-nine (49) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh (47th) General Assembly, by adding thereto an additional exemption to certain types of vehicles, be read a third time now, as amended, 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	Harvey	Mighell
Baldwin	Ellis	Henningsen	Miller
Beardsley	Elthon	Hill	Mowry
Bekman	Evans	Hoeven	Schadt
Benson	Faul	Hopkins	Shaw
Berg	Forsling	Husted	Sjulin
Corwin	Geske	Kirketeg	Talbott
Dean	Gillette	Leo	Vrba
Dewey	Guernsey	Lundy	Whitehill
Donohue	Hart	Martin	Zeigler
Doran			

Nays, none.

Absent or not voting, 9:

Breen	Levis	Parker	Smith
Byers	Moore	Pelzer	Stewart
Cromwell			

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 Forsling, Senate File 403, a bill for an act to amend section three hundred two (302), Code, 1935, relating to officers entitled to supplies, a committee bill, was taken up and considered.

Senator Husted offered the following amendment and moved its adoption.

Amend Senate File 403 by striking lines five (5) and six (6).

By unanimous consent, on request of Senator Husted, the amendment was withdrawn.

Senator Husted offered the following amendment and moved its adoption:

Amend by striking lines one (1) and two (2) of section two (2) and inserting in lieu thereof the following: "Sec. 2. This act shall become effective July 1, 1939, following its".

The amendment was adopted.

Senator Forsling moved that the bill be read a third 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	Harvey	Parker
Baldwin	Edwards	Henningesen	Pelzer
Beardsley	Ellis	Hill	Schadt
Bekman	Evans	Hopkins	Shaw
Benson	Faul	Husted	Sjulin
Breen	Forsling	Kirketeg	Smith
Corwin	Geske	Leo	Stewart
Dean	Gillette	Martin	Talbott
Dewey	Guernsey	Miller	Urba
Donohue	Hart	Mowry	Zeigler

Nays, none.

Absent or not voting, 10:

Berg	Elthon	Lundy	Moore
Byers	Hoeven	Mighell	Whitehill
Cromwell	Levis		

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

Senator Forsling 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 64, a bill for an act to provide a system of civil service for employees of the state highway commission; to create a state highway commission civil service board, and to provide for the appointment of members thereof, and the filling of vacancies; to provide for the payment of expenses of the civil service board; to provide for the examination of applicants for employment with the state highway commission, certification of names of applicants passing examinations, and the appointment from such certified lists to vacancies ex-

isting in the employment of the state highway commission; to provide preference for ex-service men, and for preference to employees for positions of a higher class; to provide method of removal or discharge of employees, and for appeal from removal or suspension; to prohibit campaign contributions by state highway commission employees; to amend section four thousand six hundred twenty-six (4626) of the Code of Iowa, 1935, relating to the duties of the state highway commission; and to amend section four thousand seven hundred fifty-five b-thirty-one (4755-b31) of the Code of Iowa, 1935, relating to the maintenance fund for the state highway commission, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking section 1 and substituting in lieu thereof the following:

"Section 1. Scope. The provisions of this act shall apply to all assistants and employees of the state highway commission who are actually engaged in the work of maintaining the highways, including foremen directly engaged in the supervision of maintenance employees, and including mechanics employed in shops used in connection with highway maintenance."

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend by striking all of section seven (7) and renumbering the remaining sections.

By unanimous consent, Senator Hill withdrew his amendment.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking all of section seven (7) and substituting in lieu thereof the following:

"Sec. 7. Present Employees. Persons regularly holding positions of employment within the scope of this act on the date this act becomes effective shall be appointed to and shall retain their positions under civil service only after passing noncompetitive practical examinations involving only the duties of the position they hold on the date of the taking effect of this act. The board shall within one (1) year following the effective date of this act prepare and give once to all such incumbents a qualifying examination as herein provided."

Senator Hill offered the following as a substitute for the amendment by Senator Donohue and moved its adoption:

Amend by striking all of section seven (7) and substituting in lieu thereof the following:

"Section 7. Present Employees. Persons regularly holding positions of employment within the scope of this act for a period of one (1) year or more, prior to the effective date hereof, shall retain their positions until a qualifying examination is given. Such examination shall be given by the Board prior to December 1, 1939. Each person so employed shall be entitled to a credit of one per cent (1%) for each year's employment which shall be added to all other ratings or grades obtained by any such employee in the examinations required by this act."

The motion was lost.

The amendment offered by Senator Donohue was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend by striking all of section twelve (12), and inserting in lieu thereof the following:

"Sec. 12. Removal. The state highway commission may remove or suspend not more than two (2) per cent of the employees covered by this act without cause during any one year, from which dismissal or suspension there shall be no right of appeal. Over and above the two (2) per cent of the number of employees herein referred to shall not be removed or suspended arbitrarily, but may be removed or suspended for misconduct or failure to properly perform his duties as may be determined by the board".

By unanimous consent, on request of Senator Bekman, his amendment was changed by inserting immediately prior to the word "Over" the words "Those employees," and by inserting a comma in line five (5) immediately after the word "to".

Further action was deferred.

EXTRA COPIES

By unanimous consent on request of Senator Berg, 500 copies of Senate File 128, as amended and passed, 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 405, 434, 435, 438, 439, 441, 443, 363, 305, 436, 423, 31, 15, 356, 279, 253, 323 and 243 and House Files 270, 271, 296, 603, 623, 44 and 151.

E. P. DONOHUE, *Chairman.*

REPORTS OF COMMITTEE

Senator Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred House File 94, 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 recommends the same do pass.

L. H. DORAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 371, a bill for an act to make an appropriation to the Iowa conservation commission to be used in cooperation with the WPA funds to complete the project known as the Sewer and Sewage Diversion Works, Division "B", Dickinson County, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 440, a bill for an act to provide for the erecting of an office building on the state capitol grounds; to authorize the executive council and legislative advisory committee to designate the location of said building, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 64 as follows:

1. Amend section 9, line 9, by striking the comma after the word "commission" and inserting a period in lieu thereof.
2. Amend section 9 by striking all of the remainder of the sentence in lines 9, 10, 11 and 12 and by adding at the end of section 9 the following: "As a means of discovering and determining employees who should be promoted, demoted, transferred or dismissed, consideration shall be given to: length of service; service ratings of competency and efficiency".
3. Amend section 10 by striking the word "appointed" in line 14 and inserting in lieu thereof "promoted".
4. Amend section 10 by striking the word "dismissed" in line 16 and inserting in lieu thereof the word "demcted".

E. K. BEKMAN.

MR. PRESIDENT: Amend Senate File 64 by inserting the following as section 11, and by renumbering all subsequent sections:

“Sec. 11. Service standards and ratings. In cooperation with appointing authorities, the civil service board shall establish, and may from time to time amend, standards of performance and output for employees in each class of positions in the classified service or for groups of classes, and a system of service ratings based upon such standards. In such manner and with such weight as shall be provided in the rules, service ratings shall be considered in determining salary increases and decreases within the limits established by law and by the pay plan; as a factor in promotion tests; as a factor in determining the order of lay-off when forces must be reduced because of lack of funds or work, and the order in which names are to be placed on re-employment lists; and as a means of discovering employees who should be promoted, demoted, transferred or dismissed. In such manner and at such time as the rules may require, or when requested by the civil service board, the state highway commission shall make available to the civil service board a record of service ratings of employees and such information as will aid in determining the basis of such service ratings. Any employee shall be given reasonable opportunity to inspect the records of the department which show his service ratings and the service ratings of other employees in the same class and division.”

E. K. BEKMAN.

MR. PRESIDENT: Amend Senate File 64, section 13, by adding after the word “person” in line one (1) the following: “under the classification for removal or suspension for cause as provided herein”.

E. K. BEKMAN.

MR. PRESIDENT: Amend Senator Forsling’s amendment to Senate File 64 as follows:

1. Amend by adding the following to section fifteen (15): “In all appointments under the provisions of this act the provisions of Chapter sixty (60), Code, 1935, relating to soldiers’ preference shall be applicable.”

2. Amend by adding the following to section seventeen (17): “In all promotions under the provisions of this act the provisions of Chapter sixty (60), Code, 1935, relating to soldiers’ preference shall be applicable.”

3. Amend by striking the words “a passing” from line six (6), section twenty-seven (27), and inserting in lieu thereof the word “the”.

GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 64, section 1, by adding as the first paragraph of said section the following:

1. There is hereby established a system of civil service for the following employees of the state highway commission based on merit principles and scientific methods as provided herein. Such system as is herein provided for shall govern the appointment, promotion, transfer, lay-off, removal and discipline of employees, and other incidents relating to employment in said department. Except as hereinafter specified, all appointments and promotions shall be made on the basis of merit and fitness, to be ascertained by competitive examinations”.

2. Amend section 2 by adding at the end thereof the following: "In addition to the duties imposed upon the board elsewhere in this act, it shall be the duty of the commission:

(1) To represent the public interest in the improvement of the civil service covered by the act.

(2) To advise the governor and the state highway commission on problems concerning the administration of the act.

(3) To advise and assist in fostering the interest of institutions of learning, civic, professional and employee organizations in the improvement of personnel standards and administrative problems.

(4) To make such studies and investigations as may be considered desirable relating to the administration of personnel of this act within the limitations of such funds as may be available to the board.

(5) To make annual reports to the governor and such special reports as may be requested by the governor regarding personnel administration in said system, and recommendations for improvement therein."

E. K. BEKMAN.

MR. PRESIDENT: Amend section 7, line 3, of Senate File 64 by striking the words "on the date this act becomes effective", and by inserting in lieu thereof the following: "on March 1, 1939."

HUGH W. LUNDY.

MR. PRESIDENT: Amend section two (2) of House File 8 by striking therefrom line ten (10).

L. H. DORAN.

MR. PRESIDENT: Amend Senate File 334 by striking out all of section one (1) and inserting in lieu thereof the following:

"Section 1. That section 8781 be and the same is hereby amended by inserting immediately after the comma following the word, 'plan' in the seventh line thereof and before the word 'in' in the same line, the following: 'and certificates providing for endowment and annuity features and combinations thereof.'"

Further amend Senate File 334, section two (2) by striking out the period (.) following the word "society" and inserting the following: "provided, however, that a declaration of insurability may be accepted only in cases, (a) of an applicant under forty-five years of age and for insurance not to exceed two thousand dollars, and, (b) of insurance on the lives of children under fifteen years of age."

Also amend Senate File 334, section two (2) by inserting after the word "members" in line twenty-nine (29) the following: "to whom no certificate of insurance in any form shall be issued."

ROSS R. MOWRY.

MR. PRESIDENT: Amend Senate File 335, section one (1), by striking out in line five (5) the word "and" following the word "Federal" and inserting in lieu thereof a comma (,) and by further amending said section one (1), line five (5), by inserting after the word "territorial" and before the word "obligations" the words "and Dominion".

Also amend Senate File 335, section one (1), by inserting after the word "administrator" which appears in lines fourteen (14) and fifteen (15)

the following: "and bonds issued by or guaranteed by the Dominion of Canada".

ROSS R. MOWRY.

MR. PRESIDENT: Amend Senate File 424 by striking from section two all of lines two, three, four and five and inserting in lieu thereof the words "commerce counsel."

HUGH W. LUNDY.

Senator Doran moved that the Senate adjourn until 10:00 a. m. Saturday.

Senator Breen offered as a substitute that the Senate adjourn until 10:00 a. m. Monday.

The substitution was made.

The substitute motion prevailed, and the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 27, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Lucius L. Smith, pastor of the Methodist Church of St. Charles.

The Journal of March 24th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Evans for the day, on request of Senator Vrba; Senator Stewart for the day, on request of Senator Benson; Senator Shaw for the day, on request of Senator Doran.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hart, from independent merchants of Keokuk, desiring action on the chain store tax bill.

By Senator Lundy, from Mrs. M. L. Junkin, of Los Angeles, owner of property in Iowa, opposing the higher tax on chain stores.

By Senator Vrba, from business men of Elma, favoring enactment of House File 372 and Senate File 238.

By Senator Leo, from citizens of Benton and adjoining counties, opposing enactment of Senate File 245.

By Senator Schadt, from citizens of Johnson county, opposing any change in the present beer law.

By Senator Breen, from citizens of Webster county, favoring the elimination of Class "C" beer permits.

By Senator Corwin, from farmers of Louisa county, favoring House File 114 as passed by the House.

By Senator Dean, from citizens of Cerro Gordo county, favoring the elimination of Class "C" beer permits.

By Senator Gillette, from members and friends of Townsend Club No. 1 of Algona, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Martin, from citizens of Scott county, urging elimination of Class "C" beer permits.

By Senator Cromwell, from citizens of Burlington, favoring enactment of House File 431.

By Senator Cromwell, from the International Brotherhood of Electrical Workers, Local Union No. 735 of Burlington, favoring enactment of House Files 490, 491 and 569, and Senate Files 279, 280 and 281.

By Senator Cromwell, from the International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers of America, Local Union No. 218, Burlington, favoring enactment of Senate File 595.

By Senator Cromwell, from members of the Burlington police department, opposing any change in the civil service law.

By Senator Mowry, from parents and leader of the North Star Girls' 4-H Club of Malaka township, Jasper county, desiring better housing and eating facilities for the club girls and boys at the Iowa State Fair.

By Senator Mowry, from parents of the boys of the Malaka Northern Lights Club, desiring better housing and eating facilities for 4-H club members attending the Iowa State Fair.

By Senator Breen, from citizens of Webster county, favoring enactment of House File 431.

INTRODUCTION OF BILLS

Senate File 446, 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), seventy-seven hundred seventy-seven (7777), Chapter three hundred sixty-three (363), Code of 1935, relating to mill dams and races, to the issuance of permits, certificates of approval, the collection of permit, license and inspection fees for the construction, maintenance and operation of dams, the allocation of funds de-

rived therefrom and the study of the proper methods of construction of such dams.

Read first and second times and referred to sifting committee.

Senate File 447, by committee on conservation, a bill for an act to amend section seventeen hundred three-e four (1703-e4), Code, 1935, relating to inspection and licensing of boats operated for hire, including boats operated by clubs; to amend section seventeen hundred three-e seven (1703-e7), Code, 1935, to include block numbers on row boats operated for hire; and to add a constitutional clause to Chapter eighty-five-G one (85-G1).

Read first and second times and referred to sifting committee.

Senate File 448, by committee on conservation, a bill for an act assenting to the provisions of the act of congress entitled, "An act to provide that the United States shall aid the states in wild-life restoration projects, and for other purposes," approved September 2, 1937.

Read first and second times and referred to sifting committee.

Senate File 449, by committee on conservation, a bill for an act relating to and providing for 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 referred to committee on appropriations.

Senate File 450, by committee on conservation, a bill for an act to amend section seventeen hundred ninety-four-e one (1794-e1), Chapter eighty-six-E one (86-E1), Code of 1935, relating to fish and game licenses and setting the amounts thereof and providing for certain new licenses; to amend section seventeen hundred ninety-four-e six (1794-e6), Chapter eighty-six-E one (86-E1), Code of 1935, providing for the issuing of a duplicate license where the original has been lost, destroyed or stolen and for the evidence necessary to secure such duplicate; to amend section seventeen hundred ninety-four-e ten (1794-e10), Chapter eighty-six-E one (86-E1), Code of 1935, providing for a holder for licenses issued by the commission and for its exhibition while the licensee is fishing, hunting or trapping and for the exhibition of said license to any officer and for punishment for violation thereof; to amend

section seventeen hundred ninety-four-e fifteen (1794-e15), Chapter eighty-six-E one (86-E1), Code of 1935, providing for the necessity of a fishing license; to amend section seventeen hundred ninety-nine (1799), Chapter eighty-seven (87), Code of 1935, relating to the duties of the conservation commission as to parks and their development; to amend section seventeen hundred ninety-nine-b two (1799-b2), Chapter eighty-seven (87), Code of 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; to repeal section eighteen hundred twenty-one-e one (1821-e1), Chapter eighty-seven (87), 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 referred to sifting committee.

Senate File 451, by committee on claims, a bill for an act to make appropriations to the Davenport Oil and Supply Company, Davenport, Iowa; T. D. Johnson, Rodman, Iowa; Cal Johnston, Eldon, Iowa; State College of Agriculture and Mechanic Arts, Ames, Iowa; and Real Estate Division in the office of the secretary of state.

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

Senate File 452, by committee on conservation, a bill for an act to amend sections seven (7), eight (8), eleven (11), seventeen (17), thirty (30), thirty-two (32), thirty-eight (38), thirty-nine (39), forty-six (46), forty-seven (47), fifty-two (52), fifty-three (53), fifty-six (56), sixty-two (62), sixty-five (65), sixty-nine (69), seventy-three (73), seventy-seven (77), seventy-nine (79), eighty-one (81), ninety-six (96), ninety-seven (97), ninety-eight (98), one hundred two (102), and one hundred fifteen (115), of Chapter ninety-nine (99), Acts of the 47th General Assembly, relating to the powers, duties and jurisdiction of the state conservation commission with respect to the use of boats on state lakes, to the maintaining of biological balance of all species of wild-life and if justified by proper findings to extend, shorten, open or close seasons, to define game, to regulate the bringing in of birds or animals from outside the state, to provide for open seasons, bag and possession limits, for the training and use of

hunting dogs, bait dealers and private fish hatcheries, for establishing laws with respect to fishing in certain areas and for the taking of minnows, to protect frogs from sale and transportation in or out of the state including protection for certain fur-bearing animals, providing for the use of nets and seines and for the legal size of certain fish, for the excessive loading of vehicles in parks, for the construction of words and phrases used in said act and providing for a penalty for the violation of said acts.

Read first and second times and referred to sifting committee.

Senate File 453, by committee on conservation, a bill for an act to amend section seventeen hundred four (1704), Chapter eighty-six (86), Code of 1935, relating to state ownership and title of fish, mussels, clams and frogs, to include all other wildlife; to amend section seventeen hundred five (1705), Chapter eighty-six (86), Code of 1935, relating to the presumption that the title to all wildlife is in the state of Iowa; to amend section seventeen hundred fourteen (1714), Chapter eighty-six (86), Code of 1935, to cover the seizure of all unlawful game while being illegally transported; to amend section seventeen hundred forty-one (1741), section seventeen hundred forty-two (1742), and section seventeen hundred forty-five (1745), Chapter eighty-six (86), Code of 1935, relating to state ownership, unlawful game, undesirable fish, fishways, dams, their construction, destruction, injury and altering water levels, advance notice and securing the approval of the conservation director; repeal section seventeen hundred sixty-two (1762), Chapter eighty-six (86), Code of 1935, relating to territorial jurisdiction and reciprocity of states and enacting in lieu thereof a law providing for extending reciprocity to include fishing, hunting, trapping and mussel privileges insofar as other states are permitted to make such agreements; to amend section seventeen hundred seventy-eight (1778), Chapter eighty-six (86), Code of 1935, relating to the use of live birds as targets to be shot at and providing for field meets where dogs are permitted to work in exhibition and contest, providing for the release of birds during such trials and for the issuing of permits for the same; to amend section seventeen hundred eighty-nine (1789), Chapter eighty-six (86), Code of 1935, relating to violations of the provisions of Chapter eighty-six (86), and to enact laws to be added to said Chapter pertaining to the protection of fish, game, wild birds and animals.

Read first and second times, and referred to sifting committee.

Senate File 454, by committee on appropriations, a bill for an act to appropriate the sum of not to exceed four million dollars (\$4,000,000.00) for the ensuing biennium for old age assistance.

Read first and second times and placed on the Calendar.

Senate File 455, by committee on appropriations, a bill for an act to make an emergency appropriation of state funds to the state planning board.

Read first and second times and placed on the Calendar.

Senate File 456, by special chain store tax committee, a bill for an act to repeal Chapter three hundred twenty-nine-G one (329-G1), of the 1935 Code of Iowa, known as the "Chain Store Tax Act of 1935" and enact in lieu thereof the following bill, to be entitled "Chain Store Tax and Regulatory Act of 1939", and to levy an annual license tax on all persons, firms, partnerships, corporations or associations of persons engaged in the business of operating two or more stores or mercantile establishments within this state, where goods, wares, merchandise, or other commodities are offered for sale or sold at retail under the same general management, supervision, ownership or control, commonly known as branch or chain stores; also making provisions for manner of making general property tax assessments on chain or multiple stores; also providing sales and advertising regulations for chain stores; providing exemptions from this act in certain cases; declaring false advertising, rebating and price discrimination in certain instances a crime; and providing penalties for violation of this Act.

Read first and second times and referred to sifting committee.

The time having arrived for the special order of business, the President asked Senator Lundy to present his guest. Senator Lundy introduced Mr. E. O. Osborn of Knoxville and explained that he was presenting Iowa's "unofficial poet laureate," who, while an active business man at Knoxville, a druggist, found time to write poems as a hobby and whose works had received general acclaim not only in Iowa, but throughout many parts of the country.

Senator Lundy asked and received unanimous consent to have some of Mr. Osborn's poems printed in the Journal.

RED CLOVER

With words I'll build a color scheme
To paint the secret charms,
That nature seems to lavish on
Our fertile rolling farms.

To try a countless score of words
To find that none convey
The beauty of our clover fields
The charms I would portray.

Words can't perform a hopeless task;
Much less by magic yield
The crimson hues and shades of green
Found in the clover field.

The open stretch of country side,
The dawn's refreshing air,
The perfume of red clover's bloom;
What joys these are to share.

The Rockies and the Alps may point
Their glories to the sky,
But our own fields of clover, red,
Are scenes that satisfy.

IT'S NOT TOO BAD

Now if you think your lot is hard,
Just read your daily through
And it will tell of thousands, that
Are far worse off than you.

These good United States of ours,
From East coast to the West,
Of all the nations on the Earth
I think, our country best.

In Germany the Song of Hate
Is sung throughout the land
The Golden Rule and tolerance
They do not understand.

Still other Nations, on our globe
Are filled with greed and lust
Yes marching men and bayonets
Are idols of their trust.

So read your daily paper through
And check the items there,
And I am sure you'll find your lot,
Is not too hard to bear.

OBJECTIVES

To understand, be understood,
 To live and do a little good;
 To be one of my neighborhood,
 And do the things a neighbor should.

Of Destiny my architect
 And certain weakness correct;
 To deal with honor and respect,
 All rights and liberties protect.

To know the value of true friends,
 And not be one who just pretends;
 A willingness to make amends,
 And go somewhere when this life ends.

MAY HE REST IN PEACE

When I review the varied paths
 Wherein my feet have trod,
 I glory in my father's faith;
 His firm belief in God.

As I look back upon the trials
 That fell to him to bear,
 I realize the peace he found
 In his sweet hour of prayer.

I'm not ashamed, in fact, I'm proud,
 As visions, plain, I see,
 Of him, who lead his flock in prayer
 And oft times prayed for me.

"Thy kingdom come, Thy will be done,"
 This we were taught to say,
 As one small part of the Lord's prayer,
 He offered every day.

Oh yes, indeed, I do believe,
 There's latent power in prayer;
 Though you may not, and honestly,
 In this opinion share.

No sweeter thought, or memory,
 Could I 'ere wish to share,
 Than those that show the little group,
 When father knelt, in prayer.

THE MEADOWLARK

In just what form or just what way
 Does gentleness make it's display
 What act brings comfort to the mind,
 More than an act of being kind?

A Mother bird, with wings spread wide,
 Came fluttering, from side to side,
 With feathers fluffed, to notify
 The plowman that her nest was nigh.

He knew the language of the bird,
 Perhaps a scolding note was heard;
 Soon all her fears were put at rest
 The plowman spared the mother's nest.

In coming years when it is spring
 And Meadowlarks will gayly sing
 Perhaps the plowman will enjoy
 The song that he did not destroy.

Let's hope that when his hand must yield
 The plow to others in the field,
 That on his marker readers find
 "Here Lies a Man by Nature Kind."

UNEASY LIES THE HEAD

Let not your hearts be envious
 Of people of renown;
 Uneasy lies the head of these
 Whom fame bequeaths a crown.

What ere your humble lot may be
 Give thanks in Heaven's name
 That in obscurity you find
 Blessings unknown to fame.

Sing then your heart-felt songs of thanks
 For paths wherein you find
 Seclusion and its kindred joys
 To ease and soothe the mind.

A home where happiness abounds,
 Man's refuge and retreat,
 Where cares of day are put aside
 And solitude is sweet.

EXTRA COPIES

By unanimous consent, on request of Senator Faul, 300 additional copies of Senate File 232 were ordered printed.

On motion of Senator Mighell, Senate Resolution 15, found on page 694 of the Journal, was taken up and considered.

On motion of Senator Donohue, the resolution was referred to the 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 House has passed the following bill in which the concurrence of the Senate is asked:

House File 256, a bill for an act relating to the width of doors in school busses.

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

House File 462, a bill for an act to make an appropriation to the Iowa national guard for construction work.

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 official reports and documents.

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

House File 502, a bill for an act relating to the tax on cigarettes and tobacco and the collection thereof.

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

House File 503, 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 504, a bill for an act relating to tax on oleomargarine and the collection thereof.

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

House File 505, a bill for an act relating to reimbursement of school districts for loss of taxes.

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

House File 506, a bill for an act relating to the duties of county treasurer.

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

House File 507, a bill for an act relating to county bonds.

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

House File 508, a bill for an act relating to the general subject of taxation.

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

House File 509, a bill for an act relating to the valuation and assessment of property.

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 relating to income, corporation and sales taxes.

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

House File 511, a bill for an act relating to chain store tax and collection thereof.

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

House File 512, a bill for an act relating to the listing of property for taxation.

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

House File 513, a bill for an act relating to assessment of moneys and credits.

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

House File 514, a bill for an act relating to the collection of taxes from insurance companies.

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

House File 515, a bill for an act relating to the collection of taxes from telephone and telegraph companies.

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

House File 516, a bill for an act relating to the collection of taxes from railroad companies.

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

House File 517, a bill for an act in relation to the payment of taxes by freight line equipment companies.

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 relating to collection of taxes from express companies.

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 relating to the collection of taxes from electric transmission lines.

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

House File 520, a bill for an act relating to the assessment of omitted property.

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

House File 521, a bill for an act relating to collection of taxes from pipe line companies.

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

House File 522, a bill for an act relating to reassessment and relevy of taxes.

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 relating to local assessors and assessment of property.

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 boards of review.

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

House File 525, a bill for an act relating to the listing of property for taxation.

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

House File 526, a bill for an act relating to tax levies and certification of taxes.

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 relating to inheritance tax and the collection thereof.

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 relating to Iowa estate tax and the collection thereof.

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

House File 529, a bill for an act relating to the taxation of motor vehicle carriers and collection of the tax.

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

House File 530, a bill for an act relating to the duties of the state comptroller.

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 relating to motor vehicle fuel tax and the collection thereof.

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

House File 532, a bill for an act relating to income tax of nonresidents and the collection thereof.

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 relating to homestead tax exemptions.

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 relating to sales tax and the collection thereof.

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

House File 535, a bill for an act relating to use tax and the collection thereof.

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

Senate File 211, a bill for an act to provide an emergency appropriation for traveling and hotel expenses of the judges of the district court to June 30, 1939.

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 to provide an emergency appropriation to the department of justice.

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 appropriations to certain persons in connection with the case of Noah Murphy et al. vs. Maurice Bernard.

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 the Electric Equipment Company of Des Moines.

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 Melvin Apel of Rudd.

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 appropriations to certain banks for reimbursement of sums erroneously paid.

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 Des Moines county.

Also: That the House has passed 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 Vera B. Tripp of Newton.

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 Mrs. Olive Davis of Newton.

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 certain funeral homes.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 256, a bill for an act to amend section three hundred ninety-nine (399), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, and to repeal section three hundred ninety-eight (398) of said chapter and to enact a substitute therefor, all relating to construction and equipment of school busses.

Read first and second times and referred to sifting committee.

House File 462, a bill for an act to make an appropriation to the Iowa National Guard for the reroofing of mess halls and headquarters buildings, installation of ice boxes, construction of ammunition magazines, construction of bath houses and latrines, addition to office, ceiling of garage building and stoker for heating plant, all at Camp Dodge.

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

House File 501, a bill for an act to amend section two hundred sixty-four (264), Code, 1935, relating to official reports and documents.

Read first and second times and referred to sifting committee.

House File 502, a bill for an act to amend sections fifteen hundred sixty-six (1566), fifteen hundred seventy (1570), fifteen hundred seventy-b one (1570-b1), fifteen hundred seventy-b two (1570-b2), fifteen hundred seventy-one (1571), fifteen hundred seventy-four (1574), fifteen hundred seventy-four-a one (1574-a1), fifteen hundred seventy-five (1575), and fifteen hundred seventy-six (1576), Chapter seventy-eight (78), Code, 1935, relating to the tax on cigarettes and tobacco and collection thereof.

Read first and second times and referred to sifting committee.

House File 503, a bill for an act to amend sections nineteen hundred twenty-one-f ninety-seven (1921-f97), nineteen hundred twenty-one-f ninety-eight (1921-f98), nineteen hundred twenty-one-f ninety-nine (1921-f99), nineteen hundred twenty-one-f one hundred two (1921-f102), nineteen hundred twenty-one-f one hundred three (1921-f103), nineteen hundred twenty-one-f one hundred four (1921-f104), nineteen hundred twenty-one-f one hundred five (1921-f105), nineteen hundred twenty-one-f one

hundred eight (1921-f108), nineteen hundred twenty-one-f one hundred seventeen (1921-f117), nineteen hundred twenty-one-f one hundred nineteen (1921-f119), nineteen hundred twenty-one f one hundred twenty (1921-f120), nineteen hundred twenty-one-f one hundred twenty-five (1921-f125), Chapter ninety-three-F two (93-F2), Code, 1935, relating to beer and malt liquors.

Read first and second times and referred to sifting committee.

House File 504, a bill for an act to amend sections thirty-one hundred-d one (3100-d1), thirty-one hundred-d five (3100-d5), thirty-one hundred-d six (3100-d6), thirty-one hundred-d seven (3100-d7), thirty-one hundred-d eight (3100-d8), thirty-one hundred-d ten (3100-d10), thirty-one hundred-d eleven (3100-d11), thirty-one hundred-d twelve (3100-d12), and to repeal section thirty-one hundred-d thirteen (3100-d13), Chapter one hundred fifty-D one (150-D1), Code, 1935, relating to tax on oleomargarine and the collection thereof.

Read first and second times and referred to sifting committee.

House File 505, a bill for an act to amend section forty-two hundred eighty-three-e seven (4283-e7), Code, 1935, relating to reimbursement of school districts for loss of taxes.

Read first and second times and referred to sifting committee.

House File 506, a bill for an act to amend section fifty-one hundred sixty-nine-a seven (5169-a7), Code, 1935, relating to the duties of county treasurer.

Read first and second times and referred to sifting committee.

House File 507, a bill for an act to amend sections fifty-two hundred ninety (5290) and fifty-two hundred ninety-one (5291), Code, 1935, relating to county bonds.

Read first and second times and referred to sifting committee.

House File 508, a bill for an act to amend section sixty-two hundred twenty-two (6222), Code, 1935, relating to the general subject of taxation.

Read first and second times and referred to sifting committee.

House File 509, a bill for an act to amend section sixty-eight

hundred sixty-six (6866), Code, 1935, relating to the valuation and assessment of property in cities under special charter.

Read first and second times and referred to sifting committee.

House File 510, a bill for an act to amend sections sixty-nine hundred forty-three-f three (6943-f3), sixty-nine hundred forty-three-f nine (6943-f9), sixty-nine hundred forty-three-f fourteen (6943-f14), sixty-nine hundred forty-three-f fifteen (6943-f15), sixty-nine hundred forty-three-f sixteen (6943-f16), sixty-nine hundred forty-three-f seventeen (6943-f17), sixty-nine hundred forty-three-f eighteen (6943-f18), sixty-nine hundred forty-three-f twenty-one (6943-f21), sixty-nine hundred forty-three-f twenty-two (6943-f22), sixty-nine hundred forty-three-f twenty-three (6943-f23), sixty-nine hundred forty-three-f twenty-four (6943-f24), sixty-nine hundred forty-three-f twenty-five (6943-f25), sixty-nine hundred forty-three-f twenty-six (6943-f26), sixty-nine hundred forty-three-f twenty-nine (6943-f29), sixty-nine hundred forty-three-f thirty-two (6943-f32), sixty-nine hundred forty-three-f thirty-three (6943-f33), sixty-nine hundred forty-three-f thirty-six (6943-f36), sixty-nine hundred forty-three-f forty-two (6943-f42), sixty-nine hundred forty-three-f forty-three (6943-f43), sixty-nine hundred forty-three-f forty-five (6943-f45), sixty-nine hundred forty-three-f forty-six (6943-f46), sixty-nine hundred forty-three-f forty-seven (6943-f47), sixty-nine hundred forty-three-f forty-eight (6943-f48), sixty-nine hundred forty-three-f forty-nine (6943-f49), sixty-nine hundred forty-three-f fifty (6943-f50), sixty-nine hundred forty-three-f fifty-three (6943-f53), sixty-nine hundred forty-three-f fifty-four (6943-f54), sixty-nine hundred forty-three-f fifty-five (6943-f55), sixty-nine hundred forty-three-f fifty-six (6943-f56), sixty-nine hundred forty-three-f fifty-seven (6943-f57), sixty-nine hundred forty-three-f fifty-eight (6943-f58), sixty-nine hundred forty-three-f fifty-nine (6943-f59), sixty-nine hundred forty-three-f sixty (6943-f60), sixty-nine hundred forty-three-f sixty-one (6943-f61), sixty-nine hundred forty-three-f sixty-two (6943-f62), sixty-nine hundred forty-three-f sixty-three (6943-f63), as amended by section ten (10), Chapter one hundred eighty-four (184), and section one (1), Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, Chapter three hundred twenty-nine-F one (329-F1), Code, 1935, and to amend section one (1), Chapter one hundred eighty-five (185), Acts of the Forty

seventh General Assembly, relating to the collection of income, corporation, and sales tax.

Read first and second times and referred to sifting committee.

House File 511, a bill for an act to amend sections sixty-nine hundred forty-three-g two (6943-g2), sixty-nine hundred forty-three-g five (6943-g5), sixty-nine hundred forty-three-g six (6943-g6), sixty-nine hundred forty-three-g seven (6943-g7), sixty-nine hundred forty-three-g eight (6943-g8), sixty-nine hundred forty-three-g eleven (6943-g11), sixty-nine hundred forty-three-g twelve (6943-g12), sixty-nine hundred forty-three-g fourteen (6943-g14), sixty-nine hundred forty-three-g fifteen (6943-g15), and to repeal section sixty-nine hundred forty-three-g thirteen (6943-g13), Chapter three hundred twenty-nine-G one (329-G1), Code, 1935, relating to chain-store tax and the collection thereof.

Read first and second times and referred to sifting committee.

House File 512, a bill for an act to amend sections sixty-nine hundred seventy-nine (6979), sixty-nine hundred eighty (6980), sixty-nine hundred eighty-one (6981), sixty-nine hundred eighty-two-d one (6982-d1), sixty-nine hundred eighty-two-d two (6982-d2), sixty-nine hundred eighty-two-d three (6982-d3), sixty-nine hundred eighty-two-d four (6982-d4), sixty-nine hundred eighty-two-d five (6982-d5), sixty-nine hundred eighty-two-d six (6982-d6), Chapter three hundred thirty-one (331), Code, 1935, relating in general to the listing of property for taxation.

Read first and second times and referred to sifting committee.

House File 513, a bill for an act to amend section sixty-nine hundred eighty-seven (6987), Chapter three hundred thirty-two (332), Code, 1935, relating to assessment of moneys and credits.

Read first and second times and referred to sifting committee.

House File 514, a bill for an act to amend sections seven thousand twenty-one (7021), seven thousand twenty-two (7022), seven thousand twenty-five (7025), Chapter three hundred thirty-five (335), Code, 1935, relating to the collection of taxes from insurance companies.

Read first and second times and referred to sifting committee.

House File 515, a bill for an act to amend sections seven thou-

sand thirty-one (7031), seven thousand thirty-two (7032), seven thousand thirty-three (7033), seven thousand thirty-four (7034), seven thousand thirty-five (7035), seven thousand thirty-seven (7037), seven thousand thirty-eight (7038), and seven thousand thirty-nine (7039), Chapter three hundred thirty-six (336), Code, 1935, relating to the collection of taxes from telephone and telegraph companies.

Read first and second times and referred to sifting committee.

House File 516, a bill for an act to amend sections seventy hundred forty-six (7046), seventy hundred forty-seven (7047), seventy hundred forty-eight (7048), seventy hundred forty-nine (7049), seventy hundred fifty (7050), seventy hundred fifty-two (7052), seventy hundred fifty-three (7053), seventy hundred fifty-four (7054), seventy hundred fifty-six (7056), seventy hundred fifty-seven (7057), seventy hundred fifty-nine (7059), seventy hundred sixty (7060), seventy hundred sixty-one (7061), seventy hundred sixty-two (7062), and seventy hundred sixty-seven (7067), Chapter three hundred thirty-seven (337), Code, 1935, relating to the collection of taxes from railroad companies.

Read first and second times and referred to sifting committee.

House File 517, a bill for an act to amend sections seven thousand seventy-two (7072), seven thousand seventy-three (7073), seven thousand seventy-four (7074), seven thousand seventy-five (7075), and seven thousand seventy-six (7076), Chapter three hundred thirty-eight (338), Code, 1935, in relation to the payment of taxes by freight line and equipment companies.

Read first and second times and referred to sifting committee.

House File 518, a bill for an act to amend sections seven thousand seventy-nine (7079), seven thousand eighty (7080), seven thousand eighty-one (7081), seven thousand eighty-two (7082), seven thousand eighty-three (7083), seven thousand eighty-four (7084), and seven thousand eighty-five (7085), Chapter three hundred thirty-nine (339), Code, 1935, relating to collection of taxes from express companies.

Read first and second times and referred to sifting committee.

House File 519, a bill for an act to amend sections seventy hundred ninety (7090), seventy hundred ninety-two (7092),

seventy hundred ninety-three (7093), seventy hundred ninety-four (7094), seventy hundred ninety-five (7095), seventy hundred ninety-six (7096), seventy hundred ninety-seven (7097), seventy hundred ninety-eight (7098), and seventy-one hundred (7100), Chapter three hundred forty (340), Code, 1935, relating to the collection of taxes from electric transmission lines.

Read first and second times and referred to sifting committee.

House File 520, a bill for an act to amend sections seventy-one hundred five-a one (7105-a1), seventy-one hundred five-a four (7105-a4), seventy-one hundred five-a five (7105-a5), seventy-one hundred five-a six (7105-a6), and seventy-one hundred five-a seven (7105-a7), Chapter three hundred forty-A one (340-A1), Code, 1935, relating to the assessment of omitted property.

Read first and second times and referred to sifting committee.

House File 521, a bill for an act to amend sections seventy-one hundred three-d two (7103-d2), seventy-one hundred three-d three (7103-d3), seventy-one hundred three-d four (7103-d4), seventy-one hundred three-d five (7103-d5), seventy-one hundred three-d six (7103-d6), seventy-one hundred three-d seven (7103-d7), seventy-one hundred three-d eight (7103-d8), seventy-one hundred three-d nine (7103-d9), seventy-one hundred three-d ten (7103-d10), seventy-one hundred three-d eleven (7103-d11), seventy-one hundred three-d twelve (7103-d12), seventy-one hundred three-d thirteen (7103-d13), seventy-one hundred three-d fourteen (7103-d14), seventy-one hundred three-d fifteen (7103-d15), of Chapter three hundred forty-D one (340-D1), Code, 1935, relating to collection of taxes from pipe line companies.

Read first and second times and referred to sifting committee.

House File 522, a bill for an act to amend sections seventy-one hundred four (7104) and seventy-one hundred five (7105) of Chapter three hundred forty-one (341), Code, 1935, relating to reassessment and relevy of taxes.

Read first and second times and referred to sifting committee.

House File 523, a bill for an act to amend sections seventy-one hundred twelve (7112) and seventy-one hundred nineteen (7119), Chapter three hundred forty-two (342), Code, 1935, relating to local assessors and assessment of property for taxation.

Read first and second times and referred to sifting committee.

House File 524, a bill for an act to amend sections seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-nine (7139), seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), and seventy-one hundred forty-three (7143), Chapter three hundred forty-three (343), Code, 1935, relating to boards of review.

Read first and second times and referred to sifting committee.

House File 525, a bill for an act to amend section seventy-one hundred forty-eight (7148), Code, 1935, relating to the listing of property for taxation.

Read first and second times and referred to sifting committee.

House File 526, a bill for an act to amend sections seventy-one hundred seventy-one (7171), seventy-one hundred eighty-one (7181), seventy-one hundred eighty-two (7182), seventy-one hundred eighty-three (7183), seventy-one hundred eighty-three-a two (7183-a2), and seventy-one hundred eighty-three-a three (7183-a3), Chapter three hundred forty-five (345), Code, 1935, relating to tax levies and certification of taxes.

Read first and second times and referred to sifting committee.

House File 527, a bill for an act to amend sections seventy-three hundred five (7305), seventy-three hundred ten (7310), seventy-three hundred seventeen (7317), seventy-three hundred twenty (7320), seventy-three hundred twenty-one (7321), seventy-three hundred twenty-five (7325), seventy-three hundred twenty-six (7326), seventy-three hundred twenty-seven (7327), seventy-three hundred thirty-two (7332), seventy-three hundred thirty-three (7333), seventy-three hundred thirty-five (7335), seventy-three hundred thirty-seven (7337), seventy-three hundred thirty-eight (7338), seventy-three hundred forty-three (7343), seventy-three hundred forty-six (7346), seventy-three hundred forty-seven (7347), seventy-three hundred fifty-two (7352), seventy-three hundred fifty-four (7354), seventy-three hundred fifty-five (7355), seventy-three hundred fifty-eight (7358), seventy-three hundred fifty-nine (7359), seventy-three hundred sixty (7360), seventy-three hundred sixty-two (7362), seventy-three hundred sixty-three (7363), seventy-three hundred sixty-five (7365), seventy-three hun-

dred sixty-seven (7367), seventy-three hundred sixty-eight (7368), seventy-three hundred sixty-nine (7369), seventy-three hundred seventy (7370), seventy-three hundred seventy-one (7371), seventy-three hundred seventy-two (7372), seventy-three hundred seventy-three (7373), seventy-three hundred seventy-four (7374), seventy-three hundred seventy-five (7375), seventy-three hundred seventy-six (7376), seventy-three hundred seventy-nine (7379), seventy-three hundred eighty-one (7381), seventy-three hundred eighty-four (7384), seventy-three hundred eighty-five (7385), seventy-three hundred eighty-six (7386), seventy-three hundred eighty-seven (7387), seventy-three hundred eighty-eight (7388), seventy-three hundred eighty-nine (7389), seventy-three hundred ninety (7390), seventy-three hundred ninety-one (7391), seventy-three hundred ninety-two (7392), seventy-three hundred ninety-four (7394), seventy-three hundred ninety-five (7395), seventy-three hundred ninety-six (7396), Chapter three hundred fifty-one (351), Code, 1935, relating to inheritance tax and the collection thereof.

Read first and second times and referred to sifting committee.

House File 528, a bill for an act to amend sections seventy-three hundred ninety-seven-c five (7397-c5), seventy-three hundred ninety-seven-c six (7397-c6), seventy-three hundred ninety-seven-c nine (7397-c9), seventy-three hundred ninety-seven-c eleven (7397-c11), and seventy-three hundred ninety-seven-c twelve (7397-c12), Chapter three hundred fifty-one-C one (351-C1), Code, 1935, relating to Iowa estate tax and the collection thereof.

Read first and second times and referred to sifting committee.

House File 529, a bill for an act to amend sections fifty-one hundred five-a forty (5105-a40) and fifty-one hundred five-a forty-one (5105-a41), chapter two hundred fifty-two-A two (252-A2), Code, 1935, as amended by chapter two hundred five (205), Acts of the Forty-seventh General Assembly, relating to the taxation of motor vehicle carriers and collection of the tax.

Read first and second times and referred to sifting committee.

House File 530, a bill for an act to amend chapter eighty-seven (87), Acts of the Forty-seventh General Assembly, relating to the duties of the state comptroller.

Read first and second times and referred to sifting committee.

House File 531, a bill for an act to amend sections five thousand ninety-three-f two (5093-f2), five thousand ninety-three-f four (5093-f4), as amended by section one (1) of Chapter one hundred thirty-six (136), Acts of the Forty-seventh General Assembly, five thousand ninety-three-f five (5093-f5), five thousand ninety-three-f six (5093-f6), five thousand ninety-three-f seven (5093-f7), five thousand ninety-three-f eight (5093-f8), five thousand ninety-three-f nine (5093-f9), five thousand ninety-three-f ten (5093-f10), five thousand ninety-three-f eleven (5093-f11), five thousand ninety-three-f twelve (5093-f12), five thousand ninety-three-f thirteen (5093-f13), five thousand ninety-three-f fourteen (5093-f14), five thousand ninety-three-f fifteen (5093-f15), five thousand ninety-three-f seventeen (5093-f17), five thousand ninety-three-f eighteen (5093-f18), five thousand ninety-three-f nineteen (5093-f19), five thousand ninety-three-f twenty-one (5093-f21), five thousand ninety-three-f twenty-two (5093-f22), five thousand ninety-three-f twenty-four (5093-f24), five thousand ninety-three-f twenty-five (5093-f25), five thousand ninety-three-f twenty-six (5093-f26), five thousand ninety-three-f twenty-seven (5093-f27), five thousand ninety-three-f twenty-eight (5093-f28), five thousand ninety-three-f twenty-nine (5093-f29), five thousand ninety-three-f thirty (5093-f30), five thousand ninety-three-f thirty-one (5093-f31), five thousand ninety-three-f thirty-two (5093-f32), five thousand ninety-three-f thirty-three (5093-f33), five thousand ninety-three-f thirty-five (5093-f35), five thousand ninety-three-f thirty-six (5093-f36). Chapter two hundred fifty-one-F one (251-F1), Code, 1935, relating to motor vehicle fuel tax and the collection thereof.

Read first and second times and referred to sifting committee.

House File 532, a bill for an act to amend sections three (3), four (4), and five (5) of chapter one hundred eighty-four (184), Acts of the Forty-seventh (47th) General Assembly, relating to income tax of nonresidents and the collection thereof.

Read first and second times and referred to sifting committee.

House File 533, a bill for an act to amend Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, relating to homestead tax exemption.

Read first and second times and referred to sifting committee.

House File 534, a bill for an act to amend sections one (1), two (2), five (5), six (6), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), sixteen (16), and seventeen (17), Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly, relating to sales tax and the collection thereof.

Read first and second times and referred to sifting committee.

House File 535, a bill for an act to amend sections one (1), two (2), five (5), six (6), seven (7), eight (8), nine (9), ten (10), twelve (12), thirteen (13), fourteen (14), fifteen (15), seventeen (17), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), and twenty-five (25) of Chapter one hundred ninety-eight (198), Acts of the Forty-seventh General Assembly, relating to use tax and the collection thereof.

Read first and second times and referred to sifting committee.

EXECUTIVE SESSION

On motion of Senator Donohue, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 457, by committee on consolidation and co-ordination, a bill for an act to amend section forty-seven hundred fifty-five-b twenty (4755-b20), Code, 1935, and changing the method for removal of the auditor of the state highway commission.

Read first and second times and referred to sifting committee.

Senate File 458, by committee on consolidation and co-ordination, a bill for an act to repeal standing appropriation provisions in Code sections of the Code, 1935, for the state banking department and state banking board as follows: Sections ninety-one

hundred thirty-six (9136), ninety-one hundred thirty-seven (9137), ninety-one hundred forty-three (9143), ninety-one hundred forty-four (9144), ninety-one hundred forty-five (9145), ninety-one hundred forty-nine (9149), ninety-one hundred fifty (9150) and ninety-one hundred fifty-four-a five (9154-a5) relating to banking and the banking department.

Read first and second times and referred to sifting committee.

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 456.

E. P. DONOHUE, *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 passed the following bill in which the concurrence of the Senate is asked:

House File 260, a bill for an act relating to expenses of judges of the district court when on duty in county other than that of their residence.

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

Senate File 213, a bill for an act to give certain cities the power to establish and maintain exhibition halls in city parks and to levy a tax therefor.

Also: That the Speaker of the House has appointed as a conference committee on the part of the House, on House File 114, a bill for an act to create a farm-to-market road system; Representatives Goode, Ropes, Avery and Scholz.

Also: That the House has concurred in Senate Amendments to and passed House File 334, a bill for an act to legalize the action of the city council of Fort Madison, Iowa.

Also: That the Speaker of the House has appointed as the second conference committee on the part of the House, on Senate File 379, a bill for an act to create a department of public safety; Representatives Burma, Knowlton, Hoegh and Moore. A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 260, a bill for an act to amend section ten thousand and eight hundred five (10805), Code, 1935, relating to expenses of judges of the district court when on duty in county other than that of their residence.

Read first and second times and referred to sifting committee.

The time having arrived for the special order of business, the motion to withdraw Senate File 17 from the sifting committee, found on page 702 of the Journal, was taken up and considered.

SPECIAL ORDER

By unanimous consent, on request of Senator Hill, Senate File 456 was made a special order of business for 10:30 a. m. Thursday, March 30.

By unanimous consent, on request of Senator Hill, the motion to withdraw Senate File 17 from the sifting committee was withdrawn.

By unanimous consent, on request of Senator Hill, the call of the Senate was raised.

CONSIDERATION OF SENATE FILE 64 RESUMED

Senator Bekman called up for further consideration his amendment found on page 768 of the Journal.

By unanimous consent, on request of Senator Bekman, his amendment was withdrawn.

Senator Donohue offered the following amendment and moved its adoption:

Amend section twelve by adding thereto the following: "Provided, however, that the state highway commission, in any calendar year, may discharge two per cent of the employees covered by this act without cause and from which discharge the said employee shall have no right of appeal, and any employee so discharged shall be given written notice that he is so discharged and that he shall have no right of appeal therefrom."

Senator Elthon offered the following amendment to the amendment, and moved its adoption:

Insert after the word "discharge" in line three (3) the words "not to exceed".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend section fifteen by striking all of lines one (1) to six (6) inclusive, and the word "discharged" in line seven (7), and by inserting in lieu thereof the following:

"Sec. 15. Employees diminished. Whenever public interest requires a diminution in the number of employees under civil service, the same may be reduced by the state highway commission. In making such discharges the commission shall take into consideration the competency and efficiency of the employees employed, provided however, that preference may be given to previous duration of service".

The amendment was lost.

Senator Bekman offered the following amendments and moved their adoption:

1. Amend section 9, line 9, by striking the comma after the word "commission" and inserting a period in lieu thereof.

2. Amend section 9 by striking all of the remainder of the sentence in lines 9, 10, 11 and 12 and by adding at the end of section 9 the following: "As a means of discovering and determining employees who should be promoted, demoted, transferred or dismissed, consideration shall be given to: length of service; service ratings of competency and efficiency".

3. Amend section 10 by striking the word "appointed" in line 14 and inserting in lieu thereof "promoted".

4. Amend section 10 by striking the word "dismissed" in line 16 and inserting in lieu thereof the word "demoted".

By unanimous consent, Senator Bekman withdrew amendments one (1) and two (2).

Amendments three (3) and four (4) were adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend by inserting the following as section 11, and by renumbering all subsequent sections:

"Sec. 11. Service standards and ratings. In cooperation with appointing authorities, the civil service board shall establish, and may from time to time amend, standards of performance and output for employees in each class of positions in the classified service or for groups of classes, and a system of service ratings based upon such standards. In such manner and with such weight as shall be provided in the rules, service ratings shall be considered in determining salary increases and decreases within the limits established by law and by the pay plan; as a factor in promotion tests; as a factor in determining the order of lay-off when forces must be reduced because of lack of funds or work, and the order in which names are to be placed on re-employment lists; and as a means of discovering employees who should be promoted, demoted, transferred or dismissed. In such manner and at such time as the rules may require, or when requested by the civil service board, the state highway commission shall make available to the civil service board a record of service

ratings of employees and such information as will aid in determining the basis of such service ratings. Any employee shall be given reasonable opportunity to inspect the records of the department which show his service ratings and the service ratings of other employees in the same class and division."

The amendment was lost.

Senator Bekman offered the following amendment and moved its adoption:

Amend section 13 by adding after the word "person" in line one (1) the following: "under the classification for removal or suspension for cause as provided herein".

The amendment was adopted.

Further action was deferred.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 128, 137, 219, 380 and 385, and House File 334.

RALPH E. BENSON, *Chairman of the Senate Committee.*

ALBERT STEINBERG, *Chairman of the 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 128, 137, 219, 380 and 385, and House File 334.

BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 27th day of March, 1939, sent to the Governor for his approval, Senate Files 128, 137, 219, 380 and 385.

RALPH E. BENSON, *Chairman.*

Passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 64 by adding at the end of section nine (9) thereof the following: "In all examinations a credit of five (5) per cent (%) of the unit used in grading the examination shall be

added to the grade of all veterans included in the provisions of section eleven hundred fifty-nine (1159), Code, 1935." **GEORGE M. FAUL.**

MR. PRESIDENT: Amend Senate File 181 by striking in line 10 of section 1 the word "Quarter" and inserting in lieu thereof the word "corner".

CARL O. SJULIN.

MR. PRESIDENT: Amend Senate File 433, by striking from line 4, the word and figure "three (3)", and inserting in lieu thereof "two"; also by inserting the word "appointive" after the word "each" in line 8 and before the word "member" in line 11.

L. B. FORSLING.

MR. PRESIDENT: Amend Senate File 452 by adding to section eight (8), as subsection ten (10), the following:

"European Starlings: Open season. No bag limit. No possession limit."

L. H. DORAN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 28, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Monsignor L. G. Ligutti, pastor of the Assumption Church of Granger, who originated the Granger Homestead projects.

The Journal of March 27th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Kirketeg for the day, on request of Senator Guernsey; Senator Beardsley for the afternoon, on request of Senator Stewart.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from citizens of Black Hawk county, opposing enactment of House Files 155 and 351.

By Senator Corwin, from citizens of Muscatine county, favoring elimination of Class "C" permits.

By Senator Corwin, from farmers, breeders, stockmen and business men of Muscatine county, opposing further legislation in regard to sales barns.

By Senator Ellis, from merchants of Monmouth, favoring enactment of House File 155.

By Senator Martin, from citizens of Scott county, favoring elimination of Class "C" permits.

By Senator Shaw, from citizens of Pocahontas county, favoring legislation providing for the blending of ethyl alcohol with gasoline used as motor fuel.

By Senator Schadt, from citizens of Johnson county, opposing changes in the beer law.

By Senator Talbott, from truck operators of Poweshiek county, favoring enactment of House File 601.

By Senator Beardsley, from citizens of Warren county, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

INTRODUCTION OF BILLS

Senate File 459, by committee on consolidation and co-ordination, a bill for an act to amend sections one (1), two (2), eleven (11), thirteen (13), fourteen (14), fifteen (15), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-four (24), seventy-four (74), seventy-five (75), one hundred eighteen (118), one hundred twenty-seven (127), one hundred fifty-five (155), one hundred fifty-eight (158), one hundred eighty-four (184), one hundred eighty-six (186), one hundred ninety-one (191), one hundred ninety-four (194), one hundred ninety-five (195), one hundred ninety-six (196), two hundred three (203), two hundred nineteen (219), two hundred forty-two (242), two hundred forty-six (246), two hundred seventy-two (272), two hundred seventy-six (276), two hundred ninety-two (292), three hundred six (306), three hundred thirty-nine-a one (339-a1), four hundred forty-nine (449), four hundred fifty (450), four hundred fifty-one (451), four hundred fifty-two (452), four hundred fifty-three (453), four hundred sixty-nine (469), four hundred seventy (470), four hundred seventy-one (471), four hundred eighty-six (486), four hundred eighty-eight (488), five hundred thirteen (513), five hundred fifteen (515), five hundred sixteen (516), five hundred seventeen (517), five hundred twenty (520), five hundred twenty-four (524), five hundred twenty-eight (528), and five hundred twenty-nine (529), and to repeal sections three (3), eight (8), nine (9), sixteen (16), one hundred seven (107), and two hundred twenty-three (223), and to repeal section ten (10) and enact a substitute therefor, all of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to motor vehicles; and to amend sections one (1), two (2), and twelve (12) of Chapter one hundred thirty-five (135), Acts of the Forty-seventh General Assembly, relating to motor vehicle dealers.

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

House File 206, a bill for an act relating to tax upon gross receipts from sale of intoxicating liquors.

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 relating to state aid to county and district fairs.

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

House File 435, a bill for an act to make permanent a temporary transfer of funds in Allamakee county, Iowa.

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

House File 602, a bill for an act to authorize investment of permanent school fund moneys.

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 relating to powers of cities acting under special charter.

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

Senate File 151, a bill for an act relating to certain legal publications.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 214, a bill for an act relating to the leasing of city property.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 218, a bill for an act defining residence and suburban districts in cities and towns and for the purpose of regulating motor vehicle traffic therein.

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 to establish paternity of an illegitimate child and for judgment for its support.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 214

Amend section one (1), line five (5), by striking therefrom the word and figures "nineteen (19)" and inserting in lieu thereof the following: "fifteen (15)".

HOUSE AMENDMENT TO SENATE FILE 218

Amend section one (1) by inserting the following as subsection three (3):

3. Insert the following after sub-paragraph fifty-six (56):

"56-b. The linear measure of the plot of ground upon which the building is located abutting upon the highway shall be deemed 'frontage occupied by the building', and the phrase 'frontage on such highway for a distance of three hundred (300) feet or more' shall mean the total frontage on both sides of the highway for such distance."

HOUSE MESSAGES CONSIDERED

House File 206, a bill for an act to amend section two (2) of Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly, relating to tax upon gross receipts from sale of intoxicating liquors sold in this state by the Iowa liquor control commission.

Read first and second times and referred to sifting committee.

House File 329, a bill for an act to amend sections twenty-nine hundred two (2902) and twenty-nine hundred three (2903), Code, 1935, relating to state aid to county and district fairs, and to amend Chapter one hundred thirty-six (136), Code, 1935, providing for division of funds between fairs held in the same county.

Read first and second times and referred to sifting committee.

House File 435, a bill for an act to make permanent a temporary transfer of funds in Allamakee County, Iowa, from the bovine tuberculosis eradication fund to the general fund of said county.

Read first and second times and referred to sifting committee.

House File 602, a bill for an act to amend section four thousand four hundred eighty-seven (4487), Code, 1935, to authorize investment of permanent school fund moneys in bonds of the State of Iowa or any political subdivision thereof at prevailing interest rates and acceptance by State Comptroller of interest thereon as whole amount of interest due on funds so invested.

Read first and second times and referred to sifting committee.

HOUSE AMENDMENTS CONSIDERED

Senator Byers called up for consideration Senate File 214, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1), line five (5), by striking therefrom the word and figures "nineteen (19)" and inserting in lieu thereof the following: "fifteen (15)".

The motion prevailed, and the Senate concurred in the House amendment.

THIRD READING OF BILLS

Senator Byers moved that Senate File 214, a bill for an act to amend section six thousand five hundred eighty (6580), Code, 1935, relating to the leasing of city property, be read a third time now, as amended, 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	Harvey	Mowry
Baldwin	Edwards	Henningsen	Pelzer
Benson	Ellis	Hill	Schadt
Berg	Evans	Hopkins	Shaw
Byers	Forsling	Husted	Smith
Corwin	Geske	Leo	Talbott
Cromwell	Gillette	Martin	Verba
Dean	Guernsey	Moore	Zeigler
Dewey			

Nays, none.

Absent or not voting, 17:

Beardsley	Faul	Levis	Parker
Bekman	Hart	Lundy	Sjulin
Breen	Hoeven	Mighell	Stewart
Doran	Kirketeg	Miller	Whitehill
Elthon			

The bill as amended 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.

SPECIAL ORDERS

By unanimous consent, on request of Senator Forsling, all bills by the committee on consolidation and co-ordination on the calen-

dar Wednesday morning were made special orders of business immediately after convening Wednesday, March 29th.

CONSIDERATION OF SENATE FILE 64 RESUMED

Senator Bekman offered the following amendments and moved their adoption:

Amend section 1, by adding as the first paragraph of said section the following:

"1. There is hereby established a system of civil service for the following employees of the state highway commission based on merit principles and scientific methods as provided herein. Such system as is herein provided for shall govern the appointment, promotion, transfer, lay-off, removal and discipline of employees, and other incidents relating to employment in said department. Except as hereinafter specified, all appointments and promotions shall be made on the basis of merit and fitness, to be ascertained by competitive examinations".

2. Amend section 2 by adding at the end thereof the following: "In addition to the duties imposed upon the board elsewhere in this act, it shall be the duty of the commission:

(1) To represent the public interest in the improvement of the civil service covered by the act.

(2) To advise the governor and the state highway commission on problems concerning the administration of the act.

(3) To advise and assist in fostering the interest of institutions of learning, civic, professional and employee organizations in the improvement of personnel standards and administrative problems.

(4) To make such studies and investigations as may be considered desirable relating to the administration of personnel of this act within the limitations of such funds as may be available to the board.

(5) To make annual reports to the governor and such special reports as may be requested by the governor regarding personnel administration in said system, and recommendations for improvement therein."

By unanimous consent, on request of Senator Bekman, divisions (3), (4), and (5) of amendment 2 were withdrawn.

Senator Bekman offered the following amendments to amendment one (1) and moved their adoption:

1. Amend by striking from the end of line one (1) and the first syllable at the beginning of line two (2) the words "the following", and inserting in lieu thereof the word "certain".

2. Further amend by inserting in line two (2) after the word "commission", the following: ", as hereinafter set out,".

The amendments to the amendment were adopted.

The amendments as amended were adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend by adding at the end of section nine (9) thereof the following: "In all examinations a credit of five (5) per cent (%) of the unit used in grading the examination shall be added to the grade of all veterans included in the provisions of section eleven hundred fifty-nine (1159), Code, 1935."

By unanimous consent, on request of Senator Faul, the word and figure "nine (9)" in lines one (1) and two (2) were stricken and the word and figure "eight (8)" were substituted therefor.

The amendment was adopted.

Senator Lundy offered the following amendment and moved its adoption:

Amend section 7, line 3, by striking the words "on the date this act becomes effective", and by inserting in lieu thereof the following: "on March 1, 1939."

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend the amendment to section twelve, offered by Senator Donohue and adopted, by inserting after the word "year" in line two the following: "except as provided in Chapter sixty (60) of the Code, 1935,".

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend section nine (9) by inserting after the word "Code," in line three (3) thereof, the figures "1935,".

The amendment was adopted.

Senator Forsling offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Purpose of this Act. The purpose of this act is to guarantee to all citizens a fair and equal opportunity to secure employment in the civil service of the state of Iowa; to establish conditions of service which will attract and hold officers and employees of character and capacity; and to increase the efficiency of state government by improved methods of personnel administration.

Sec. 2. Short Title. This Act shall be known and may be cited as the State Civil Service Act.

Sec. 3. The Bureau of Civil Service. The Bureau of Civil Service of the State of Iowa is hereby created and established. It shall consist of the Unemployment Compensation Commission, the Director of the State Civil Service, and all officers and employees appointed by the director for the purpose of this act.

Sec. 4. Policy Forming Board. The Unemployment Compensation Commission shall be the Policy Forming Board for the Bureau of Civil Service and for this purpose shall be known as The Civil Service Board and shall set up within its organizations a division to be known as the Bureau of Civil Service.

The civil service board shall keep its office and records at the state capital and shall hold its regular meetings there, but special meetings may be held in other cities in the state when in the discretion of the chairman it is necessary to meet in some other city than the capital city of the state in the performance of the duties of the board. Meetings of the board shall be open to the public and no meetings or hearings of the board shall be held unless at least two members of the board are present. The director of the state civil service shall act as the secretary of the board. The board shall keep records and minutes of its business and official actions, and such records and minutes shall be public records open to public inspection, subject to such rules as to hours and conditions of inspection as the board may establish. It shall be the duty of the executive council charged by law with the custody of the state capitol building, upon written request of the civil service board, to assign suitable office space for executing the duties charged to it and to the director of the state civil service.

Sec. 5. The Director of the State Civil Service. The office of Director of the State Civil Service is hereby created and established pursuant to this act. The director of the state civil service shall be appointed by the Governor on the basis of merit and fitness after an open competitive examination open to qualified persons without regard to residence. Within thirty (30) days after this act becomes effective, and thereafter whenever a vacancy exists in the office of the director of the state civil service, the civil service board shall appoint an examining committee of three persons to examine the qualifications of all persons applying for appointment to the office of director of the state civil service. At least two members of the examining committee shall be public personnel administrators or public personnel specialists of recognized standing, at least one of whom shall be a non-resident of the state of Iowa. As soon as practicable after its appointment, the examining committee shall examine applicants for the position of director of civil service and shall certify to the Governor the names of the three persons rated highest in the competitive tests and found by the committee to possess the necessary qualifications for the office of director of the state civil service. The Governor shall then appoint one of the persons so certified to the office of director of the state civil service. No person who has not been examined and certified by an examining committee as here-

in provided for shall ever be appointed to the office of director of the state civil service. The civil service board shall fix the compensation and shall authorize the payment of expenses of members of the examining committee provided for in this section.

The director of the state civil service shall be in the classified service.

Sec. 6. Powers and Duties of the Director of the State Civil Service and of the Civil Service Board. (1) The director of the state civil service shall be the executive and administrative head of the state bureau of civil service, and shall exercise supervision and control over all examinations and over the conduct of the department. He shall act as the board's advisor on all matters pertaining to the civil service of this state.

(2) It shall be the duty of the director and he shall have power:

a. To attend all meetings of the board.

b. To prepare and recommend to the board rules and regulations for the purpose of carrying out the provisions of this act. Such rules shall provide, among other things, for current service records for all officers and employees subject to the provisions of this act; the manner of completing appointments and promotions; rejection of eligible candidates; competitive examinations; creation of eligible lists with successful candidates ranked according to their rating in the examinations; leaves of absence with and without pay; transfers; reinstatements; layoffs; vacations; hours of work; public notice for examinations; procedure for changes in rates of pay; compulsory retirement at fixed ages; and other conditions of employment.

c. To appoint such employees and officers as are necessary to carry out the provisions of this act. Such employees and officers shall be chosen in accordance with and shall be subject to the provisions of this act.

d. To keep in the office of the bureau of civil service an official roster of the state civil service. This roster shall show in connection with each name the date of appointment, employment, promotion, reduction, reinstatement, increases or decreases in pay, the compensation and title of the position, changes in title, transfers, sick or annual leaves, and separations from the service. The director shall have access to all public records and papers, the examination of which will aid in the discharge of his duty in connection with said roster.

e. To prepare, in accordance with the provisions of this act and the rules adopted thereunder, examinations, eligible lists, and ratings of candidates for appointment.

f. To make certifications for appointment within the classified service, in accordance with the provisions of this act.

g. To make investigations concerning all matters touching the enforcement and effect of the provisions of this act and the rules and regulations prescribed thereunder.

h. To prepare a report for the fiscal year ending June 30th and to submit the same to the civil service board not later than October 1st of each even numbered year, including therein any recommendations he may have for the most effective accomplishment of the purposes of this act. He may also prepare an annual report.

i. To discharge such other duties as are imposed upon him by the provisions of this act and to do such other things as are lawful and necessary in accomplishing the purposes of this act.

(3) It shall be the duty of the civil service board and it shall have power:

a. To approve or reject rules and regulations and amendments thereto. Such rules and regulations and any amendments thereto shall not be put into effect by the board until after a public hearing by the board, of which two weeks public notice and direct notice to the heads of all state departments and appointing officers shall have been given that a hearing at a specified place and time is to be held upon the proposed rules and regulations, and that any citizen, officer or employee of the state of Iowa may attend and participate in such hearings. Copies of all rules and regulations shall be sent to all state appointing officers, and printed copies of such rules and regulations and amendments thereto shall be prepared for public distribution.

b. After public hearings, to approve or reject plans for the classification of positions in the state civil service prepared and recommended by the director of the state civil service.

c. After public hearing, to approve or reject compensation schedules for positions in the state civil service prepared and recommended by the director for submission to the budget authority of the board or commission affected thereby.

d. To make investigations either at the motion of the Governor or a citizen, or of its own motion, concerning the enforcement and effect of this act.

e. To approve, to order printed, and to transmit to the Governor not later than November 15th of each even numbered year the report of the bureau of civil service prepared by the director.

f. To conduct hearings and pass upon charges preferred against any officer or employee in the classified service for the purpose of demotion, suspension, or removal of such officer or employee, in accordance with the provisions of this act.

g. To hear and pass upon such other matters as the director of the state civil service may from time to time bring before the board for determination.

h. To do such other things as are expressly required of the board by the provisions of this act.

Sec. 7. Powers of the Board and the Director in the Conduct of Investigation. (1) The civil service board or any member thereof, or the director of the civil service when authorized by a majority vote of the board, may issue subpoenas to compel the attendance in this state of witnesses and the production of books and papers pertinent to any inquiry or investigation authorized by this act, may take depositions of witnesses as provided by statute; may administer oaths and take testimony, may examine such public records as they require in relation to any matter which they have authority to investigate. All public officers and employees and other persons shall attend and testify when required to do so by the board.

(2) In case of the refusal of any person to comply with any subpoena issued hereunder or to testify to any matter regarding which he may be lawfully interrogated, the district court of any county or the judge thereof, on application of any one of the members of the board, or the director when authorized by the board, may issue an order requiring such person to comply with such subpoena and to testify; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(3) Each person not in the classified or unclassified services who appears before the board or the director by order shall receive for his attendance the fees and mileage provided for witnesses in civil actions in the district court, which fees and mileage shall be audited and paid upon presentation of proper vouchers. Witnesses subpoenaed at the instance of parties other than the board or the director shall be entitled to compensation from the state for attendance or travel only if the board certifies that the testimony of such witnesses was relevant and material to the matter investigated.

(4) The board and the director, in conducting hearings and investigations in accordance with the provisions of this act, shall not be bound by the technical rules of evidence.

Sec. 8. Salaries of Director and Employees in the Bureau of Civil Service. The salaries of the director and other members of the staff of the state bureau of civil service shall be fixed in accordance with salary schedules established as authorized by this act; provided that pending the establishment and adoption of such compensation schedules, their salaries shall be fixed by the civil service board.

Sec. 9. The Unclassified and Classified Services. The civil service of the state of Iowa is hereby divided into the unclassified and the classified services.

(1) The unclassified service comprises positions held by state officers or employees who are:

- a. Chosen by election or appointed to fill an elective office.
- b. Heads of departments, and members of boards and commissions appointed by the Governor, and one private secretary for each of the above.
- c. One private secretary to each of the elective officers of this state, other than the Governor.
- d. Four confidential employees in the office of the Governor.
- e. Officers and employees of the Senate and House of Representatives of the legislature.
- f. Presidents, deans, teachers, research assistants, librarians, student employees on less than half time basis and other members of the teaching staff in institutions under the control of the Board of Education.
- g. Officers and enlisted men in the national guard and the naval militia.

(2) The classified service comprises all positions now existing or hereafter created and not included in the unclassified service. No person shall be appointed, transferred, promoted, or reduced as an officer, clerk, employee, or laborer in the classified service in any manner or by any means other than those prescribed in this act and the rules adopted in accordance therewith.

Sec. 10. Status of Present Officers and Employees. Officers and employees holding positions in the classified service at the time when this act takes effect shall not be members of the classified service unless they have been appointed to such positions in accordance with the provisions of this act. The Director of the Civil Service, subject to rules and regulations of the board, shall within two (2) years following the date upon which this act takes effect, prepare and issue to all such employees a questionnaire to determine their training, experience, previous examinations and years of service. If, in the judgment of the Director of the Civil Service and the Civil Service Board, the return of such questionnaire does not prove conclusively the merit and fitness of each employee to hold his position in the classified service, the Director of the Civil Service, subject to the rules and regulations of the Board, shall within two (2) years and six (6) months following the date upon which this act becomes effective, prepare and give once to all incumbents of positions in the classified service who failed to meet the above requirements as to merit and fitness, a non-competitive practical examination involving only the duties of the position they hold on the date of the taking effect of this act. No persons appointed to any position in the State Classified Service within a period of six (6) months immediately prior to the passage of this act shall be given status under the provisions of this act until they have passed qualifying examinations.

If the aforementioned incumbents pass such qualifying examinations they shall be given a classified status and shall be subject to and protected by the provision of this act. If, however, any of the aforementioned incumbents fail to pass such qualifying examination they shall be removed from their positions at the expiration of fifteen (15) days following the receipt of notice of failure to pass such examinations.

The aforementioned incumbents of positions in the classified service shall not be promoted, laid-off, suspended, discharged or reduced in pay or position, except in accordance with the provisions of this act applicable to members of the classified service, during the period between the adoption of this act and the receipt of notices of passing or failing to pass the qualifying examinations provided for in this section.

Appointment to offices or employments existing on January 1, 1939, or thereafter created by law in the classified service shall be made in accordance with the provisions of this act.

Sec. 11. The Classification and Allocation of Positions in the Civil Service; the Preparation and Administration of Compensation Schedules. (1) The director of the state Civil Service shall, as soon as practicable, after consultation with department heads, prepare a classification plan for all offices, employments, and positions in the classified service. The classifications, when approved by the Civil Service Board after public hearings, shall take effect immediately, and shall be sent to the budget authority and shall be used by it in the preparation of the next following and subsequent budgets. The director of the civil service may make changes in the classifications after consulting with the department heads, whenever he deems it necessary for the efficiency of the service, and such changes, when approved by the Civil Service Board

after public hearing, shall take effect immediately and shall be sent to the budget authority, and shall be used by it in the preparation of the next following and subsequent budgets.

(2) The Director of the State Civil Service shall, as soon as practicable after the adoption of the classification plan, prepare a schedule of salary or wage rates and ranges for each class, grade or group of positions in the classification plan. Such salary and wage schedules when approved by the Civil Service Board after public hearing, shall be submitted to the budget authority. When approved by the budget authority they shall be used by that authority in connection with all pay-rolls and departmental records with all budget estimates for all departments or agencies of the state government. The salary schedules and rates for each class, grade, or group except for employees of those boards or commissions which operate under an independent fiscal set-up, shall be submitted to the Governor by the Comptroller, and by the Governor, with his recommendations, to the Legislature at the time of the transmission of the biennial budget. Unless changed by the Legislature the salary and wage schedules so prepared by the director of the civil service and approved by the civil service board and the budget authority shall become the current official compensation plan applicable to the various classes and grades as enumerated.

(3) The director of the civil service shall allocate each office, position, or employment in the classified civil service to one of the grades and classes within the classification plan subject to an appeal by an employee or department head immediately affected to the board, and thereafter all salary rates, schedules or compensation policies shall apply uniformly to all positions within each grade, in accordance with rules and regulations established by the Civil Service Board.

(4) The classification, and salary or wage schedules applying thereto, existing at the time this act becomes effective shall continue in effect until changed in accordance with the provisions of this act.

Sec. 12. Nature of Examinations; Notice; Qualifications of Applicants. (1) All examinations for positions in the classified service shall relate to those matters which will fairly test the capacity and fitness of the persons examined to discharge the duties of the office or employment sought by them but due regard shall be shown for the capacity of the applicant for promotion to higher positions in the Civil Service.

(2) The competitive examinations shall, after published notice, be open to all applicants who are citizens of the United States, who have been residents of this state for one (1) year prior to the date of examination, and who meet with reasonable standards or requirements fixed by the director with regard to experience, character, age, education, physical condition, and such other factors as may be held to relate to the ability of the candidates to perform satisfactorily the duties of the position. The director may require candidates in filing their applications to submit certificates of general or special qualifications as the good of the service may require. Examinations shall be held at such times and places as in the judgment of the director most nearly meet the convenience of applicants and the needs of the service. For positions requiring

professional, technical, or unusual qualifications, the director may, subject to the approval of the Board, open competitive examinations to residents of other states who are citizens of the United States and who are otherwise qualified.

(3) The director may also require candidates to undergo an examination at designated places in the state, in cases where oral tests or tests for manual skill or the use of instruments or equipment in construction work may be necessary to determine the fitness of such candidates.

Sec. 13. Refusal to Examine Applicants or to Certify Eligibles. (1) The director may refuse to examine an applicant, or after examination to certify an eligible, who is found to lack any of the preliminary requirements established for the examination for the position or employment for which he applies; or who is physically so disabled as to be rendered unfit for the proper performance of the duties of the position to which he seeks appointment; or who is addicted to drugs or is an habitual user of intoxicating liquors to excess; or who has been guilty of any crime involving moral turpitude or of infamous or notoriously disgraceful conduct; or who has been dismissed from the public service for delinquency or misconduct; or who has made a false statement of any material fact; or who directly or indirectly shall give, render or pay, or promise to give, render or pay any money, service or other valuable thing to any person for, or on account of, or in connection with, his test, appointment, or proposed appointment; or who practiced, or attempted to practice, any deception or fraud in his application, in his certificate, in his examination or in securing his eligibility or appointment; or who refuses to furnish testimony as required in section seven (7).

(2) Whenever the director refuses to examine an applicant or after an examination to certify an eligible, as provided in this section then said director, if requested by the person so rejected, shall give to him the reasons for such refusal to examine or to certify, as the case may be. Appeal may be had from the decision of the director to the Board, subject to the rules of the Board.

(3) When any position requires the appointee to furnish a bond, such information shall be included in the announcement of the examination for said position.

Sec. 14. Political or Religious Affiliations of Applicants and Employees. No question in any form of application or any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations and any disclosures thereof may be cause for the rejection of the applicant. No discriminations shall be exercised, threatened or promised, by any person in the Civil Service against or in favor of any applicant, eligible, or employee in the Civil Service because of his political or religious opinions or affiliations.

Sec. 15. Appointments, Promotions and Reinstatements.

(1) Appointments, promotions and reinstatements shall be made to all positions in the classified service under the provisions of this act, and the rules made in pursuance thereof, from among those certified to the appointing officer.

(2) The term of eligibility of applicants on original entrance and promotion lists shall be six (6) months; but such term may be extended by the director. The eligibility of individuals on reinstatement lists as set up in Section 20, subsection (2) may be extended in like manner. But in no case may eligibility be extended for a period of more than three (3) years.

(3) Appointments shall be made from the appropriate eligible list, but if no such list exists then the director may certify from such other list as he deems the next most nearly appropriate. A new and separate list shall be created for a stated position only when there is no satisfactory list. The director shall have authority to establish separate eligible lists applicable to various localities. No person shall be appointed or employed under any title not appropriate to the duties performed, and no person shall be transferred to, nor assigned to perform the duties of, any position in the classified service, unless he was previously qualified therefor under the provisions of this act.

Sec. 16. Notice of Vacancies; Method of Appointment.

(1) Appointing officers shall give written notice to the civil service director of their intention to establish new positions and of the existence of any vacancy to be filled in any office or employment in the classified service and within a reasonable time after the receipt of such notice the director shall certify from the register of eligibles appropriate for the grade and class in which the position is classified, the three (3) names at the head thereof, except as provided in section 21 of this act.

(2) The appointing officer shall appoint on probation, with sole reference to merit and fitness, one of the said candidates whose name is certified in the manner above set forth, to fill such vacancy. The provisions of this section shall not apply when the office or employment is among those listed in section 18 for which competitive examinations are not required, nor shall they apply in the case of persons who have been reinstated as provided in section 21 of this act.

Sec. 17. Promotions. (1) Vacancies in positions shall be filled, so far as practicable, by promotion from among persons holding positions in the classified service and, subject to such exceptions as the board may provide, from a lower class or group within the particular vocation or career classification, and in accordance with section 16 of this act and the rules of the board. Promotions shall be based upon merit and fitness to be ascertained by competitive examinations in which the employees record of service, character, conduct, and seniority shall constitute a factor.

(2) For the purpose of this section an increase in the salary or other compensation of any persons holding an office or position subject to the provisions of this act beyond the limit fixed for the grade in which such office or position is classified shall be deemed a promotion.

(3) Any promotional appointee who is dismissed from the position to which he was promoted during the probationary period or at the conclusion thereof by reason of the failure of the appointing authority to file a request for his continuance in the position, shall be restored to the position from which he was promoted. Nothing contained in this section

shall be construed to prevent any employee of the classified service from competing for places upon registers of persons eligible for original appointment.

Sec. 18. Non-Competitive Appointments. Positions in the classified service may be filled without competition only as follows:

(1) Whenever there are urgent reasons for filling a vacancy in any position in the classified service and the director is unable to certify from any appropriate eligible list for the vacancy, the director may issue a provisional permit or certify a suitable person to fill such vacancy provisionally only until a selection and appointment can be made after competitive examination; but no person shall receive more than one (1) provisional appointment nor serve more than two (2) months in any calendar year as a provisional appointee.

(2) In case of emergency, an appointment may be made without regard to the provisions of the act, but in no case to continue longer than thirty (30) days, and in no case shall successive emergency appointments be made. This provision shall apply to both persons and positions. No person shall receive more than three (3) emergency appointments in any one or different positions within one (1) year.

(3) In case of vacancy in a position where peculiar and exceptional qualifications of a scientific, professional or educational character are required, and upon satisfactory evidence that for specified reasons competition in such special case is impracticable and that the position can best be filled by the selection of some designated person of high and recognized attainments in such qualities, the board upon recommendation of the director may suspend the requirements of competition in such case, but no suspension shall be general in its application to such position, and all such cases of suspension shall be reported in the biennial report of the department with the reasons for the same.

(4) Where the services to be rendered by an appointee are for a temporary period not to exceed three (3) months and a proper list of eligibles is not available, the director shall certify for such temporary service any person he deems qualified. The acceptance or refusal by an eligible of a temporary appointment shall not affect his standing on the register for permanent employment, nor shall the period of temporary service be counted as a part of the probationary service in case of subsequent appointment to a permanent position. Successive temporary appointments to the same position shall not be made under this provision.

Sec. 19. Probationary Appointments. All original appointments to and promotions within the classified service shall be for a probationary period of six (6) months, but dismissals or demotions may be made at any time during such period, subject to provisions of Section 17, subsection (3). At the end of the probationary period the appointing officer shall notify the director in writing whether the probationer is a satisfactory employee and should receive the status of a permanent appointee. Upon such notice the employee shall be deemed to have a permanent classified civil service status; otherwise the employee is automatically separated from the service except as provided in section 17, subsection (3).

Sec. 20. Transfers; Reinstatements. (1) Transfers in the classified

service may be made from a position in one grade and class to a position in another grade and class when the duties and compensation are similar and when such action is specifically approved by the director of civil service.

(2) Any person who has held a position by permanent appointment in the classified service under the civil service law and rules and who has been separated from the service without any delinquency or misconduct on his part, may be reinstated within one (1) year from the date of such separation to positions in the same or similar grade or class in the classified service, but such action shall be subject to the approval of the director of civil service.

Sec. 21. Lay-offs: Abolition of Position. (1) Whenever one or more employees in the classified service are laid off because of a shortage of funds or curtailment of service or for any other reason beyond their control, the order of lay-off shall be determined according to rules established by the board, which shall take into account records of service, character, conduct and seniority and the names of such employees shall be placed at the heads of appropriate register.

(2) In every case of lay-off of a permanent officer or employee, the appointing authority shall fifteen (15) days before the effective date thereof give written notice to the employee and the director of civil service. In any case where an appointing authority refuses, or fails to certify before the effective date thereof, that the lay-off was for reasons not reflecting discredit on the employee, it shall be deemed a dismissal and shall be subject to Section 22 concerning dismissals as provided in this act.

(3) Whenever positions in the classified service are abolished by statute or by administrative action, the names of the incumbents of such positions, if they are members of the classified service, shall be placed at the head of the appropriate register, in accordance with rules established by the board which shall take into account records of service, character, conduct and seniority.

(4) Persons who have been separated from the classified service because of lay-off or the abolition of positions shall be given preference over all other eligibles in filling vacancies in the same or similar positions within the department in which they were employed immediately prior to their separation from the service, and the director shall certify for each vacancy only the former officer or employee whose name stands first on the appropriate eligible register.

Sec. 22. Suspensions; Demotions; Dismissals. (1) No permanent employee in the classified service who shall have been appointed under the provisions of this act or the rules made pursuant thereto shall be removed, discharged, suspended without pay, or reduced in pay or position, except for just cause, which shall not be religious, personal or political.

In case of any such disciplinary action as enumerated above in this section, the employee shall, before such action is taken, be furnished with a statement in writing specifically setting forth the reasons for such disciplinary action. A copy of such statement shall be filed with the director of civil service prior to the effective date thereof.

Such employee, upon written request to the civil service board made within thirty (30) days thereafter, may demand a hearing to determine the reasonableness of such action and the board shall grant the employee a hearing within sixty (60) days after receipt of such request. Failure of the board to grant such hearing within sixty (60) days shall automatically reinstate said employee.

After hearing and considering the evidence for and against such disciplinary action, the board shall approve or disapprove the action. In case of approval, the disciplinary action shall be deemed final as ordered; in case of disapproval the board shall reinstate the employee under such conditions as it deems proper.

If the board finds that the disciplinary action was for religious, personal or political reasons, then the employee shall be forthwith reinstated in his position and be reimbursed for any loss of pay occasioned by such disciplinary action.

(2) Provisional employees as defined in subsection (1), and temporary employees as defined in subsection (4), of section 18 may be dismissed at any time at the discretion of the appointing officer.

Sec. 23. Salary Warrants and Payments. (1) Neither the auditor of state, nor other fiscal officer of this state, shall draw, sign or issue, or authorize the drawing, signing or issuing of any warrant on the treasurer or other disbursing officer of the state, nor shall the treasurer or other disbursing officer of the state pay any salary or compensation to any person in the classified or unclassified services of the state, unless an accredited master estimate, payroll or account for such salary or compensation containing the name of every person to be paid shall bear the certificate of the director of the civil service that the persons named in such accredited master estimate, payroll or account have been appointed, employed, reinstated or promoted and are performing service as required by law and the rules established hereunder and that the salary or compensation is within the salary or wage schedule fixed pursuant to law.

(2) Any sum wilfully paid contrary to the provisions of this section may be recovered from any officer or officers making such appointments in contravention of the provisions of law or of the rules made in pursuance of law, or from any officer signing or countersigning or authorizing the signing or countersigning of any warrant for the payment of same, or from the sureties on the official bond of any of said officers, in an action in the district court of any county within the state, maintained by the director of the civil service board or any member thereof, or by a resident taxpayer therein. All monies recovered in any action brought under this section when collected shall be paid into the state treasury, and shall be credited back to the fund from which payment was originally made.

Sec. 24. Penalty for Violation of this Act. Any wilful violation of this act by officers, officials or employees of the state shall be deemed a misdemeanor. Conviction of same shall render the public office or position held by such person vacant.

Sec. 25. Specific Offenses Enumerated; Penalty for Violation. (1) Any civil service board member, director, or examiner, or any other person, who wilfully or corruptly by himself or in cooperation with one or

more persons, defeats, deceives, or obstructs any person with respect to his or her rights of examination or registration according to this act or to any rules or regulations prescribed pursuant thereto, or

(2) Who wilfully or corruptly falsely marks, grades, estimates, or reports upon the examination or proper standing of any person examined, registered, certified, employed or promoted pursuant to the provisions of said sections, or aids in so doing, or

(3) Who wilfully or corruptly makes or files any false representations concerning the person examined, registered, certified, appointed, employed or promoted, or

(4) Who wilfully or corruptly furnishes any person with any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, registered or certified, being appointed, employed or promoted, or

(5) Who personates any other person, or permits or aids in any manner any other person to personate him or her in connection with any examination or registration, or application or request to be examined or registered, or

(6) Who wilfully or corruptly shall appoint to a position in the classified service or dismisses, suspends, reduces in rank or pay any officer or employee from any position in the classified service otherwise than in compliance with and in conformity to the provisions of this act and the rules and regulations of the civil service board adopted pursuant thereto, or

(7) Who wilfully or corruptly refuses or neglects otherwise to comply with or conform to the provisions of this act and the rules and regulations made pursuant thereto, or violates any of such provisions shall be deemed guilty of a misdemeanor. Any conviction under this section shall render the public office or position held by person or persons so convicted vacant and such person or persons shall be ineligible to hold public office for a period of five (5) years from the date of such conviction.

Sec. 26. Restraint Upon Political Activities; Penalty for Violation Thereof. (1) No officer or employee holding a position in the classified service of this state shall directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription or contribution, or political service, whether voluntary or involuntary, for any political purpose whatever from any officer, agent, clerk or employee of the state or from any outsider. No person shall enter, or remain in any said office, building or room, or send or direct any letter or other notice thereto, for the purpose of giving notice of, demanding, or collecting a political assessment, subscription or contribution, nor shall any person therein give notice of, demand, collect or receive any such assessment, subscription or contribution. Any person who violates any provision of this section shall be guilty of a misdemeanor, and if any officer or employee in the classified service is found guilty of violating any provision of this section, he is automatically separated from the service.

(2) The attorney general shall advise and assist the board and it shall be the duty of the county attorney wherein a violation of this act

shall have occurred upon complaint being made to him, to prosecute any person or persons violating any of the provisions of this act.

(3) Any officer or employee in the state classified service, upon the date of filing as a candidate for state public office, shall leave the service for the duration of the campaign on written leave of absence without pay.

Sec. 27. Veteran's Preference. Preference shall be given to honorably discharged veterans of past wars in examinations conducted by the Director under the provisions of this act as follows:

A credit of five per cent (5%) of the unit used in grading the examination to be added to a passing grade for all veterans.

Sec. 28. Service to Local Governments; Cooperation with Other Civil Service Agencies. (1) The services and facilities of the state civil service department and its staff shall be available upon request, subject to rules prescribed therefor by the board, to local governmental subdivisions of the state. In making such service and facilities available, it shall be understood that requirements for the enforcement and administration of the provisions of this act shall be given precedence and that the local governmental subdivisions shall reimburse the state for the reasonable cost of such services and facilities.

(2) The board may enter into arrangements with personnel agencies in other jurisdictions for the purpose of exchanging services, and affecting transfers of employees. The board may also join or subscribe to any association or service having as its purpose the interchange of information relating to the technique of personnel administration.

Sec. 29. Training of State Employees. The director of the civil service shall devise plans for and cooperate with appointing authorities and other supervisory officers in the conduct of employee training program to the end that the quality of service rendered by persons in the state civil service may be continually improved. Provision shall be made in the rules adopted by the civil service board in pursuance of this act to permit employees in the classified service to secure leaves of absence for the purpose of enrolling in courses of training for government service; and provision also may be made in said rules to permit qualified students to serve as internes or apprentices for a period not greater than one (1) year in the several departments and agencies concerned.

Sec. 30. Repeal of Inconsistent Acts. All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed.

Sec. 31. Validity of this Act. The provisions of this act shall be severable, and if any of the provisions shall be held to be invalid, the decision of the court respecting such provision or provisions shall not affect the validity of any other provisions which can be given effect without such invalid provisions. It is hereby declared to be the legislative intent that this act would have been adopted by the legislature had such invalid provisions not been included herein.

Sec. 32. Appropriations. It shall be the duty of the Governor, upon the passage of this act and biennially thereafter, to make recommendations to the legislature for a suitable appropriation to carry out the work of the Civil Service Board.

Senator Forsling offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after line 10 of section 9 of said amendment the following:

"Head of department shall be considered to be the individual or group of individuals who are not subordinate to any other individual or group of individuals."

The amendment to the amendment was adopted.

Senator Faul offered the following amendment to the amendment and moved its adoption:

Amend Senator Forsling's amendment as follows:

1. Amend by adding the following to section fifteen (15): "In all appointments under the provisions of this act the provisions of Chapter sixty (60), Code, 1935, relating to soldiers' preference shall be applicable."

2. Amend by adding the following to section seventeen (17): "In all promotions under the provisions of this act the provisions of Chapter sixty (60), Code, 1935, relating to soldiers' preference shall be applicable."

3. Amend by striking the words "a passing" from line six (6), section twenty-seven (27), and inserting in lieu thereof the word "the".

The amendment to the amendment was adopted.

Senator Zeigler moved that Senate File 64 and all pending amendments be laid on the table.

On the question "Shall Senate File 64 and all pending amendments be laid on the table?" the vote was:

Ayes, 21:

Beardsley	Evans	Martin	Sjulin
Berg	Harvey	Miller	Smith
Corwin	Hopkins	Parker	Stewart
Doran	Husted	Pelzer	Whitehill
Edwards	Leo	Shaw	Zeigler
Elthon			

Nays, 22:

Augustine	Dewey	Gillette	Lundy
Baldwin	Donohue	Guernsey	Mighell
Bekman	Ellis	Hill	Moore
Byers	Faul	Hoeven	Mowry
Cromwell	Forsling	Levis	Vrba
Dean	Geske		

Absent or not voting, 7:

Benson	Hart	Kirketeg	Talbott
Breen	Henningsen	Schadt	

The motion was lost.

Senator Talbott moved the previous question on the amendment.

The motion prevailed.

Senator Mighell moved that Senate File 64 and all amendments be referred to a special committee to be selected by the Republican caucus.

Senator Doran moved as a substitute that the bill be referred to the sifting committee.

President Hickenlooper held that the motion by Senator Mighell was out of order because it was facetious and because it referred to a commitment to a committee not in existence.

President Hickenlooper held that the substitute motion by Senator Doran was out of order because it was based on a motion which was out of order.

Roll call was requested on the amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 23:

Baldwin	Doran	Henningsen	Schadt
Beardsley	Edwards	Hill	Shaw
Benson	Faul	Hoeven	Sjulin
Breen	Forsling	Mighell	Smith
Cromwell	Gillette	Miller	Stewart
Dewey	Guernsey	Mowry	

Nays, 25:

Augustine	Elthon	Husted	Parker
Bekman	Evans	Leo	Pelzer
Berg	Geske	Levis	Talbott
Corwin	Hart	Lundy	Vrba
Dean	Harvey	Martin	Whitehill
Donohue	Hopkins	Moore	Zeigler
Ellis			

Absent or not voting, 2:

Byers	Kirketeg
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The amendment was lost.

Senator Talbott moved the previous question on the main bill.

The motion prevailed.

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, 27:

Augustine	Dewey	Guernsey	Lundy
Baldwin	Donohue	Hart	Mighell
Bekman	Ellis	Harvey	Moore
Benson	Elthon	Henningsen	Talbott
Byers	Evans	Hill	Vrba
Cromwell	Faul	Hoeven	Zeigler
Dean	Geske	Levis	

Nays, 22:

Beardsley	Forsling	Miller	Shaw
Berg	Gillette	Mowry	Sjulin
Breen	Hopkins	Parker	Smith
Corwin	Husted	Pelzer	Stewart
Doran	Leo	Schadt	Whitehill
Edwards	Martin		

Absent or not voting, 1:

Kirketeg

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

Senator Donohue offered the following amendment to the title and moved its adoption.

Amend by inserting in line one (1) the word "maintenance" after the word "for".

The amendment was adopted, and the title as amended 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 Hoeven, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 211, 213, 265, 408, 409, 410, 412, 416, 417, 418 and 420.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 211, 213, 265, 408, 409, 410, 412, 416, 417, 418 and 420.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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 March, 1939, sent to the Governor for his approval, Senate Files 211, 213, 265, 408, 409, 410, 412, 416, 417, 418, and 420.

RALPH E. BENSON, *Chairman.*

Passed on file.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Doran, House File 271, a bill for an act to appropriate the sum of Two Hundred Forty-three Dollars and Seventy-five Cents (\$243.75) to the Moore Radio Shop, Chariton, Iowa, in payment of the loud speaker system installed in the House of Representatives, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dewey offered the following amendment and moved its adoption:

Amend House File 271 by striking from section one, lines three and four, the words and figures: "Two hundred forty-three dollars and seventy-five cents (\$243.75)" and by inserting in lieu thereof the following: "Four hundred thirty dollars and seventy-five cents (\$430.75)".

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, 41:

Augustine	Edwards	Henningsen	Parker
Baldwin	Ellis	Hill	Pelzer
Benson	Elthon	Hoeven	Schadt
Breen	Faul	Hopkins	Shaw
Byers	Forsling	Husted	Sjulin
Corwin	Geske	Leo	Smith
Cromwell	Gillette	Mighell	Stewar
Dean	Guernsey	Miller	Talbott
Dewey	Hart	Moore	Vrba
Donohue	Harvey	Mowry	Whitehill
Doran			

Nays, none.

Absent or not voting, 9:

Beardsley	Evans	Levis	Martin
Bekman	Kirketeg	Lundy	Zeigler
Berg			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate.

Senator Dewey offered the following amendment to the title and moved its adoption:

Amend by striking the words and figures "Two hundred forty-three dollars and seventy-five cents (\$243.75)" and inserting in lieu thereof the words and figures "Four hundred thirty dollars and seventy-five cents (\$430.75)".

The amendment was adopted and the title as amended 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.

By unanimous consent, on request of Senator Dewey, House File 271 was messaged to the House immediately.

On motion of Senator Faul, Senate File 335, a bill for an act to amend section eighty-eight hundred twenty-nine (8829), Code of 1935, by repealing subsection one (1) of section eighty-eight hundred twenty-nine (8829), and enacting a substitute therefor with reference to Federal bonds and other evidences of Federal indebtedness; to amend subsection six (6) by changing the percentage valuation of loans on real estate from fifty per cent (50%) to sixty per cent (60%); to amend subsection eight (8) by giv-

ing the Commissioner of Insurance authority to extend time for real estate conveyance; also by striking out the words "contracts of sale," immediately following the word, "sale" in the 49th line thereof; and by striking out of the 51st line of said subsection the word "twenty" and substituting the word "thirty"; also by adding to section eighty-eight hundred twenty-nine (8829) an additional subsection relating to substitution of contracts of sale and purchase money mortgages or purchase money deeds of trust, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

1. Amend by striking the word "Amend", line one (1), section two (2), and inserting immediately following the figures "(8829)", line two (2), section two (2), the words "is amended".

2. Amend by striking the word "Amend", line one (1), section three (3), and inserting after the figure "(8)", line one (1), section three (3), the following: "of section eighty-eight hundred twenty-nine (8829) is amended".

3. Amend by striking the word "Amend", line one (1), section four (4), and inserting immediately after the comma (,) following the figure "8", line two (2), section four (4), the words "is amended".

4. Amend by striking the word "Amend", line one (1), section five (5), and inserting immediately after the figures "(8829)", line two (2), section five (5), the words "is amended".

The amendment was adopted.

Senator Mowry offered the following amendment and moved its adoption:

Amend section one (1) by striking out in line five (5) the word "and" following the word "Federal" and inserting in lieu thereof a comma (,) and further amend said section one (1), line five (5), by inserting after the word "territorial" and before the word "obligations" the words "and Dominion".

Also amend section one (1) by inserting after the word "administrator" which appears in lines fourteen (14) and fifteen (15) the following: "and bonds issued by or guaranteed by the Dominion of Canada".

The amendment was adopted.

Senator Faul moved that the bill be read a third 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	Henningsen	Parker
Baldwin	Edwards	Hill	Pelzer
Benson	Ellis	Hoeven	Schadt
Berg	Elthon	Hopkins	Shaw
Breen	Faul	Husted	Sjulin
Byers	Forsling	Leo	Smith
Corwin	Geske	Martin	Stewart
Cromwell	Gillette	Mighell	Talbott
Dean	Guernsey	Miller	Vrba
Dewey	Hart	Moore	Whitehill
Donohue	Harvey	Mowry	

Nays, none.**Absent or not voting, 7:**

Beardsley	Evans	Levis	Zeigler
Bekman	Kirketeg	Lundy	

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

Senator Faul offered the following amendment to the title and moved its adoption:

Amend by inserting immediately after the word "indebtedness" in line five (5) of the title the following: "and to include bonds of the Dominion of Canada and the subdivisions thereof".

The amendment was adopted, and the title as amended was agreed to.

Senator Faul 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 Faul, Senate File 335 was messaged to the House immediately.

By unanimous consent, on request of Senator Husted, Senate File 422, a bill for an act to make an appropriation for the purchase, distribution, storage and application of materials, and for other necessary, incidental, miscellaneous expenses connected with the prevention and control of major epidemic outbreaks of grasshoppers, chinch bugs, army worms, Japanese beetles, and other crop pests, and crop diseases, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 41:

Augustine	Edwards	Hill	Pelzer
Baldwin	Ellis	Hoeven	Schadt
Benson	Elthon	Hopkins	Shaw
Berg	Faul	Husted	Sjulin
Byers	Geske	Leo	Smith
Corwin	Gillette	Martin	Stewart
Cromwell	Guernsey	Mighell	Talbott
Dean	Hart	Moore	Vrba
Dewey	Harvey	Mowry	Whitehill
Donohue	Henningsen	Parker	Zeigler
Doran			

Nays, none.

Absent or not voting, 9:

Beardsley	Evans	Kirketeg	Lundy
Bekman	Forsling	Levis	Miller
Breen			

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 Donohue, Senate File 244, a bill for an act to amend the law as it appears in Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking the comma after the word "vehicle" in line six (6) and by striking from lines six (6) and seven (7) the following: "except semi-trailers not designed or equipped to operate under their own power,".

The amendment was adopted.

Senator Geske offered the following amendment and moved its adoption:

Amend by changing the period (.) at the end of line ten (10) to a semicolon (;) and by adding thereto the following:

"and no motor vehicle or combination of motor vehicles used for transporting any other motor vehicle or motor vehicles shall be operated over any highway after January 1, 1940 if such motor vehicle or combination, with or without load, exceeds a height of eight (8) feet, nor if any part of an axle of any motor vehicle being transported is elevated more than three (3) feet above any other axle of the same motor vehicle, nor where any part of a motor vehicle being transported extends over the driver's compartment of the motor vehicle by which it is being transported."

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, 34:

Augustine	Donohue	Hill	Shaw
Baldwin	Doran	Hoeven	Sjulin
Benson	Edwards	Hopkins	Smith
Berg	Ellis	Husted	Stewart
Breen	Evans	Moore	Talbott
Byers	Paul	Mowry	Vrba
Corwin	Geske	Parker	Whitehill
Dean	Gillette	Pelzer	Zeigler
Dewey	Guernsey		

Nays, none.

Absent or not voting, 16:

Beardsley	Forsling	Kirketeg	Martin
Bekman	Hart	Leo	Mighell
Cromwell	Harvey	Levis	Miller
Elthon	Henningsen	Lundy	Schadt

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

Senator Donohue offered the following amendment to the title and moved its adoption:

Amend the title to Senate File 244 by inserting after the word "emergency" at the end thereof the following: "and to provide restrictions in the operation of motor vehicles transporting other motor vehicles".

The amendment was adopted, and the title as amended 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 Hill, Senate File 168, a bill for an act to

amend section seven thousand one hundred eighty-eight (7188) and section five thousand one hundred fifty-six (5156), Code, 1935, relating to tax receipts and the duties of county treasurers, was taken up and considered.

By unanimous consent, on request of Senator Hill all of section three (3) was stricken.

Senator Hill moved that Senate File 168 be rereferred to the sifting committee.

The motion prevailed, and the bill was rereferred to the sifting committee.

EXTRA COPIES

By unanimous consent, on request of Senator Berg, 500 reprint copies of Senate File 456 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 248, 376, 445, 452 and 457; House Files 501, 502, 503, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534 and 535. . . . E. P. DONOHUE, *Chairman.*

AMENDMENTS FILED

MR. PRESIDENT: Amend House File 78 by striking therefrom all of section two (2).
GEORGE M. FAUL.

MR. PRESIDENT: Amend House File 78 as follows:

1. Amend by changing the period (.) following the word "appeals" in line seven (7) of the title to a comma (,) and adding the following: "and to provide that the city solicitor shall represent the local board of review, and that the other taxing bodies may appear by attorneys in such appeals and to legalize such appearances, heretofore made."

2. Amend by inserting as section two (2) the following:

"The city solicitor shall represent the city assessor and local board of review in all litigation dealing with the assessments made by such city assessor. The county, school district or any other taxing body interested in the taxes derived from such assessments may be represented by an attorney and may be required to appear by attorney upon written request of the city solicitor to the presiding officer of any such taxing body. And such appearance by attorney heretofore made by any taxing body are hereby authorized and legalized."

3. Amend by renumbering the succeeding sections. GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 406 as follows:

1. By striking all of line four (4) after the period (.) following the word "paid" in lines five (5) and six (6) of section twelve (12);
2. By striking section fourteen (14);
3. By inserting after the word "section" in line two (2) of section sixty-nine (69) the following: "8413, 8414 and". O. H. HENNINGSEN.

MR. PRESIDENT: Amend Senate File 447, section four (4), as follows:

1. By inserting in line three (3) after the word "the": "Washington Evening Journal".
2. By inserting in line four (4) after the word "at": "Washington" and in line five after the word "the": "Mt. Pleasant News".
3. By inserting in line six (6) after the word "at": "Mt. Pleasant".

A. CLAIRE DEWEY.

MR. PRESIDENT: Amend Senate File 448, section two (2), as follows:

1. By inserting in line three (3) after the word "the": "Washington Evening Journal".
2. By inserting in line four (4) after the word "at": "Washington" and after the word "the": "Mt. Pleasant".
3. By inserting in line five (5) after the word "at": "Mt. Pleasant".

A. CLAIRE DEWEY.

Amend Senate File 456 as follows:

Insert in line 10, section 19, immediately following the word "feed," the word "seed,"

R. V. LEO.

MR. PRESIDENT: Amend House File 256 as follows:

1. Amend section two (2) by striking from lines four (4) and five (5) thereof the following: "and numbered twelve (12) under section three hundred ninety-nine (399) of said Chapter".
2. Amend by striking all of section three (3) and inserting in lieu thereof the following:

"Sec. 3. Section three hundred ninety-nine (399) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, is hereby amended by striking all of line three (3) thereof and inserting in lieu thereof the following: '1941, be constructed and equipped as follows, provided one-half or more of the busses used by any school district on September 1, 1939, shall be constructed and equipped as required by this section:'"

LESTER S. GILLETTE.

MR. PRESIDENT: Amend Senate File 367 by striking from line four the word "five" and figure "(5)" and inserting in lieu thereof the word "three" and figure "(3)".

E. P. DONOHUE.

MR. PRESIDENT: Amend House File 327 by striking all after the enacting clause and inserting in lieu thereof:

"Section 1. The state executive council shall adopt and publish rules for the purchase, operation, use, custody and care of all state owned motor vehicles. A copy of the rules shall be conspicuously displayed in the various departments of state and a violation of any rule by a state employee shall be grounds for his immediate dismissal.

Sec. 2. No officer, employee or department of state shall purchase any motor vehicle until they have first made application to the executive council for the purchase of the car or cars and received the approval of the executive council for the purchase of said car or cars. This section shall not apply to the state highway commission or to officers or employees of said commission."

Also amend the title to read as follows: "A bill for an act giving the executive council authority to adopt rules for the purchase, operation, custody and care of all state owned automobiles."

E. P. DONOHUE.

L. B. FORSLING.

MR. PRESIDENT: Amend Senate File 456 by striking Division 1 and Section 19 of Division 4, and substituting in lieu thereof the following:

Section 1. That because of the advantages accruing from the operation of multiple stores wherever situated, and because of the basic difference inherent in such character of operations, there be and is hereby levied an annual license tax for the year 1939 and for each subsequent year upon each person, firm, partnership, corporation or association of persons engaged in the business of operating, or maintaining, as part of a group or chain, any store or stores in this state, where goods, wares, merchandise or commodities of every description whatsoever are sold or offered for sale at retail under the same general management, supervision, ownership or control, commonly known as branch or chain stores.

Sec. 2. That every person, firm, partnership, corporation or association of persons engaged in the business described in Section 1 of this Act and doing business in this state shall, on or before the first day of July of each year, render to the State Board of Assessment and Review a report signed and sworn to by the person or persons in interest, his or their duly authorized agent or officer, containing a true and complete statement showing the number of stores or mercantile establishments operated or maintained in this state in the preceding year; the name, location and street address of each such store or mercantile establishment; and such other information as the said State Board of Assessment and Review may require.

Sec. 3. That the license tax for said business described in this Act levied upon the store or stores operated in the State of Iowa shall be based on the number of stores or mercantile establishments included under the same general management, supervision, ownership or control, whether operated in this State or not, and shall be fixed and graded as follows, to-wit:

(1) Upon stores or mercantile establishments operated in this State and belonging to a chain or group having a total of not more than ten stores, the annual license shall be Ten (\$10.00) Dollars for each such store operated in this State.

(2) Upon stores or mercantile establishments operated in this State and belonging to a chain or group having a total of more than ten stores, but not more than thirty-five stores, the annual license shall be Fifteen (\$15.00) Dollars for each such store operated in this State.

(3) Upon stores or mercantile establishments operated in this State

and belonging to a chain or group having a total of more than thirty-five stores but not more than fifty stores, the annual license shall be Twenty (\$20.00) Dollars for each such store operated in this State.

(4) Upon stores or mercantile establishments operated in this State and belonging to a chain or group having a total of more than fifty stores but not more than seventy-five stores, the annual license shall be Twenty-five (\$25.00) Dollars for each such store operated in this State.

(5) Upon stores or mercantile establishments operated in this State and belonging to a chain or group having a total of more than seventy-five stores but not more than one hundred stores, the annual license shall be Thirty (\$30.00) Dollars for each such store operated in this State.

(6) Upon stores or mercantile establishments operated in this State and belonging to a chain or group having a total of more than one hundred stores but not more than one hundred twenty-five stores, the annual license shall be Fifty (\$50.00) Dollars for each such store operated in this State.

(7) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than one hundred twenty-five stores but not more than one hundred fifty stores, the annual license shall be One Hundred (\$100.00) Dollars for each such store operated in this state.

(8) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than one hundred fifty stores but not more than one hundred seventy-five stores, the annual license shall be One Hundred Fifty (\$150.00) Dollars for each such store operated in this state.

(9) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than one hundred seventy-five stores but not more than two hundred stores, the annual license shall be two hundred (\$200.00) Dollars for each such store operated in this state.

(10) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than two hundred stores, but not more than two hundred twenty-five stores, the annual license shall be Two Hundred Fifty (\$250.00) Dollars for each such store operated in this state.

(11) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than two hundred twenty-five stores but not more than two hundred fifty stores, the annual license shall be Three Hundred (\$300.00) Dollars for each such store operated in this state.

(12) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than two hundred fifty stores but not more than two hundred seventy-five stores, the annual license shall be Three Hundred Fifty (\$350.00) Dollars for each such store operated in this state.

(13) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than two hun-

dred seventy-five stores but not more than three hundred stores, the annual license shall be Four Hundred (\$400.00) Dollars for each such store operated in this state.

(14) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than three hundred stores but not more than four hundred stores, the annual license shall be Four Hundred Fifty (\$450.00) Dollars for each such store operated in this state.

(15) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than four hundred stores but not more than five hundred stores, the annual license shall be Five Hundred (\$500.00) Dollars for each such store operated in this state.

(16) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than five hundred stores, the annual license shall be five hundred fifty (\$550.00) Dollars for each such store operated in this state.

Sec. 4. The license herein prescribed shall be in addition to ad valorem taxes and licenses prescribed in the general license laws of this state.

Sec. 5. That the license taxes under this Act shall be payable before the first day of July of each year to the State Board of Assessment and Review, which is hereby charged with the duty of collecting the said taxes, and if delinquent, such taxes shall bear interest at the rate of two per cent per month, plus ten per cent additional on both principal and interest as attorney's fees in all cases wherein an attorney is called on to assist in the collection. A separate license shall be issued for each store operated or maintained by licensee, and it shall be the duty of licensee to post the license in a conspicuous place in each store.

That the State Board of Assessment and Review, in order to enforce the collection of the aforesaid taxes is hereby authorized to employ private counsel to represent it in any proceeding under this Act.

Sec. 6. All taxes collected under the provisions of this Act shall be paid to the State Board of Assessment and Review, and it shall distribute and apportion and pay such amounts as so received in any fiscal year to the Treasurer of the State of Iowa to be deposited to the credit of the general fund.

Sec. 7. That the manner of collecting licenses under this Act and the enforcement thereof, the form of license receipt, and the manner of recording and filing affidavits shall be similar to that now provided, or may hereafter be provided by the State Board of Assessment and Review.

Sec. 8. Any person, the member of any firm, the officer or manager of any corporation, violating any of the provisions of this Act, shall be guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than Five Hundred Dollars nor less than Fifty Dollars, or by imprisonment of not more than ninety days nor less than sixty days, or both such fine and imprisonment, at the discretion of the court.

Sec. 9. There are specifically exempted from the provisions of Division 1 and from the computation of the amount of tax imposed by it the following:

(1) Cooperative associations not organized for profit under the laws of this state in good faith and not for the purpose or with the intent of evading the tax hereby imposed.

(2) Persons exclusively engaged in gardening and/or farming, selling in this state products of their own raising.

(3) Persons selling at retail one or more of the following products: coal, ice, lumber, grain, feed, building materials (not including builders and general hardware, glass, and paints) if the total retail sales of any such person or persons of such product within the state shall, during such taxable year, exceed ninety-five per cent of the total retail sales of all sources within the state of any such person or persons.

(4) Liquor stores, established and operated by the state liquor control commission.

(5) Hotels or rooming houses, including dining rooms or cafes operated in connection therewith and by the same management.

G. R. HILL.

L. H. DORAN.

A. E. AUGUSTINE.

EDWARD BREEN.

MR. PRESIDENT: Amend Senate File 456 by inserting after the title and before the enacting clause, the following:

Whereas, The Supreme Court of the United States has held invalid and unconstitutional section sixty-nine hundred forty-three-g four (6943-g4), subsection B of Chapter three hundred twenty-nine-G one (329-G1) of the 1935 Code of Iowa, as being in violation of federal and state constitutions, and

Whereas, It is the intent of the legislature to provide for a tax on each person engaged in conducting a business by a system of chain stores within the state of Iowa under a single or common ownership, control, supervision or management, it now becomes necessary to repeal Chapter three hundred twenty-nine-G one (329-G1) in order to carry out this intent. The law of Louisiana, declared constitutional by the United States Supreme Court, has been copied in the title and in the bill proper with the exception of the two exemption clauses in said bill and also in reference to inapplicable provincial terms of that state such as parish, enforcement boards, and so on.

Now therefore.

G. R. HILL.

L. H. DORAN.

A. E. AUGUSTINE.

EDWARD BREEN.

SENATE CONCURRENT RESOLUTION 13

Be It Resolved by the Senate, the House Concurring: That the General Assembly adjourn sine die at noon, April 1.

EARL DEAN.

A. E. AUGUSTINE.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 29, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Edwin Briggs, pastor of the First Methodist Episcopal Church of Boone.

The Journal of March 28th was corrected and approved.

LEAVE OF ABSENCE

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

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from citizens of Black Hawk county, favoring the elimination of Class "C" beer permits.

By Senator Berg, from citizens of Waterloo, opposing tax on chain stores.

By Senator Breen, from citizens of Webster county, favoring the elimination of Class "C" beer permits.

By Senator Corwin, from citizens of Muscatine county, favoring the elimination of Class "C" beer permits.

By Senator Martin, from citizens of Scott county, favoring the elimination of Class "C" beer permits.

INTRODUCTION OF BILLS

Senate File 460, by committee on banks and banking, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1935, as amended, to permit a trustee, executor, administrator, or guardian as such to invest funds coming into his hands in a savings account or time certificate of deposit of a banking institution located in this state and when first approved by the Court.

Read first and second times and referred to sifting committee.

Senate File 461, by committee on election reform, a bill for an act to amend section nine hundred fifty (950), Code, 1935, as amended by Chapter ninety-five (95) of the 47th General Assembly, relating to absent voters' law; to provide the manner of casting absent voters' ballots in precincts using voting machines.

Read first and second times and referred to sifting committee.

Senate File 462, by committee on election reform, a bill for an act to amend section eight hundred ninety-three (893), Code, 1935, relating to double election boards; to provide for the duties of double election boards.

Read first and second times and referred to sifting committee.

Senate File 463, by committee on election reform, a bill for an act to amend section nine hundred twenty-three (923), Code, 1935, relating to voting machines; to provide for report of the result of canvass.

Read first and second times and referred to sifting committee.

By unanimous consent, Senator Breen presented to the Senate Mr. Miller and the senior class from Gowrie High school, Webster county.

By unanimous consent, Senator Edwards presented to the Senate Superintendent Jones, Coach Hopkins, and members of the 1939 Iowa championship basketball team, of Creston.

EXTRA COPIES

By unanimous consent, on request of Senator Donohue, 500 copies of Senate File 64, as passed by the Senate, were ordered printed.

THIRD READING OF BILLS

The time having arrived for the special orders of business, House File 501, a bill for an act to amend section two hundred sixty-four (264), Code, 1935, relating to official reports and documents, a committee bill, 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, 38:

Augustine	Ellis	Hopkins	Pelzer
Bekman	Elthon	Husted	Schadt
Berg	Evans	Kirketeg	Shaw
Breen	Faul	Leo	Sjulin
Byers	Forsling	Levis	Smith
Corwin	Geske	Martin	Stewart
Dean	Guernsey	Mighell	Talbott
Dewey	Henningsen	Miller	Whitehill
Doran	Hill	Mowry	Zeigler
Edwards	Hoeven		

Nays, none.**Absent or not voting, 12:**

Baldwin	Cromwell	Hart	Moore
Beardsley	Donohue	Harvey	Parker
Benson	Gillette	Lundy	Vrba

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 Hill, House File 502, a bill for an act to amend sections fifteen hundred sixty-six (1566), fifteen hundred seventy (1570), fifteen hundred seventy-b one (1570-b1), fifteen hundred seventy-b two (1570-b2), fifteen hundred seventy-one (1571), fifteen hundred seventy-four (1574), fifteen hundred seventy-four-a one (1574-a1), fifteen hundred seventy-five (1575), and fifteen hundred seventy-six (1576), Chapter seventy-eight (78), Code, 1935, relating to the tax on cigarettes and tobacco and collection thereof, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend section ten (10), line two (2), by striking the word "said" and inserting after the word "chapter" the following: "seventy-eight (78), Code, 1935, or Senate File 128, Acts of the Forty-eighth General Assembly, and are intended to refer to the treasurer of state,".

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, 34;

Augustine	Ellis	Hopkins	Pelzer
Bekman	Elthon	Husted	Schadt
Berg	Evans	Kirketeg	Shaw
Breen	Forsling	Leo	Sjulin
Byers	Geske	Martin	Smith
Dean	Gillette	Mighell	Talbott
Dewey	Guernsey	Miller	Vrba
Doran	Hill	Mowry	Whitehill
Edwards	Hoeven		

Nays, none.**Absent or not voting, 16:**

Baldwin	Cromwell	Harvey	Moore
Beardsley	Donohue	Henningsen	Parker
Benson	Faul	Levis	Stewart
Corwin	Hart	Lundy	Zeigler

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 Hill, House File 503, a bill for an act to amend sections nineteen hundred twenty-one-f ninety-seven (1921-f97), nineteen hundred twenty-one-f ninety-eight (1921-f98), nineteen hundred twenty-one-f ninety-nine (1921-f99), nineteen hundred twenty-one-f one hundred two (1921-f102), nineteen hundred twenty-one-f one hundred three (1921-f103), nineteen hundred twenty-one-f one hundred four (1921-f104), nineteen hundred twenty-one-f one hundred five (1921-f105), nineteen hundred twenty-one-f one hundred eight (1921-f108), nineteen hundred twenty-one-f one hundred seventeen (1921-f117), nineteen hundred twenty-one-f one hundred nineteen (1921-f119), nineteen hundred twenty-one-f one hundred twenty (1921-f120), nineteen hundred twenty-one-f one hundred twenty-five (1921-f125), Chapter ninety-three-F two (93-F2), Code, 1935, relating to beer and malt liquors, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend by striking the word "said" in line two (2) of section thirteen (13), and inserting after the word "chapter" the following: "ninety-three-f two (93-F2), Code, 1935."

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, 40:

Augustine	Edwards	Hill	Pelzer
Bekman	Ellis	Hoeven	Schadt
Berg	Elthon	Hopkins	Shaw
Breen	Evans	Husted	Sjulin
Byers	Faul	Kirketeg	Smith
Corwin	Forsling	Leo	Stewart
Dean	Geske	Martin	Talbott
Dewey	Gillette	Mighell	Vrba
Donohue	Guernsey	Miller	Whitehill
Doran	Henningsen	Mowry	Zeigler

Nays, none.

Absent or not voting, 10:

Baldwin	Cromwell	Levis	Moore
Beardsley	Hart	Lundy	Parker
Benson	Harvey		

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 Hill, House File 505, a bill for an act to amend section forty-two hundred eighty-three-e seven (4283-e7), Code, 1935, relating to reimbursement of school districts for loss of taxes, a committee bill, 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, 38:

Augustine	Edwards	Hill	Pelzer
Beardsley	Ellis	Hoeven	Schadt
Bekman	Elthon	Hopkins	Shaw
Berg	Evans	Husted	Sjulin
Breen	Faul	Kirketeg	Smith
Byers	Forsling	Leo	Stewart
Corwin	Geske	Martin	Talbott
Dean	Gillette	Miller	Vrba
Donohue	Guernsey	Mowry	Zeigler
Doran	Harvey		

Nays, none.

Absent or not voting, 12:

Baldwin	Dewey	Levis	Moore
Benson	Hart	Lundy	Parker
Cromwell	Henningsen	Mighell	Whitehill

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 Hill, House File 506, a bill for an act to amend section fifty-one hundred sixty-nine-a seven (5169-a7), Code, 1935, relating to the duties of county treasurer, a committee bill, 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, 39:

Augustine	Edwards	Hoeven	Pelzer
Beardsley	Ellis	Hopkins	Schadt
Bekman	Evans	Husted	Shaw
Berg	Faul	Kirketeg	Sjulin
Byers	Forsling	Leo	Smith
Corwin	Gillette	Levis	Talbott
Dean	Guernsey	Martin	Vrba
Dewey	Harvey	Miller	Whitehill
Donohue	Henningesen	Moore	Zeigler
Doran	Hill	Mowry	

Nays, none.

Absent or not voting, 11:

Baldwin	Cromwell	Hart	Parker
Benson	Elthon	Lundy	Stewart
Breen	Geske	Mighell	

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 Hill, House File 507, a bill for an act to amend sections fifty-two hundred ninety (5290) and fifty-two hundred ninety-one (5291), Code, 1935, relating to county bonds, a committee bill, 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, 39:

Augustine	Ellis	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Berg	Faul	Husted	Shaw
Byers	Forsling	Kirketeg	Sjulin
Corwin	Geske	Leo	Smith
Dean	Gillette	Levis	Talbott
Dewey	Guernsey	Martin	Vrba
Donohue	Harvey	Miller	Whitehill
Doran	Henningsen	Moore	Zeigler
Edwards	Hill	Mowry	

Nays, none.**Absent or not voting, 11:**

Baldwin	Breen	Hart	Parker
Beardsley	Cromwell	Lundy	Stewart
Benson	Elthon	Mighell	

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 Hill, House File 508, a bill for an act to amend section sixty-two hundred twenty-two (6222), Code, 1935, relating to the general subject of taxation, a committee bill, 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, 39:

Augustine	Edwards	Hill	Schadt
Beardsley	Ellis	Hoeven	Shaw
Bekman	Evans	Hopkins	Sjulin
Berg	Faul	Husted	Smith
Byers	Forsling	Kirketeg	Stewart
Corwin	Geske	Levis	Talbott
Dean	Gillette	Martin	Vrba
Dewey	Guernsey	Miller	Whitehill
Donohue	Harvey	Mowry	Zeigler
Doran	Henningsen	Pelzer	

Nays, none.**Absent or not voting, 11:**

Baldwin	Cromwell	Leo	Moore
Benson	Elthon	Lundy	Parker
Breen	Hart	Mighell	

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 Hill, House File 509, a bill for an act to amend section sixty-eight hundred sixty-six (6866), Code, 1935, relating to the valuation and assessment of property in cities under special charter, a committee bill, 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, 41:

Augustine	Elthon	Hoeven	Pelzer
Beardsley	Evans	Hopkins	Schadt
Bekman	Faul	Husted	Shaw
Berg	Forsling	Kirketeg	Sjulin
Breen	Geske	Leo	Smith
Byers	Gillette	Levis	Stewart
Dewey	Guernsey	Martin	Talbott
Donohue	Harvey	Miller	Vrba
Doran	Henningsen	Moore	Whitehill
Edwards	Hill	Mowry	Zeigler
Ellis			

Nays, none.

Absent or not voting, 9:

Baldwin	Cromwell	Hart	Mighell
Benson	Dean	Lundy	Parker
Corwin			

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 Hill, House File 510, a bill for an act to amend sections sixty-nine hundred forty-three-f three (6943-f3), sixty-nine hundred forty-three-f nine (6943-f9), sixty-nine hundred forty-three-f fourteen (6943-f14), sixty-nine hundred forty-three-f fifteen (6943-f15), sixty-nine hundred forty-three-f sixteen (6943-f16), sixty-nine hundred forty-three-f seventeen (6943-f17), sixty-nine hundred forty-three-f eighteen (6943-f18), sixty-

nine hundred forty-three-f twenty-one (6943-f21), sixty-nine hundred forty-three-f twenty-two (6943-f22), sixty-nine hundred forty-three-f twenty-three (6943-f23), sixty-nine hundred forty-three-f twenty-four (6943-f24), sixty-nine hundred forty-three-f twenty-five (6943-f25), sixty-nine hundred forty-three-f twenty-six (6943-f26), sixty-nine hundred forty-three-f twenty-nine (6943-f29), sixty-nine hundred forty-three-f thirty-two (6943-f32), sixty-nine hundred forty-three-f thirty-three (6943-f33), sixty-nine hundred forty-three-f thirty-six (6943-f36), sixty-nine hundred forty-three-f forty-two (6943-f42), sixty-nine hundred forty-three-f forty-three (6943-f43), sixty-nine hundred forty-three-f forty-five (6943-f45), sixty-nine hundred forty-three-f forty-six (6943-f46), sixty-nine hundred forty-three-f forty-seven (6943-f47), sixty-nine hundred forty-three-f forty-eight (6943-f48), sixty-nine hundred forty-three-f forty-nine (6943-f49), sixty-nine hundred forty-three-f fifty (6943-f50), sixty-nine hundred forty-three-f fifty-three (6943-f53), sixty-nine hundred forty-three-f fifty-four (6943-f54), sixty-nine hundred forty-three-f fifty-five (6943-f55), sixty-nine hundred forty-three-f fifty-six (6943-f56), sixty-nine hundred forty-three-f fifty-seven (6943-f57), sixty-nine hundred forty-three-f fifty-eight (6943-f58), sixty-nine hundred forty-three-f fifty-nine (6943-f59), sixty-nine hundred forty-three-f sixty (6943-f60), sixty-nine hundred forty-three-f sixty-one (6943-f61), sixty-nine hundred forty-three-f sixty-two (6943-f62), sixty-nine hundred forty-three-f sixty-three (6943-f63), as amended by section ten (10), Chapter one hundred eighty-four (184), and section one (1), Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, Chapter three hundred twenty-nine-F one (329-F1), Code, 1935, and to amend section one (1), Chapter one hundred eighty-five (185), Acts of the Forty seventh General Assembly, relating to the collection of income, corporation, and sales tax, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend section thirty-eight (38) by striking from line three (3) the word "said" and inserting after the word "chapter" the following: "three hundred twenty-nine-F one (329-F1), Code, 1935,".

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, 39:

Augustine	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Breen	Faul	Husted	Shaw
Byers	Forsling	Kirketeg	Smith
Corwin	Geske	Leo	Stewart
Dewey	Gillette	Levis	Talbott
Donohue	Guernsey	Martin	Vrba
Doran	Harvey	Miller	Whitehill
Edwards	Henningsen	Moore	Zeigler
Ellis	Hill	Mowry	

Nays, none.

Absent or not voting, 11:

Baldwin	Berg	Hart	Parker
Beardsley	Cromwell	Lundy	Sjulin
Benson	Dean	Mighell	

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 Hill, House File 511, a bill for an act to amend sections sixty-nine hundred forty-three-g two (6943-g2), sixty-nine hundred forty-three-g five (6943-g5), sixty-nine hundred forty-three-g six (6943-g6), sixty-nine hundred forty-three-g seven (6943-g7), sixty-nine hundred forty-three-g eight (6943-g8), sixty-nine hundred forty-three-g eleven (6943-g11), sixty-nine hundred forty-three-g twelve (6943-g12), sixty-nine hundred forty-three-g fourteen (6943-g14), sixty-nine hundred forty-three-g fifteen (6943-g15), and to repeal section sixty-nine hundred forty-three-g thirteen (6943-g13), Chapter three hundred twenty-nine-G one (329-G1), Code, 1935, relating to chain-store tax and the collection thereof, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Strike from section eleven (11), line two (2), the word "said", and insert after the word "chapter" the following: "three hundred twenty-nine-G one (329-G1), Code, 1935,".

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, 38:

Augustine	Ellis	Hopkins	Pelzer
Beardsley	Elthon	Husted	Schadt
Bekman	Faul	Kirketeg	Shaw
Berg	Forsling	Leo	Smith
Byers	Geske	Levis	Stewart
Corwin	Gillette	Martin	Talbott
Dewey	Guernsey	Miller	Vrba
Donohue	Harvey	Moore	Whitehill
Doran	Henningsen	Mowry	Zeigler
Edwards	Hill		

Nays, none.

Absent or not voting, 12:

Baldwin	Cromwell	Hart	Mighell
Benson	Dean	Hoeven	Parker
Breen	Evans	Lundy	Sjulin

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 Hill, House File 512, a bill for an act to amend sections sixty-nine hundred seventy-nine (6979), sixty-nine hundred eighty (6980), sixty-nine hundred eighty-one (6981), sixty-nine hundred eighty-two-d one (6982-d1), sixty-nine hundred eighty-two-d two (6982-d2), sixty-nine hundred eighty-two-d three (6982-d3), sixty-nine hundred eighty-two-d four (6982-d4), sixty-nine hundred eighty-two-d five (6982-d5), sixty-nine hundred eighty-two-d six (6982-d6), Chapter three hundred thirty-one (331), Code, 1935, relating in general to the listing of property for taxation, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend by striking from section ten (10), line two (2), the word "said" and inserting after the word "chapter" in line three (3) the following: "three hundred thirty-one (331), Code, 1935".

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, 86:

Augustine	Ellis	Henningsen	Moore
Beardsley	Elthon	Hill	Mowry
Bekman	Evans	Hopkins	Pelzer
Byers	Faul	Husted	Schadt
Corwin	Forsling	Kirketeg	Shaw
Dewey	Gillette	Leo	Stewart
Donohue	Geske	Levis	Talbott
Doran	Guernsey	Martin	Vrba
Edwards	Harvey	Miller	Whitehill

Nays, none.

Absent or not voting, 14:

Baldwin	Cromwell	Lundy	Sjulin
Benson	Dean	Mighell	Smith
Berg	Hart	Parker	Zeigler
Breen	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 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, House File 513, a bill for an act to amend section sixty-nine hundred eighty-seven (6987), Chapter three hundred thirty-two (332), Code, 1935, relating to assessment of moneys and credits, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend by striking the word "said" in line two (2) of section two (2), and inserting after the word "chapter" the following: "three hundred thirty-two (332), Code, 1935".

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, 86:

Augustine	Byers	Donohue	Ellis
Beardsley	Corwin	Doran	Elthon
Bekman	Dewey	Edwards	Evans

Faul	Henningsen	Martin	Shaw
Forsling	Hill	Miller	Smith
Geske	Hopkins	Moore	Stewart
Gillette	Kirketeg	Mowry	Talbott
Guernsey	Leo	Pelzer	Vrba
Harvey	Levis	Schadt	Whitehill

Nays, none.

Absent or not voting, 14:

Baldwin	Cromwell	Husted	Parker
Benson	Dean	Lundy	Sjulin
Berg	Hart	Mighell	Zeigler
Breen	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 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, House File 514, a bill for an act to amend sections seven thousand twenty-one (7021), seven thousand twenty-two (7022), seven thousand twenty-five (7025), Chapter three hundred thirty-five (335), Code, 1935, relating to the collection of taxes from insurance companies, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend line three (3) of section four (4) by striking the word "said" and inserting after the word "chapter" the following: "three hundred thirty-five (335), Code, 1935".

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, 37:

Augustine	Ellis	Hill	Pelzer
Bekman	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Byers	Faul	Kirketeg	Smith
Corwin	Forsling	Levis	Stewart
Dean	Geske	Martin	Talbott
Dewey	Guernsey	Miller	Vrba
Donohue	Harvey	Moore	Whitehill
Doran	Henningsen	Mowry	Zeigler
Edwards			

Nays, none.

Absent or not voting, 13:

Baldwin	Cromwell	Hoeven	Mighell
Beardsley	Gillette	Leo	Parker
Benson	Hart	Lundy	Sjulin
Breen			

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 Hill, House File 515, a bill for an act to amend sections seven thousand thirty-one (7031), seven thousand thirty-two (7032), seven thousand thirty-three (7033), seven thousand thirty-four (7034), seven thousand thirty-five (7035), seven thousand thirty-seven (7037), seven thousand thirty-eight (7038), and seven thousand thirty-nine (7039), Chapter three hundred thirty-six (336), Code, 1935, relating to the collection of taxes from telephone and telegraph companies, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend section nine (9), line three (3), by striking the word "said" and inserting after the word "chapter" the following: "three hundred thirty-six (336), Code, 1935,".

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, 39:

Augustine	Eithon	Hopkins	Schadt
Bekman	Evans	Husted	Shaw
Berg	Faul	Kirketeg	Sjulin
Byers	Forsling	Leo	Smith
Corwin	Geske	Levis	Stewart
Dewey	Gillette	Martin	Talbott
Donohue	Guernsey	Miller	Vrba
Doran	Harvey	Moore	Whitehill
Edwards	Henningsen	Mowry	Zeigler
Ellis	Hill	Pelzer	

Nays, none.

Absent or not voting, 11:

Baldwin	Breen	Hart	Mighell
Beardsley	Cromwell	Hoeven	Parker
Benson	Dean	Lundy	

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 Hill, House File 516, a bill for an act to amend section seventy hundred forty-six (7046), seventy hundred forty-seven (7047), seventy hundred forty-eight (7048), seventy hundred forty-nine (7049), seventy hundred fifty (7050), seventy hundred fifty-two (7052), seventy hundred fifty-three (7053), seventy hundred fifty-four (7054), seventy hundred fifty-six (7056), seventy hundred fifty-seven (7057), seventy hundred fifty-nine (7059), seventy hundred sixty (7060), seventy hundred sixty-one (7061), seventy hundred sixty-two (7062), and seventy hundred sixty-seven (7067), Chapter three hundred thirty-seven (337), Code, 1935, relating to the collection of taxes from railroad companies, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend section sixteen (16), line three (3), by striking the word "said" and inserting after the word "chapter", the following: "three hundred thirty-seven (337), Code, 1935".

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, 37:

Augustine	Faul	Hopkins	Pelzer
Bekman	Forsling	Husted	Schadt
Byers	Geske	Kirketeg	Shaw
Dewey	Gillette	Leo	Sjulin
Donohue	Guernsey	Levis	Smith
Doran	Hart	Martin	Stewart
Edwards	Harvey	Miller	Vrba
Ellis	Henningsen	Moore	Whitehill
Elthon	Hill	Mowry	Zeigler
Evans			

Nays, none.

Absent or not voting, 18:

Baldwin	Breen	Dean	Mighell
Beardsley	Corwin	Hoeven	Parker
Benson	Cromwell	Lundy	Talbott
Berg			

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 Hill, House File 517, a bill for an act to amend sections seven thousand seventy-two (7072), seven thousand seventy-three (7073), seven thousand seventy-four (7074), seven thousand seventy-five (7075), and seven thousand seventy-six (7076), Chapter three hundred thirty-eight (338), Code, 1935, in relation to the payment of taxes by freight line and equipment companies, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend line three (3) of section six (6) by striking the word "said" and inserting after the word "chapter" the following: "three hundred thirty-eight (338), Code, 1935,".

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, 87:

Augustine	Evans	Hoeven	Schadt
Bekman	Faul	Hopkins	Shaw
Byers	Forsling	Husted	Sjulin
Corwin	Geske	Kirketeg	Smith
Dean	Gillette	Leo	Stewart
Dewey	Guernsey	Levis	Talbott
Donohue	Harvey	Martin	Vrba
Doran	Henningesen	Mowry	Whitehill
Edwards	Hill	Pelzer	Zeigler
Ellis			

Nays, none.

Absent or not voting, 13:

Baldwin	Breen	Hart	Miller
Beardsley	Cromwell	Lundy	Moore
Benson	Elthon	Mighell	Parker
Berg			

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 Bekman, House File 518, a bill for an act to amend sections seven thousand seventy-nine (7079), seven thousand eighty (7080), seven thousand eighty-one (7081), seven thousand eighty-two (7082), seven thousand eighty-three (7083), seven thousand eighty-four (7084), and seven thousand eighty-five (7085), Chapter three hundred thirty-nine (339), Code, 1935, relating to collection of taxes from express companies, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend section eight (8) by striking from line three (3) the word "said", and inserting after the word "chapter" the following: "three hundred thirty-nine (339), Code, 1935,".

The amendment was adopted.

Senator Bekman moved that the bill be read a third 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	Henningsen	Pelzer
Beardsley	Elthon	Hill	Schadt
Berkman	Evans	Hoeven	Shaw
Ferg	Faul	Hopkins	Sjulin
Byers	Forsling	Husted	Smith
Dean	Geske	Leo	Stewart
Dewey	Gillette	Levis	Vrba
Donohue	Guernsey	Miller	Whitehill
Doran	Hart	Mowry	Zeigler
Edwards	Harvey		

Nays, none.

Absent or not voting, 12:

Baldwin	Corwin	Lundy	Moore
Benson	Cromwell	Martin	Parker
Breen	Kirketeg	Mighell	Talbott

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

Senator Bekman 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 Bekman, House File 519, a bill for an act to amend sections seventy hundred ninety (7090), seventy hundred ninety-two (7092), seventy hundred ninety-three (7093), seventy hundred ninety-four (7094), seventy hundred ninety-five (7095), seventy hundred ninety-six (7096), seventy hundred ninety-seven (7097), seventy hundred ninety-eight (7098), and seventy-one hundred (7100), Chapter three hundred forty (340), Code, 1935, relating to the collection of taxes from electric transmission lines, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend section ten (10), line three (3), by striking the word "said", and inserting after the word "chapter" the following: "three hundred forty (340), Code, 1935".

The amendment was adopted.

Senator Bekman moved that the bill be read a third 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	Elthon	Hoeven	Parker
Beardsley	Evans	Hopkins	Pelzer
Bekman	Faul	Husted	Schadt
Berg	Forsling	Kirketeg	Shaw
Byers	Geske	Leo	Sjulin
Dean	Gillette	Levis	Smith
Dewey	Guernsey	Martin	Stewart
Donohue	Hart	Miller	Vrba
Doran	Harvey	Moore	Whitehill
Edwards	Henningsen	Mowry	Zeigler
Ellis	Hill		

Nays, none.

Absent or not voting, 8:

Baldwin	Breen	Cromwell	Mighell
Benson	Corwin	Lundy	Talbott

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

Senator Bekman 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 Bekman, House File 522, a bill for an act to amend sections seventy-one hundred four (7104) and seventy-one hundred five (7105) of Chapter three hundred forty-one (341), Code, 1935, relating to reassessment and relevy of taxes, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend section three (3), line three (3), by striking the word "said" and inserting after the word "chapter" the following: "three hundred forty-one (341), Code, 1935".

The amendment was adopted.

Senator Bekman moved that the bill be read a third 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	Pelzer
Beardsley	Evans	Hopkins	Schadt
Bekman	Faul	Husted	Shaw
Berg	Forsling	Kirketeg	Sjulin
Byers	Geske	Leo	Stewart
Dean	Gillette	Levis	Talbott
Dewey	Guernsey	Martin	Vrba
Donohue	Hart	Miller	Whitehill
Doran	Harvey	Moore	Zeigler
Edwards	Henningsen	Mowry	

Nays, none.

Absent or not voting, 11:

Baldwin	Corwin	Hill	Parker
Benson	Cromwell	Lundy	Smith
Breen	Elthon	Mighell	

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

Senator Bekman 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 Bekman, House File 523, a bill for an act to amend sections seventy-one hundred twelve (7112) and seventy-one hundred nineteen (7119), Chapter three hundred forty-two (342), Code, 1935, relating to local assessors and assessment of property for taxation, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend section three (3), line two (2) by striking the word "said", and inserting in line three (3) after the word "chapter", the following: "three hundred forty-two (342), Code, 1935,".

The amendment was adopted.

Senator Bekman moved that the bill be read a third 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	Evans	Hoeven	Pelzer
Beardsley	Faul	Hopkins	Schadt
Bekman	Forsling	Husted	Shaw
Berg	Geske	Kirketeg	Sjulin
Byers	Gillette	Leo	Smith
Dean	Guernsey	Levis	Stewart
Dewey	Hart	Martin	Talbott
Donohue	Harvey	Miller	Vrba
Doran	Henningsen	Moore	Whitehill
Edwards	Hill	Mowry	Zeigler
Ellis			

Nays, none.

Absent or not voting, 9:

Baldwin	Corwin	Elthon	Mighell
Benson	Cromwell	Lundy	Parker
Breen			

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

Senator Bekman 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 Bekman, House File 524, a bill for an act to amend sections seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-nine (7139), seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), and seventy-one hundred forty-three (7143), Chapter three hundred forty-three (343), Code, 1935, relating to boards of review, a committee bill, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend line three (3) of section six (6) by striking the word "said",

Senator Bekman 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 Bekman, House File 527, a bill for an act to amend sections seventy-three hundred five (7305), seventy-three hundred ten (7310), seventy-three hundred seventeen (7317), seventy-three hundred twenty (7320), seventy-three hundred twenty-one (7321), seventy-three hundred twenty-five (7325), seventy-three hundred twenty-six (7326), seventy-three hundred twenty-seven (7327), seventy-three hundred thirty-two (7332), seventy-three hundred thirty-three (7333), seventy-three hundred thirty-five (7335), seventy-three hundred thirty-seven (7337), seventy-three hundred thirty-eight (7338), seventy-three hundred forty-three (7343), seventy-three hundred forty-six (7346), seventy-three hundred forty-seven (7347), seventy-three hundred fifty-two (7352), seventy-three hundred fifty-four (7354), seventy-three hundred fifty-five (7355), seventy-three hundred fifty-eight (7358), seventy-three hundred fifty-nine (7359), seventy-three hundred sixty (7360), seventy-three hundred sixty-two (7362), seventy-three hundred sixty-three (7363), seventy-three hundred sixty-five (7365), seventy-three hundred sixty-seven (7367), seventy-three hundred sixty-eight (7368), seventy-three hundred sixty-nine (7369), seventy-three hundred seventy (7370), seventy-three hundred seventy-one (7371), seventy-three hundred seventy-two (7372), seventy-three hundred seventy-three (7373), seventy-three hundred seventy-four (7374), seventy-three hundred seventy-five (7375), seventy-three hundred seventy-six (7376), seventy-three hundred seventy-nine (7379), seventy-three hundred eighty-one (7381), seventy-three hundred eighty-four (7384), seventy-three hundred eighty-five (7385), seventy-three hundred eighty-six (7386), seventy-three hundred eighty-seven (7387), seventy-three hundred eighty-eight (7388), seventy-three hundred eighty-nine (7389), seventy-three hundred ninety (7390), seventy-three hundred ninety-one (7391), seventy-three hundred ninety-two (7392), seventy-three hundred ninety-four (7394), seventy-three hundred ninety-five (7395), seventy-three hundred ninety-six (7396), Chapter three hundred fifty-one (351), Code, 1935, relating to inheritance tax and the collection thereof, a committee bill was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend line two (2) of section fifty (50) by striking the word "said" and inserting after the word "chapter" the following: "three hundred fifty-one (351), Code, 1935,".

The amendment was adopted.

Senator Bekman moved that the bill be read a third 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	Ellis	Hill	Mowry
Beardsley	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Berg	Faul	Husted	Shaw
Byers	Forsling	Kirketeg	Smith
Corwin	Geske	Leo	Stewart
Dewey	Gillette	Levis	Talbott
Donohue	Guernsey	Martin	Urba
Doran	Harvey	Miller	Whitehill
Edwards	Henningsen	Moore	Zeigler

Nays, none.

Absent or not voting, 10:

Baldwin	Cromwell	Lundy	Parker
Benson	Dean	Mighell	Sjulin
Breen	Hart		

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

Senator Bekman 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 Bekman, House File 528, a bill for an act to amend sections seventy-three hundred ninety-seven-c five (7397-c5), seventy-three hundred ninety-seven-c six (7397-c6), seventy-three hundred ninety-seven-c nine (7397-c9), seventy-three hundred ninety-seven-c eleven (7397-c11), and seventy-three hundred ninety-seven-c twelve (7397-c12), Chapter three hundred fifty-one-C one (351-C1), Code, 1935, relating to Iowa estate tax and the collection thereof, a committee bill, was taken up and considered.

Senator Bekman moved that the bill be read a third 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	Hoeven	Pelzer
Beardsley	Evans	Hopkins	Schadt
Bekman	Faul	Husted	Shaw
Berg	Forsling	Kirketeg	Smith
Corwin	Geske	Leo	Stewart
Dewey	Gillette	Levis	Talbott
Donohue	Guernsey	Martin	Vrba
Doran	Harvey	Miller	Whitehill
Edwards	Henningsen	Moore	Zeigler
Ellis	Hill	Mowry	

Nays, none.**Absent or not voting, 11:**

Baldwin	Byers	Hart	Parker
Benson	Cromwell	Lundy	Sjulin
Breen	Dean	Mighell	

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

Senator Bekman 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 Bekman, House File 529, a bill for an act to amend sections fifty-one hundred five-a forty (5105-a40) and fifty-one hundred five-a forty-one (5105-a41), Chapter two hundred fifty-two-A two (252-A2), Code, 1935, as amended by Chapter two hundred five (205), Acts of the Forty-seventh General Assembly, relating to the taxation of motor vehicle carriers and collection of the tax, a committee bill, was taken up and considered.

Senator Bekman moved that the bill be read a third 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	Mowry
Beardsley	Elthon	Hopkins	Pelzer
Bekman	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Corwin	Forsling	Leo	Smith
Dean	Gillette	Levis	Stewart
Dewey	Guernsey	Martin	Talbott
Donohue	Harvey	Miller	Whitehill
Doran	Henningsen	Moore	Zeigler
Edwards	Hill		

Nays, none.

Absent or not voting, 12:

Baldwin	Byers	Hart	Parker
Benson	Cromwell	Lundy	Sjulin
Breen	Geske	Mighell	Vrba

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

Senator Bekman 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 Bekman, House File 530, a bill for an act to amend Chapter eighty-seven (87), Acts of the Forty-seventh General Assembly, relating to the duties of the state comptroller, a committee bill, was taken up and considered.

Senator Bekman moved that the bill be read a third 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	Hopkins	Pelzer
Beardsley	Evans	Husted	Schadt
Bekman	Faul	Kirketeg	Shaw
Berg	Forsling	Leo	Smith
Corwin	Gillette	Levis	Stewart
Dewey	Hart	Martin	Talbott
Donohue	Harvey	Miller	Vrba
Doran	Henningsen	Moore	Whitehill
Edwards	Hill	Mowry	Zeigler
Ellis	Hoeven		

Nays, none.**Absent or not voting, 12:**

Baldwin	Byers	Geske	Mighell
Benson	Cromwell	Guernsey	Parker
Breen	Dean	Lundy	Sjulin

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

Senator Bekman 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 Bekman, House File 532, a bill for an act to amend sections three (3), four (4), and five (5) of Chapter one hundred eighty-four (184), Acts of the Forty-seventh (47th) General Assembly, relating to income tax of nonresidents and the collection thereof, a committee bill, was taken up and considered.

Senator Bekman moved that the bill be read a third 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	Elthon	Hoeven	Pelzer
Beardsley	Evans	Hopkins	Schadt
Bekman	Faul	Husted	Shaw
Berg	Forsling	Kirketeg	Sjulin
Corwin	Gillette	Leo	Smith
Dean	Guernsey	Levis	Stewart
Dewey	Hart	Martin	Talbott
Donohue	Harvey	Miller	Vrba
Doran	Henningsen	Moore	Whitehill
Edwards	Hill	Mowry	Zeigler
Ellis			

Nays, none.

Absent or not voting, 9:

Baldwin	Byers	Geske	Mighell
Enson	Cromwell	Lundy	Parker
Breen			

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

Senator Bekman 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 Bekman, House File 533, a bill for an act to amend Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, relating to homestead tax exemption, a committee bill, was taken up and considered.

Senator Bekman moved that the bill be read a third 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	Hill	Mowry
Beardsley	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Berg	Faul	Husted	Shaw
Byers	Forsling	Kirketeg	Smith
Corwin	Gillette	Leo	Stewart
Dean	Guernsey	Levis	Talbott
Dewey	Hart	Martin	Vrba
Donohue	Harvey	Miller	Whitehill
Doran	Henningsen	Moore	Zeigler
Edwards			

Nays, none.

Absent or not voting, 9:

Baldwin	Cromwell	Lundy	Parker
Benson	Geske	Mighell	Sjulin
Breen			

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

Senator Bekman 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 Bekman, House File 534, a bill for an act to amend sections one (1), two (2), five (5), six (6), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), sixteen (16), and seventeen (17), Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly, relating to sales tax and the collection thereof, a committee bill, was taken up and considered.

Senator Bekman moved that the bill be read a third 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	Pelzer
Beardsley	Elthon	Hopkins	Schadt
Bekman	Evans	Husted	Shaw
Berg	Faul	Kirketeg	Smith
Byers	Forsling	Leo	Stewart
Corwin	Gillette	Levis	Talbott
Dean	Guernsey	Martin	Vrba
Dewey	Hart	Miller	Whitehill
Donohue	Harvey	Moore	Zeigler
Doran	Henningsen	Mowry	

Nays, none.**Absent or not voting, 11:**

Baldwin	Cromwell	Hill	Parker
Benson	Edwards	Lundy	Sjulin
Breen	Geske	Mighell	

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

Senator Bekman 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 Bekman, House File 535, a bill for an act

to amend sections one (1), two (2), five (5), six (6), seven (7), eight (8), nine (9), ten (10), twelve (12), thirteen (13), fourteen (14), fifteen (15), seventeen (17), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), and twenty-five (25) of Chapter one hundred ninety-eight (198). Acts of the Forty-seventh General Assembly, relating to use tax and the collection thereof, a committee bill, was taken up and considered.

Senator Forsling offered the following amendments and moved their adoption :

Amend section two (2) by striking from line three (3) the following: "of subsection two (2) thereof".

Also amend by striking section 20 and substituting the following:

"Sec. 20. Wherever in the Code, 1935, and amendments thereto, the words 'board of assessment and review' or 'board' when referring to the state board of assessment and review are used and not specifically changed by the Acts of the 48th General Assembly, the same are hereby changed to 'tax commission' or 'commission', as the case may be, and the code editor is authorized to make said changes."

The amendments were adopted.

Senator Bekman moved that the bill be read a third 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	Ellis	Hill	Mowry
Beardsley	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Berg	Faul	Husted	Shaw
Byers	Forsling	Kirketeg	Smith
Corwin	Gillette	Leo	Stewart
Dean	Guernsey	Levis	Talbott
Dewey	Hart	Martin	Vrba
Donohue	Harvey	Miller	Whitehill
Doran	Henningsen	Moore	Zeigler

Nays, none.

Absent or not voting, 10:

Baldwin	Cromwell	Lundy	Parker
Benson	Edwards	Mighell	Sjulin
Breen	Geske		

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

Senator Forsling offered the following amendment to the title and moved its adoption :

Amend the title by changing the final period (.) to a comma (,) and

adding the following: "and providing for the making of certain changes as authorized in this act."

The amendment was adopted and the title as amended was agreed to.

Senator Bekman 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 Forsling, action on House File 531 was deferred and the bill allowed to retain its place on the calendar as a special order.

REPORT OF SECOND CONFERENCE COMMITTEE ON SENATE FILE 379

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 379, relating to the state department of public safety, beg leave to report that we have had the same under consideration and recommend the following:

1. That the Senate concur in House amendments 4, 5, 7, 8, 9, 10, 11, 15, 16, 17, 18, and 19, and paragraphs (b) and (h) of 20.

2. That the House recede from its amendments 1, 2, 3, 6, 12, and 13.

3. That section two (2) of Senate File 379 be amended by striking from line sixteen (16) the words and figures "six (6)" and by inserting in lieu thereof the words and figures "four (4)"; also by striking from line eighteen (18) the words and figures "four thousand five hundred dollars (\$4500.00)" and by inserting in lieu thereof the words and figures "four thousand dollars (\$4000.00)".

4. That House amendment 14 be amended as follows:

By striking lines four (4), five (5) and six (6) and by inserting in lieu thereof: "as amended by section five hundred twenty-nine (529) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, is amended:

1. By striking from lines one (1) and two (2) the words 'motor vehicles' and by inserting in lieu thereof the words 'public safety';

2. By striking from line seven (7) the words 'bureau of investigation' and by inserting in lieu thereof the words 'commissioner of public safety'."

5. That House amendment 20 be amended as follows:

1. By striking paragraphs (a), (c), (d), (f), and (g).

2. By striking all of paragraph (e) and inserting in lieu thereof the following:

"(e) Amend line twenty-three (23) by inserting after the word 'sections': 'two thousand eleven (2011), as amended by section five hundred twenty-nine (529) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly;'; also by inserting after '(5182),':

'fifty-one hundred eighty-two-d one (5182-d1), twelve thousand nine hundred forty-one-b one (12941-b1),'

L. B. FORSLING.

STANLEY L. HART.

CARL O. SJULIN.

O. J. KIRKETEG.

On the part of the Senate.

HENRY W. BURMA.

W. P. KNOWLTON.

LEO A. HOEGH.

E. A. MOORE.

On the part of the House.

On motion of Senator Forsling, the Senate adopted the report of the second conference committee, and concurred in and adopted the amendments and recommendations proposed therein.

THIRD READING OF BILLS

Senator Forsling moved that Senate File 379, a bill for an act to create a department of public safety, and to provide for the centralization of all state peace officers therein, and to provide centralization of state peace officers activities, and to repeal sections thirteen thousand four hundred seven (13407), thirteen thousand four hundred eight (13408), thirteen thousand four hundred nine (13409), thirteen thousand four hundred ten (13410), thirteen thousand four hundred twelve (13412), thirteen thousand four hundred thirteen (13413), thirteen thousand four hundred fourteen (13414), thirteen thousand four hundred fifteen (13415), thirteen thousand four hundred seventeen (13417), sixteen hundred twenty (1620), sixteen hundred twenty-one (1621), sixteen hundred twenty-two (1622), sixteen hundred twenty-three (1623), sixteen hundred twenty-three-e one (1623-c1), sixteen hundred fifty-five (1655), and sixteen hundred seventy-four (1674), Code, 1935; and to repeal section sixteen hundred nineteen (1619), Code 1935, and to enact a substitute therefor; and to repeal the following sections of Chapter one hundred thirty-four (134) of the Acts of the Forty-seventh General Assembly: sections thirty (30) to forty-seven (47) inclusive; also to amend Chapter eighty (80) and Chapter six hundred twenty-one (621), Code, 1935, and to amend sections fifty-one hundred eighty-two (5182), thirteen thousand four hundred five (13405), thirteen thousand four hundred sixteen (13416), thirteen thousand four hundred seventeen-b one (13417-b1), thirteen thousand four hundred seventeen-d one (13417-d1), thirteen thousand four hundred seventeen-d two (13417-d2), thirteen thousand four hundred seventeen-d three (13417-d3), thirteen thousand four hundred seventeen-d four (13417-d4), thirteen thousand four hundred seventeen-d five (13417-d5), also to amend

sections nineteen hundred twenty-one-f sixteen (1921-f16), nineteen hundred twenty-one-f ninety-four (1921-f94), fifteen hundred fourteen (1514), sixteen hundred twenty-four (1624), sixteen hundred twenty-eight (1628), sixteen hundred twenty-nine (1629), sixteen hundred thirty (1630), sixteen hundred thirty-one (1631), sixteen hundred thirty-two (1632), sixteen hundred thirty-three (1633), sixteen hundred forty-five (1645), sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred fifty (1650), sixteen hundred fifty-one (1651), sixteen hundred fifty-four (1654), sixteen hundred sixty-four (1664), sixteen hundred sixty-five (1665), sixteen hundred sixty-six (1666), sixteen hundred sixty-eight (1668), sixteen hundred sixty-nine (1669), sixteen hundred seventy (1670), sixteen hundred seventy-one (1671), sixteen hundred seventy-five (1675), sixteen hundred seventy-six (1676), sixteen hundred seventy-seven (1677), twenty-eight hundred fifty-three (2853), fifty-one hundred five-a two (5105-a2), fifty-one hundred five-a three (5105-a3), fifty-one hundred five-a eighteen (5105-a18), fifty-one hundred five-a twenty-nine (5105-a29), fifty-one hundred five-a thirty (5105-a30), fifty-one hundred five-a thirty-eight (5105-a38), fifty-one hundred five-c two (5105-c2), fifty-one hundred five-c three (5105-c3), fifty-one hundred five-c eight (5105-c8), fifty-one hundred five-c fifteen (5105-c15), fifty-one hundred five-c sixteen (5105-c16), fifty-one hundred five-c seventeen (5105-c17) as amended by section five hundred thirty-two (532) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, fifty-one hundred five-c twenty-three (5105-c23), fifty-one hundred five-c twenty-five (5105-c25), Code, 1935; also to amend sections one (1), fourteen (14), fifteen (15), sixteen (16), twenty (20), twenty-five (25), twenty-six (26), ninety-seven (97), two hundred five (205), two hundred nineteen (219), two hundred twenty-three (223), two hundred seventy-two (272), two hundred seventy-six (276), and four hundred two (402), of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, be read a third time now, as amended, 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	Dewey	Edwards
Bekman	Corwin	Donohue	Ellis
Berg	Dean	Doran	Elthon

Evans	Hill	Leo	Shaw
Faul	Hoeven	Martin	Smith
Forsling	Hopkins	Mowry	Talbott
Hart	Husted	Parker	Vrba
Harvey	Kirketeg	Schadt	Zeigler
Henningsen			

Nays, none.

Absent or not voting, 17:

Baldwin	Geske	Lundy	Pelzer
Beardsley	Gillette	Mighell	Sjulin
Benson	Guernsey	Miller	Stewart
Breen	Levis	Moore	Whitehill
Cromwell			

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

Senator Forsling 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 Forsling, Senate File 457, a bill for an act to amend section forty-seven hundred fifty-five-b twenty (4755-b20), Code, 1935, and changing the method for removal of the auditor of the state highway commission, a committee bill, was taken up and considered.

Senator Forsling moved that the bill be read a third 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	Elthon	Hoeven	Mowry
Bekman	Evans	Hopkins	Pelzer
Berg	Faul	Husted	Schadt
Breen	Forsling	Kirketeg	Shaw
Byers	Geske	Leo	Smith
Dean	Gillette	Levis	Stewart
Dewey	Guernsey	Martin	Talbott
Donohue	Hart	Mighell	Vrba
Doran	Harvey	Miller	Whitehill
Edwards	Henningsen	Moore	Zeigler
Ellis	Hill		

Nays, none.

Absent or not voting, 8:

Baldwin	Benson	Cromwell	Parker
Beardsley	Corwin	Lundy	Sjulin

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

Senator Forsling 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 Vrba, 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 129, 151, 214, and 241, and House File 271.

EDWARD H. VRBA, Acting Chairman Senate Committee.

ALBERT STEINBERG, 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 129, 151, 214 and 241, and House File 271.

BILLS SENT TO THE GOVERNOR

Senator Vrba, 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 March, 1939, sent to the Governor for his approval, Senate Files 129, 151, 214 and 241.

EDWARD H. VRBA, Acting Chairman.

Passed on file.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 464, by committee on judiciary 2, a bill for an act to amend section two thousand five hundred twenty-two (2522), Chapter one hundred twenty-four-B one (124-B1), Code, 1935, relating to the penalties for violating the law with reference to the practice of certain professions and trades.

Read first and second times and referred to sifting committee.

Senate File 465, by committee on consolidation and co-ordination, a bill for an act to amend section seven thousand seventy-six (7076), Code, 1935, relating to the tax upon freight line and equipment companies and the payment of the amount collected to the general fund of the state.

Read first and second times and referred to sifting committee.

Senate File 466, by committee on consolidation and co-ordination, a bill for an act to legalize any and all tax levies, assessments, or collections made pursuant to the provisions of law as contained in Chapter three hundred thirty-eight (338), Code, 1935.

Read first and second times and referred to sifting committee.

Senate File 467, by committee on judiciary 2, a bill for an act to amend section six thousand nine hundred forty-three-f eight (6943-f8), Code, 1935, as amended by section three (3) of Chapter one hundred eighty-four (184), Acts of the Forty-seventh General Assembly, to provide that the salaries, wages, and other compensation received by United States officials or employees shall be subject to state income tax.

Read first and second times and referred to sifting committee.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 28, 1939, he had approved the following:

Senate File 128, relating to tax and restrictions upon the sale of cigarettes.

Senate File 137, relating to additional exemption to certain types of vehicles.

Senate File 219, relative to operating and moving certain vehicles and road construction machinery and equipment upon the highways and providing conditions for permits.

Senate File 380, changing the name of the Board of Assessment and Review to "State Tax Commission", and enlarging the powers and duties thereof.

Senate File 385, relating to definition of bona fide subscribers of official newspapers.

Senate File 402, relating to old age assistance.

SENATE RESOLUTION 16

Be It Resolved by the Senate of the Forty-eighth General Assembly:
That it is determined to remain in session and refuse to consent to final adjournment of the legislature until it has carried out the program outlined in the Republican platform in regard to farm legislation and tenancy reform without technical reservation or evasion and until Iowa is restored to the people.

W. MIGHELL.

THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 445, a bill for an act to amend Chapters three hundred ninety-two (392), three hundred ninety-three-C one (393-C1), and three hundred ninety-three-E one (393-E1), and section eighty-six hundred five (8605), all of the Code, 1935, and Chapters two hundred eight (208) and two hundred nine (209), Acts of the Forty-seventh General Assembly so as (1) to transfer to the commissioner of insurance the duties heretofore conferred upon the auditor of state in the administration and enforcement of said Chapter three hundred ninety-two (392), relating to "Sale of Stock on Installment Plan"; (2) to transfer to the commissioner of insurance the duties heretofore conferred upon the secretary of state in the administration and enforcement of said Chapter three hundred ninety-three-C one (393-C1), relating to the "Iowa Securities Act"; (3) to transfer to the commissioner of insurance the duties heretofore conferred upon the secretary of state in the administration and enforcement of said Chapter three hundred ninety-three-E one (393-E1), relating to "Membership Sales"; and (4) to provide the method for the removal of the commissioner of insurance, a committee bill, was taken up and considered.

Senator Bekman moved that the bill be read a third 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:

Beardsley	Edwards	Hoeven	Pelzer
Bekman	Ellis	Hopkins	Schadt
Berg	Evans	Kirketeg	Shaw
Byers	Faul	Leo	Sjulin
Corwin	Forsling	Levis	Smith
Cromwell	Geske	Martin	Stewart
Dean	Hart	Mighell	Vrba
Dewey	Harvey	Moore	Whitehill
Donohue	Henningsen	Mowry	Zeigler
Doran	Hill		

Nays, none.

Absent or not voting, 12:

Augustine	Breen	Guernsey	Miller
Baldwin	Elthon	Husted	Parker
Benson	Gillette	Lundy	Talbott

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

Senator Bekman 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 Forsling, Senate File 424, a bill for an act providing that legal work of the state shall be under the direction of the attorney general, a committee bill, was taken up and considered.

Senator Lundy offered the following amendment and moved its adoption:

Amend by striking from section two all of lines two, three, four and five and inserting in lieu thereof the words "commerce counsel."

The amendment was adopted.

Senator Forsling moved that the bill be read a third 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	Edwards	Hill	Mowry
Bekman	Ellis	Hoeven	Pelzer
Berg	Evans	Hopkins	Schadt
Byers	Faul	Husted	Shaw
Corwin	Forsling	Kirketeg	Sjulin
Cromwell	Geske	Leo	Smith
Dean	Guernsey	Levis	Stewart
Dewey	Hart	Martin	Talbott
Donohue	Harvey	Miller	Whitehill
Doran	Henningsen	Moore	Zeigler

Nays, none.**Absent or not voting, 10:**

Augustine	Breen	Lundy	Parker
Baldwin	Elthon	Mighell	Vrba
Benson	Gillette		

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

Senator Forsling 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 Forsling, House File 327, a bill for an act to transfer to and vest in the governor the authority to assign all motor vehicle units owned by the state of Iowa, to state officers and employees, and state departments, commissions, bureaus, and offices; to create the positions of state car dispatcher and assistants to carry out the provisions of this act; to provide for periodical inspection of all state-owned motor vehicles and for keeping a record of their mileage and costs; to provide for making rules for their purchase and operation; to grant allowances to state officers and employees for the use of their own personal motor vehicles operated on state business, and to provide a penalty for violations thereof, and related matters, was taken up and considered.

Senators Donohue and Forsling offered the following amendments and moved their adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof:

"Section 1. The state executive council shall adopt and publish rules for the purchase, operation, use, custody and care of all state owned motor vehicles. A copy of the rules shall be conspicuously displayed in the various departments of state and a violation of any rule by a state employee shall be grounds for his immediate dismissal.

Sec. 2. No officer, employce or department of state shall purchase any motor vehicle until they have first made application to the executive council for the purchase of the car or cars and received the approval of the executive council for the purchase of said car or cars. This section shall not apply to the state highway commission or to officers or employees of said commission."

Also amend the title to read as follows: "A bill for an act giving the executive council authority to adopt rules for the purchase, operation, custody and care of all state owned automobiles."

The amendments were adopted.

Senator Forsling moved that the bill be read a third 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	Cromwell	Evans	Henningsen
Baldwin	Dean	Faul	Hoeven
Beardsley	Dewey	Forsling	Hopkins
Bekman	Donohue	Geske	Husted
Berg	Doran	Gillette	Kirketeg
Breen	Edwards	Guernsey	Leo
Byers	Ellis	Hart	Levis
Corwin	Elthon	Harvey	Martin

Miller
Moore
Mowry
Pelzer

Schadt
Shaw
Sjulin

Smith
Stewart
Talbot

Vrba
Whitehill
Zeigler

Nays, none.

Absent or not voting, 5:

Benson
Hill

Lundy

Mighell

Parker

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

Senator Bekman 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 President be authorized to name a special committee of eight (8), to be known as the special agricultural relief committee, and that such committee be authorized to introduce bills pertaining to agricultural relief.

Senator Mighell moved as a substitute that all bills prepared by unofficial committees be submitted either to the committee on agriculture or the committee on farm tenancy.

The President held that the substitute motion was not germane to the original motion and was out of order.

The motion by Senator Donohue prevailed, and the President appointed as members of such committee Senators Hoeven, Leo, Pelzer, Berg, Husted, Shaw, Stewart, and Henningsen.

By unanimous consent, on request of Senator Levis, action on Senate File 406 was deferred and the bill allowed to retain its place on the calendar as unfinished business.

HOUSE CONCURRENT RESOLUTION 16

By unanimous consent, on request of Senator Berg, the following resolution was taken up and considered:

Whereas, The people of Norway who immigrated to America and their descendants have greatly contributed to the development and the welfare of the state of Iowa by their patriotic devotion to the principles of American democracy and by their thrift and industry to our economic welfare and by their example and ideals have contributed to the educational and religious development of the state of Iowa, and,

Whereas, Crown Prince Olaf and Crown Princess Martha will be the

guests of Luther College and of the state of Iowa, on May 6 and 7, 1939, at Decorah, Iowa, and,

Whereas, Their visit to the state of Iowa should be officially recognized in an appropriate manner by the state of Iowa; therefore,

Be It Resolved by the House of Representatives, the Senate Concurring: That the Governor of the state of Iowa, be and he is hereby requested to appoint a committee composed of not to exceed seven (7) members of the Senate and not to exceed seven (7) members of the House of Representatives to represent the state of Iowa at the reception to be held for Crown Prince Olaf and Crown Princess Martha of Norway at Luther College at Decorah, Iowa, May 6 and 7, 1939. The members of said committee shall serve without expense to the state of Iowa.

Senator Berg offered the following amendment to the resolution and moved its adoption:

Amend by striking the last paragraph and inserting in lieu thereof the following:

"Be It Resolved by the House of Representatives, the Senate Concurring: That the Governor of the state of Iowa be, and he is hereby requested to appoint a committee composed of not to exceed seven (7) members of the Senate and not to exceed seven (7) members of the House of Representatives to act with him to represent the state of Iowa at the reception to be held for Crown Prince Olaf and Crown Princess Martha of Norway at Luther College at Decorah, Iowa, May 6 and 7, 1939. The Governor is further requested to designate such further representation as he may deem advisable to act as an official escort.

The members of said committee shall serve without expense to the state of Iowa."

The amendment was adopted.

On motion of Senator Berg, the resolution as amended was adopted.

REPORTS OF COMMITTEES

Senator Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 217, a bill for an act to make an appropriation to Muscatine county and Louisa county, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 451, a bill for an act to make an appropriation to the Davenport Oil and Supply Co., Davenport, Iowa; T. D. Johnson, Rodman, Iowa; Cal Johnston, Eldon, Iowa; State College of Agriculture and Mechanic Arts, Ames, Iowa, and Real Estate Division in the office of

the secretary of state, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 462, a bill for an act to make an appropriation to the Iowa National Guard for the reroofing of mess halls, installation of ice boxes, construction of ammunition magazines, construction of bath houses and latrines, addition to office ceiling of garage building and stoker for heating plant, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 255 as follows:

1. Amend by adding immediately following line 11 of section 19 the following:

"No indemnity shall be paid:

(a) On animals diseased at the time of arrival in this state.

(b) On animals which the owner or claimant knew to be diseased, or had notice thereof at the time they came into his possession.

(c) Whenever the owner or agent in possession of said animal has not complied with the rules and regulations of the department.

(d) When the condemned animals are not destroyed within thirty (30) days after date of appraisal."

2. Amend section 12 by striking the word "it" in line four (4) thereof, and inserting in lieu thereof the words "such cattle".

LESTER S. GILLETTE.

MR. PRESIDENT: Amend Senate File 319 as follows:

By striking from line three (3) of section three (3) the words "temporary" and inserting in lieu thereof the word "partial".

That Senate File 319 be further amended by striking section four (4) and in lieu thereof insert as section four (4) the following: "Sec. 4. That Sec. 5 (e) of Chapter 102 of the Acts of the Forty-seventh General Assembly of Iowa be amended by changing the colon (:) following the word 'congress' in the eighth line of said Sec. 5 (e) to a semi-colon (;) and adding thereafter the following: '(4). Benefits paid as retirement pay or as private pension.'"

That Senate File 319 be further amended by striking Sec. 6 and inserting in lieu thereof as Sec. 6 the following: "Sec. 6. That Sec. 4 of Chapter 102 of the Acts of the Forty-seventh General Assembly of Iowa be amended by adding after the word 'week' in line 9 of said section the following: ', in any benefit year,'. Further amend said section by striking lines 20 to 25 inclusive."

That Senate File 319 be further amended by striking Sec. 7 and renumbering the remaining sections.

E. K. BEKMAN.

MR. PRESIDENT: Amend Senate File 321 as follows:

By striking therefrom section 1 and inserting in lieu thereof as section 1 the following: "Section 1. That Sec. 6 (i) of Chapter 102 of the Acts of the Forty-seventh General Assembly of Iowa be amended by striking from lines 4 and 5 of said section the following words, 'aggrieved party was last employed or resides', and inserting in lieu thereof the following, 'claimant was last employed or resides, provided that if the claimant does not reside in the State of Iowa the action shall be brought in the district court of Polk county, Iowa'."

Further amend Senate File 321 by striking from line 3 in Sec. 5 the word "worker" and inserting in lieu thereof the word "work".

E. K. BEKMAN.

MR. PRESIDENT: Amend Senate File 376 by striking from line two (2) of section two (2) the words, "said report and" and inserting in lieu thereof the following:

"their report for the year 1935 as required by Chapter three hundred eighty-nine (389), Code, 1935, and upon receipt thereof".

EARL M. DEAN.

MR. PRESIDENT: Amend Senate File 428 by striking wherever they appear the words "board" and "state board", and by inserting in lieu thereof the word: "commission" and "state tax commission", as the case may be.

L. B. FORSLING.

MR. PRESIDENT: Amend Senate File 440 by adding the following section:

Sec. 7. This act, being deemed of immediate importance, shall take effect and be in force after its publication in the Clinton Herald, a newspaper published in Clinton, Iowa, and in the Cedar Valley Daily Times, a newspaper published in Vinton, Iowa.

O. H. HENNINGSEN.

MR. PRESIDENT: Amend Senate File 454 by inserting after the word "Fund" in line two (2) of section one (1) the words "of the state".

H. V. LEVIS.

MR. PRESIDENT: Amend Senate File 456 by adding to section 1 thereof the following:

"The terms 'merchandise' and 'mercantile establishments' as used in this act shall include theaters and moving picture shows." W. MIGHELL.

MR. PRESIDENT: Amend Senate File 456 by adding to section nineteen (19) as paragraph six (6) the following:

"(6) Stores owned or operated by any person, firm, or corporation when all of said stores so owned or operated are located in unincorporated villages and no store is more than six (6) miles distant from every other store so owned or operated."

FREDERICK C. SCHADT.

MR. PRESIDENT: Amend Senate File 456 by adding after the period (.) at the end of section ten (10) the following:

"After making his assessment of a chain store, the assessor shall

forthwith file with the state board of assessment and review a certified copy of the assessment roll. Said board is authorized to correct errors, irregularities or omissions in such assessments, and may add to the tax list any omitted property or raise an assessment found to be erroneous.

"Before making any increase in such assessments, the board shall notify the manager of the chain store affected thereby, by registered mail addressed to the place where the store is located, notifying him or his representative to appear before the board within ten (10) days from the mailing of said notice and show cause why such increase or addition should not be made; provided, that any party aggrieved by the action of the state board may, within twenty (20) days after such action has been taken appeal from the action of the state board to the district court of the county where the property is situated, by serving on the chairman of the state board a written notice of appeal in the same manner as provided for the service of original notices. The state board shall notify the county auditor or county treasurer of any such correction or change and the county auditor or county treasurer shall amend the assessment roll and/or tax list to conform to the order of the board; but no correction or change of assessment shall be made by the state board after the expiration of five years from the date when such assessment was made or should have been made."

H. V. LEVIS.

MR. PRESIDENT: 1. Amend Senate File 456, section three (3), line sixteen (16) by inserting after the word "store" the words "over twenty".

2. Further amend section three (3), line twenty-one (21) by inserting after the word "store" the words "over thirty".

3. Further amend section three (3), line twenty-six (26) by inserting after the word "store" the words "over forty".

4. Further amend section three (3), line thirty-one (31), by inserting after the word "store" the words "over fifty".

5. Also amend section nineteen (19), lines one (1) and two (2) by striking the words "provisions of" and inserting in lieu thereof the words "tax levied by".

E. K. BEKMAN.

On motion of Senator Doran, the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 30, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. S. P. Williamson, pastor of the First Christian Church of Fairfield.

The Journal of March 29th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Baldwin, from citizens of Dubuque county, favoring the elimination of Class "C" beer permits.

By Senator Berg, from citizens of Black Hawk county, favoring the elimination of Class "C" beer permits.

By Senator Cromwell, from citizens of Des Moines county, favoring the elimination of Class "C" beer permits.

By Senator Cromwell, from citizens of Burlington, opposing enactment of House File 400.

By Senator Dean, from citizens of Cerro Gordo county, favoring the elimination of Class "C" beer permits.

By Senator Hart, from citizens of Lee county, favoring the elimination of Class "C" beer permits.

By Senator Henningsen, from citizens of Clinton county, favoring the elimination of Class "C" beer permits.

By Senator Henningsen, from citizens of Clinton county, opposing sections 24, 25 and 26 of House File 400.

By Senator Hopkins, from senior students of the Redfield high school, favoring enactment of Senate File 391.

By Senator Martin, from citizens of Scott county, favoring the elimination of Class "C" beer permits.

By Senator Moore, from citizens of Pottawattamie county, favoring the elimination of Class "C" beer permits.

By Senator Parker, from poultry producers of Buchanan county, favoring enactment of House File 562.

By Senator Schadt, from citizens of Johnson county, favoring the elimination of Class "C" beer permits.

By Senator Stewart, from citizens of Fayette county, favoring the elimination of Class "C" beer permits.

By Senator Vrba, from members and friends of Townsend Club No. 1 of Castalia, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Vrba, from citizens of Howard county, favoring the elimination of Class "C" beer permits.

By Senator Whitehill, from citizens of Marshall county, favoring the elimination of Class "C" beer permits.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

Senate File 441, a proposed bill legalizing the action of the board of supervisors of Floyd county.

House File 477, a proposed bill legalizing the action of the board of supervisors of Monona county.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 468, by committee on judiciary 2, a bill for an act to amend section one thousand nine hundred thirty-one (1931), Code, 1935, relating to the penalty for a person found in a state of intoxication.

Read first and second times and referred to sifting committee.

Senate File 469, by committee on judiciary 2, a bill for an act to amend section five thousand eight hundred twenty-nine-b two (5829-b2), Code, 1935, relating to hearings prior to the adoption of a comprehensive city plan.

Read first and second times and referred to sifting committee.

Senate File 470, by committee on judiciary 2, a bill for an act to

amend sections seven thousand six hundred forty-three (7643), seven thousand six hundred forty-six (7646), seven thousand seven hundred fourteen-f three (7714-f3), seven thousand seven hundred fourteen-f five (7714-f5), and seven thousand seven hundred twenty-one (7721), Code, 1935, relating to drainage.

Read first and second times and referred to sifting committee.

Senate File 471, by committee on judiciary 1, a bill for an act to amend section five thousand five hundred seventy-four (5574), Code, 1935, relating to submission to the electors of a township the question of erecting a public hall.

Read first and second times and referred to sifting committee.

Senate File 472, by committee on judiciary 2, a bill for an act to amend section one thousand nine hundred twenty-one-f ninety-four (1921-f94), Code, 1935, relating to enforcement of the Iowa liquor control act.

Read first and second times and referred to sifting committee.

Senate File 473, by committee on judiciary 2, a bill for an act to amend section one hundred fifty-six (156) of the Code of Iowa of 1935 relating to certain legal publications.

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

House File 136, a bill for an act relating to certain insurance policies.

Also: That the House has concurred in Senate amendments to and passed House File 271, making an appropriation in payment of the loud speaker system in the House of Representatives.

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

Senate File 16, a bill for an act relating to the condemnation of private property for public school purposes. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGES CONSIDERED

House File 136, a bill for an act to amend section eighty-seven hundred seventy-six (8776), Code, 1935, relating to the exemption from execution of the proceeds of certain insurance policies.

Read first and second times and referred to sifting committee.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 29, 1939, he had approved the following:

Senate File 265, making an emergency appropriation to the department of justice.

Senate File 408, making appropriations to various persons in payment of claims.

Senate File 409, making appropriation to Electric Equipment Company of Des Moines.

Senate File 410, making appropriation to Melvin Apel of Rudd.

Senate File 412, making appropriations to the Readlyn Savings Bank, et al.

Senate File 416, making appropriation to Des Moines county.

Senate File 417, making appropriation to Vera B. Tripp of Newton.

Senate File 418, making appropriation to Mrs. Olive Davis of Newton.

THIRD READING OF BILLS

On motion of Senator Shaw, Senate File 109, a bill for an act to amend section six thousand nine hundred forty-four (6944) of the Code by adding thereto a new paragraph exempting horses and mules from taxation, was taken up and considered.

Further action was deferred.

The time having arrived for the special order of business, Senate File 456, a bill for an act to repeal Chapter three hundred twenty-nine-G one (329-G1), of the 1935 Code of Iowa, known as the "Chain Store Tax Act of 1935" and enact in lieu thereof the following bill, to be entitled "Chain Store Tax and Regulatory Act of 1939", and to levy an annual license tax on all persons, firms, partnerships, corporations or associations of persons engaged in the business of operating two or more stores or mercantile establishments within this state, where goods, wares, merchandise, or other commodities are offered for sale or sold at retail under the

same general management, supervision, ownership or control, commonly known as branch or chain stores; also making provisions for manner of making general property tax assessments on chain or multiple stores; also providing sales and advertising regulations for chain stores; providing exemptions from this act in certain cases; declaring false advertising, rebating and price discrimination in certain instances a crime; and providing penalties for violation of this Act, a committee bill, was taken up and considered.

REQUEST FOR CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned members of the Senate, request a call of the Senate for the special order of business at 10:30 a. m., Thursday, March 30, 1939, the same being Senate File 456.

EDWARD BREEN.

A. J. SHAW.

G. R. HILL.

H. D. MILLER.

L. S. GILLETTE.

HUGH G. GUERNSEY.

FRANK E. ELLIS.

W. MIGHELL.

E. K. BEKMAN.

A. E. AUGUSTINE.

M. MOORE.

EARL DEAN.

L. H. DORAN.

WM. S. BEARDSLEY.

Roll call disclosed that all Senators were present.

President pro tem Hoeven took the chair at 10:45.

President Hickenlooper returned to the chair at 11:01.

Senators Hill, Doran, Augustine, and Breen offered the following amendments and moved their adoption:

Amend by striking Division 1 and section 19 of Division 4, and substituting in lieu thereof the following:

Section 1. That because of the advantages accruing from the operation of multiple stores wherever situated, and because of the basic difference inherent in such character of operations, there be and is hereby levied an annual license tax for the year 1939 and for each subsequent year upon each person, firm, partnership, corporation or association of persons engaged in the business of operating, or maintaining, as part of a group or chain, any store or stores in this state, where goods, wares, merchandise or commodities of every description whatsoever are sold or offered for sale at retail under the same general management, supervision, ownership or control, commonly known as branch or chain stores.

Sec. 2. That every person, firm, partnership, corporation or association of persons engaged in the business described in section 1 of this Act and doing business in this state shall, on or before the first day of July of each year, render to the State Board of Assessment and Review a report signed and sworn to by the person or persons in interest, his

or their duly authorized agent or officer, containing a true and complete statement showing the number of stores or mercantile establishments operated or maintained in this state in the preceding year; the name, location and street address of each such store or mercantile establishment; and such other information as the said State Board of Assessment and Review may require.

Sec. 3. That the license tax for said business described in this Act levied upon the store or stores operated in the state of Iowa shall be based on the number of stores or mercantile establishments included under the same general management, supervision, ownership or control, whether operated in this state or not, and shall be fixed and graded as follows, to-wit:

(1) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of not more than ten stores, the annual license shall be ten (\$10.00) dollars for each such store operated in this state.

(2) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than ten stores, but not more than thirty-five stores, the annual license shall be fifteen (\$15.00) dollars for each such store operated in this state.

(3) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than thirty-five stores but not more than fifty stores, the annual license shall be twenty (\$20.00) dollars for each such store operated in this state.

(4) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than fifty stores but not more than seventy-five stores, the annual license shall be twenty-five (\$25.00) dollars for each such store operated in this state.

(5) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than seventy-five stores but not more than one hundred stores, the annual license shall be thirty (\$30.00) dollars for each such store operated in this state.

(6) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than one hundred stores but not more than one hundred twenty-five stores, the annual license shall be fifty (\$50.00) dollars for each such store operated in this state.

(7) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than one hundred twenty-five stores but not more than one hundred fifty stores, the annual license shall be one hundred (\$100.00) dollars for each such store operated in this state.

(8) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than one hundred fifty stores but not more than one hundred seventy-five stores, the annual license shall be one hundred fifty (\$150.00) dollars for each such store operated in this state.

(9) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than one hundred

seventy-five stores but not more than two hundred stores, the annual license shall be two hundred (\$200.00) dollars for each such store operated in this state.

(10) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than two hundred stores, but not more than two hundred twenty-five stores, the annual license shall be two hundred fifty (\$250.00) dollars for each such store operated in this state.

(11) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than two hundred twenty-five stores but not more than two hundred fifty stores, the annual license shall be three hundred (\$300.00) dollars for each such store operated in this state.

(12) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than two hundred fifty stores but not more than two hundred seventy-five stores, the annual license shall be three hundred fifty (\$350.00) dollars for each such store operated in this state.

(13) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than two hundred seventy-five stores but not more than three hundred stores, the annual license shall be four hundred (\$400.00) dollars for each such store operated in this state.

(14) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than three hundred stores but not more than four hundred stores, the annual license shall be four hundred fifty (\$450.00) dollars for each such store operated in this state.

(15) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than four hundred stores but not more than five hundred stores, the annual license shall be five hundred (\$500.00) dollars for each such store operated in this state.

(16) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than five hundred stores, the annual license shall be five hundred fifty (\$550.00) dollars for each such store operated in this state.

Sec. 4. The license herein prescribed shall be in addition to ad valorem taxes and licenses prescribed in the general license laws of this state.

Sec. 5. That the license taxes under this Act shall be payable before the first day of July of each year to the State Board of Assessment and Review, which is hereby charged with the duty of collecting the said taxes, and if delinquent, such taxes shall bear interest at the rate of two per cent per month, plus ten per cent additional on both principal and interest as attorney's fees in all cases wherein an attorney is called on to assist in the collection. A separate license shall be issued for each store operated or maintained by licensee, and it shall be the duty of licensee to post the license in a conspicuous place in each store.

That the State Board of Assessment and Review, in order to enforce

the collection of the aforesaid taxes is hereby authorized to employ private counsel to represent it in any proceeding under this Act.

Sec. 6. All taxes collected under the provisions of this Act shall be paid to the State Board of Assessment and Review, and it shall distribute and apportion and pay such amounts as so received in any fiscal year to the Treasurer of the state of Iowa to be deposited to the credit of the general fund.

Sec. 7. That the manner of collecting licenses under this Act and the enforcement thereof, the form of license receipt, and the manner of recording and filing affidavits shall be similar to that now provided, or may hereafter be provided by the State Board of Assessment and Review.

Sec. 8. Any person, the member of any firm, the officer or manager of any corporation, violating any of the provisions of this Act, shall be guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than five hundred dollars nor less than fifty dollars, or by imprisonment of not more than ninety days nor less than sixty days, or both such fine and imprisonment, at the discretion of the court.

Sec. 9. There are specifically exempted from the provisions of Division 1 and from the computation of the amount of tax imposed by it the following:

(1) Cooperative associations not organized for profit under the laws of this state in good faith and not for the purpose or with the intent of evading the tax hereby imposed.

(2) Persons exclusively engaged in gardening and/or farming, selling in this state products of their own raising.

(3) Persons selling at retail one or more of the following products: coal, ice, lumber, grain, feed, building materials (not including builders and general hardware, glass, and paints) if the total retail sales of any such person or persons of such product within the state shall, during such taxable year, exceed ninety-five per cent of the total retail sales of all sources within the state of any such person or persons.

(4) Liquor stores, established and operated by the state liquor control commission.

(5) Hotels or rooming houses, including dining rooms or cafes operated in connection therewith and by the same management.

Amend Senate File 456 by inserting after the title and before the enacting clause, the following:

Whereas, The Supreme Court of the United States has held invalid and unconstitutional section sixty-nine hundred forty-three-g four (6943-g4), subsection B of Chapter three hundred twenty-nine-G one (329-G1) of the 1935 Code of Iowa, as being in violation of federal and state constitutions, and

Whereas, It is the intent of the legislature to provide for a tax on each person engaged in conducting a business by a system of chain stores within the state of Iowa under a single or common ownership, control, supervision or management, it now becomes necessary to repeal Chapter three hundred twenty-nine-G one (329-G1) in order to carry out this intent. The law of Louisiana, declared constitutional by the United

States Supreme Court, has been copied in the title and in the bill proper with the exception of the two exemption clauses in said bill and also in reference to inapplicable provincial terms of that state such as parish, enforcement boards, and so on.

Now therefore.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

Roll call disclosed that all Senators were present except Senators Beardsley, Corwin, Donohue, Henningsen, Levis, Schadt, Shaw, Sjulín, and Zeigler.

The President instructed the Sergeant-at-Arms to notify the absentees.

Senators Beardsley, Corwin, Donohue, Henningsen, Levis, Schadt, Shaw, Sjulín, and Zeigler appeared in the Senate Chamber and the call was declared complete.

CONSIDERATION OF SENATE FILE 456 RESUMED

Consideration of the amendments by Senators Hill, Doran, Augustine, and Breen was resumed.

Roll call was requested.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 18:

Augustine	Doran	Hart	Mighell
Beardsley	Ellis	Hill	Moore
Breen	Elthon	Hoeven	Shaw
Dean	Geske	Leo	Vrba
Dewey	Gillette		

Nays, 32:

Baldwin	Edwards	Husted	Pelzer
Bekman	Evans	Kirketeg	Schadt
Benson	Faul	Levis	Sjulín
Berg	Forsling	Lundy	Smith
Byers	Guernsey	Martin	Stewart
Corwin	Harvey	Miller	Talbott
Cromwell	Henningsen	Mowry	Whitehill
Donohue	Hopkins	Parker	Zeigler

Absent or not voting, none.

The amendments were lost.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 16.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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, 1939, sent to the Governor for his approval, Senate File 16.

RALPH E. BENSON, *Chairman.*

Passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend House File 155, section one (1), subsection (b), by adding after paragraph five (5) of said subsection (b) the following:

(6) A salesman selling manufactured articles produced by his employer who sells the same to retail dealers for the purpose of resale. J. BERG.

MR. PRESIDENT: 1. Amend House File 155, section three (3) lines twenty (20), twenty-one (21), and twenty-four (24) by striking the words "which carries" in each of the three lines and inserting in lieu thereof the following word "carrying".

2. Further amend House File 155, section four (4), line eight (8), by adding after the figures "\$250.00" the words "for an itinerant merchant operating with more than one thousand (1,000) pounds actual load".

3. Further amend House File 155, section nine (9), line one (1) by adding after the word "license" the words "or permit". Also amend line eight (8) by adding after the word "law" the following: "or misrepresentation of the source, condition, quality, weight or measure of the products sold by the itinerant merchant". J. BERG.

MR. PRESIDENT: Amend Senate File 109 by striking therefrom all of line five (5) and inserting in lieu thereof: "23. Five (5) work horses or five (5) mules." E. P. DONOHUE.

MR. PRESIDENT: Amend Senate File 119 by adding thereto the following:

Sec. 2. When the revenue derived from the maximum levy for poor relief in any county is insufficient for the support of the poor, the remaining necessary funds shall be furnished by the state of Iowa from funds now or hereafter made available for that purpose.

H. V. LEVIS.

L. B. FORSLING.

HUGH W. LUNDY.

HUGH G. GUERNSEY.

MR. PRESIDENT: Amend Senate File 266 by striking all after the enacting clause and inserting the following in lieu thereof:

Section 1. Section five thousand six hundred eighty-nine (5689), Code, 1935, as amended by Section 1 of Chapter 156 of the Laws of the Forty-seventh General Assembly of Iowa, is hereby amended by adding the following:

"No Commissioner shall be removed during his term of office by the appointing power except for cause."

Sec. 2. Section five thousand six hundred ninety (5690), Code, 1935, is hereby amended by striking the comma in line four (4) and inserting a period in lieu thereof and by striking the remainder of the sentence.

Said section is further amended by adding the following:

"Each Commissioner shall receive compensation for time actually engaged in performing their duties the sum of ten dollars (\$10.00) per diem each, but not to exceed the following amounts: In cities of 15,000 population or less, \$50.00 per year; cities of from 15,000 to 30,000, \$200.00 per year; cities of 30,000 to 50,000, \$500.00 per year; in cities with a population of 50,000 or more, \$750.00 per year."

Sec. 3. Section three (3) of Chapter 156 of the Laws of the Forty-seventh General Assembly of Iowa is hereby amended by striking the figures "75,000" in line five (5) of said section and inserting in lieu thereof the figures "25,000."

Said section is further amended by adding thereto the following:

"It shall be mandatory upon all department heads to promptly report to the Civil Service Commission all material information affecting the record of any Civil Service employee in his department."

Sec. 4. Section five thousand six hundred ninety-three (5693), Code, 1935, as amended by section four (4) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by adding thereto the following:

"The City Council shall determine and provide an adequate budget for the efficient operation of the Commission."

Sec. 5. Section five (5) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by striking line ten (10) of said section.

Said section is further amended by striking line fourteen (14) of said section and inserting in lieu thereof the following:

"Employees whose duties require less than ninety (90) days' service each year."

Sec. 6. Section six (6) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by inserting after the comma in line ten (10) thereof the words "except common laborers,".

Said section is further amended by inserting after the word "date" in line sixteen (16) of said section the following:

"and common laborers who have served less than two years in such position or positions on the said date,".

Said section is further amended by striking the period in line sixteen (16) of said section and inserting in lieu thereof a comma and inserting after the comma the following:

"provided no common laborer shall be required to pass an examination for any other purpose than to determine his or her physical fitness for the employment or position sought."

Sec. 7. Section eight (8) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by striking the last paragraph of said section and inserting the following in lieu thereof:

"All vacancies in the civil service shall be open to competitive examinations but should an applicant already under civil service qualify in such examination he shall have preference over all others except in the police and fire service, where all grades above the lowest shall be filled by promotion of subordinates when such subordinates qualify as eligible and when so promoted they shall hold such position with full civil service rights therein."

Sec. 8. Section five thousand six hundred ninety-seven (5697), Code, 1935, is hereby repealed and the following enacted in lieu thereof:

"In all appointments under the provisions of this Chapter, section one thousand one hundred fifty-nine (1159) of the Code of Iowa relating to soldiers' preference shall govern."

Sec. 9. Section twelve (12) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by striking the period after the word "respectively" in line thirteen (13) of said section and by inserting a comma in lieu thereof and by adding the following after the comma:

"with the approval of the city council."

Sec. 10. Section five thousand seven hundred one (5701), Code, 1935, as amended by section thirteen of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by striking the period at the end of the subdivision numbered one and by adding thereto the following:

", or for positions of technical skill which would require a larger field to draw from."

Sec. 11. Section nineteen (19) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by adding after the period in line nine (9) the following:

"The commission shall have the right to employ outside legal advice or counsel when the circumstances are such that the city attorney or solicitor cannot properly represent the commission." **FRANK C. BYERS.**

MR. PRESIDENT: Amend Senate File 373 as follows:

In line nineteen (19) of section two (2) add after the period therein

the following: "No retailer shall include the tax imposed herein as part of the sales or transaction price nor shall he be permitted to advertise, state or declare that the tax imposed by this Act will be absorbed. The tax, in every instance, shall be separate and distinct from the sale or transaction price."

A. CLAIRE DEWEY.

MR. PRESIDENT: Amend Senate File 440 by adding to section four (4) thereof the following:

"For meetings with the executive council other than those held during the time the legislature is in session, each member of the legislative advisory committee shall receive his actual traveling expenses and ten dollars for each day in attendance to be paid from the general fund.

L. B. FORSLING.

E. P. DONOHUE.

MR. PRESIDENT: Amend Senate File 452 by inserting immediately preceding the period (.) at the end of section eight (8) the following:

“(10) by adding as line sixty-two (62):

‘European Starlings Continuous None None.’”

L. H. DORAN.

MR. PRESIDENT: 1. Amend Senate File 456, section three (3), line sixteen (16), by inserting after the word "store" the words and figures "over twenty (20)".

2. Further amend section three (3), line twenty-one (21), by inserting after the word "store" the words and figures "over thirty (30)".

3. Further amend section three (3), line twenty-six (26) by inserting after the word "store" the words and figures "over forty (40)".

4. Further amend section three (3), line thirty-one (31) by inserting after the word "store" the words and figures "over fifty (50)".

5. Further amend section three (3), line thirty-six (36) by inserting after the word "store" the words and figures "over seventy-five (75)".

6. Further amend section three (3), line forty-one (41) by inserting after the word "store" the words and figures "over one hundred (100)".

E. K. BEKMAN.

MR. PRESIDENT: Amend Senate File 456, section 13 by adding to line ten (10) the following: "It is further declared that the act by any wholesaler or retailer of selling, bargaining to sell, giving outright or loaning of any literature, advertising copy or printing designed or destined for distribution by mail or otherwise in this state to any retailer, is an unfair method of competition, contrary to public policy, and in contravention of the policy of this Act."

H. C. BALDWIN.

MR. PRESIDENT: Amend Senate File 456, section 14, line 10 by striking the period after the figures (\$500.00) and adding thereto the following: "for every branch of every such violating wholesaler or retailer in this state."

H. C. BALDWIN.

MR. PRESIDENT: Amend Senate File 456, section 13 by inserting after the word "by" in line two (2) the word "any".

H. C. BALDWIN.

MR. PRESIDENT: Amend Senate File 456 by inserting as subsection six (6), section nineteen (19) the following:

"Every person, firm, partnership, corporation or association of persons whose principal business is selling at retail food for consumption on the premises."

GEORGE FAUL.

MR. PRESIDENT: Amend Senate File 456 by striking, in line 7 of Section 20, the words "to be unlawful and is prohibited" and inserting in lieu thereof the following: "to be against public policy".

EDWARD BREEN.

MR. PRESIDENT: Amend Senate File 456 by striking all of section 21 and inserting in lieu thereof the following:

"If any section, subsection, division, clause, sentence, or phrase of this Chapter is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The legislature hereby declares that in the passage of this Chapter it is the expressed intent of the legislature to impose an occupation tax upon any and all persons engaged in conducting a business by a system of chain stores, to change the method of assessing chain stores and to regulate the business practices of all stores, as herein defined and provided, as far as the same is constitutional and valid, and the legislature hereby further declares that it would have passed this Chapter and each section, subsection, division, clause, sentence and phrase hereof irrespective of whether any one or more of the sections, subsections, divisions, clauses, sentences or phrases be declared unconstitutional."

EDWARD BREEN.

MR. PRESIDENT: Amend Senate File 456 by striking the words in lines 2 and 3 of section 17 as follows: "and operating chain or multiple stores".

EDWARD BREEN.

MR. PRESIDENT: 1. Amend Senate File 456 by striking from line 9 of section 3 the word and figures "twenty (20)" and by inserting in lieu thereof "ten (10)"; also by striking from line 10 of said section the words and figures "twenty-five dollars (\$25.00)" and by inserting in lieu thereof "ten dollars (\$10.00)".

2. Further amend Senate File 456 by inserting between subsections (1) and (2) of section 3 as a subsection the following:

"(1½) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than ten (10) stores, but not more than twenty (20) stores, the annual license shall be twenty-five dollars (\$25.00) for each such additional store operated in this state."

FRED CROMWELL.

Senator Donohue moved that the Senate adjourn until 9:30 a. m. Friday.

Senator Lundy moved as a substitute that the Senate adjourn until 10:00 a. m. Friday.

The substitute motion prevailed, and the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 31, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. C. A. Calkens, pastor of the Methodist Episcopal Church of Malvern.

The Journal of March 30th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Baldwin, from citizens of Dubuque county, favoring the elimination of Class "C" beer permits.

By Senator Berg, from citizens of Black Hawk county, favoring the elimination of Class "C" beer permits.

By Senator Berg, from members and friends of Townsend Club No. 1 of Cedar Falls, favoring the adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Breen, from citizens of Webster county, favoring the elimination of Class "C" beer permits.

By Senator Cromwell, from citizens of Des Moines county, favoring the elimination of Class "C" beer permits.

By Senator Doran, from citizens of Boone county, opposing enactment of Senate File 245 and House File 401.

By Senator Doran, from citizens of Story and adjoining counties, opposing enactment of Senate File 245.

By Senator Doran, from citizens of Marion and adjoining counties, opposing enactment of Senate File 245.

By Senator Doran, from citizens of Dallas and adjoining counties, opposing enactment of Senate File 245 and House File 401.

By Senator Doran, from citizens of Benton and adjoining counties, opposing enactment of Senate File 245.

By Senator Faul, from citizens of Polk county, favoring the elimination of Class "C" beer permits.

By Senator Faul, from citizens of Polk county, favoring the adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

By Senator Faul, from citizens of Polk county, opposing enactment of House File 400.

By Senator Geske, from citizens of Clayton county, favoring the elimination of Class "C" beer permits.

By Senator Hart, from independent merchants of Keokuk, favoring enactment of Senate File 17.

By Senator Hart, from independent merchants of Fort Madison, favoring enactment of Senate File 17.

By Senator Hart, from citizens of Lee county, favoring the elimination of Class "C" beer permits.

By Senator Henningsen, from citizens of Clinton county, favoring the elimination of Class "C" beer permits.

By Senator Henningsen, from citizens of Clinton county, opposing certain provisions of House File 400 pertaining to federal tax stamps.

By Senator Martin, from citizens of Scott county, opposing certain provisions of House File 400 pertaining to federal tax stamps.

By Senator Schadt, from citizens of Johnson county, favoring the elimination of Class "C" beer permits.

By Senator Pelzer, from citizens of Cass county, opposing certain provisions of House File 400 pertaining to federal tax stamps.

By Senator Zeigler, from citizens of Fairfield, opposing certain provisions of House File 400 pertaining to federal tax stamps.

INTRODUCTION OF BILLS

Senate File 474, by committee on judiciary 2, a bill for an act to repeal section twelve thousand five hundred thirty-nine (12539), Chapter five hundred thirty-five (535), Code, 1935, and to enact a substitute therefor, relating to contempts for violation of injunctions; providing for trial by jury to the accused when the injunc-

tion was issued in a labor dispute, and providing a method of procedure in said trial, authorizing change of venue upon application, and providing a penalty for violation of said injunction.

Read first and second times and referred to sifting committee.

Senate File 475, by committee on social security, a bill for an act to amend section six (6), Chapter one hundred fifty-one (151), Acts of the Forty-seventh General Assembly, relating to powers and duties of the state board of social welfare.

Read first and second times and referred to sifting committee.

Senate File 476, by committee on social security, a bill for an act to provide for the administration of funds made available to the counties for emergency relief.

Read first and second times and referred to sifting committee.

Senate File 477, by committee on judiciary 2, a bill for an act to legalize the proceedings of the city of Chariton, Iowa, relating to the water works improvement, the extension of water mains and the erection of a water tank, commonly known as P. W. A. project No. Iowa-1689-F, and the contracts made for such project.

Read first and second times and referred to sifting committee.

Senate File 478, by committee on judiciary 2, a bill for an act to amend Senate File 2, Acts of the Forty-eighth General Assembly of Iowa with reference to payment of expense of state auditors.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Vrba 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 501, 505, 506, 507, 508, 509, 525, 526, 528, 530, 532, 533 and 534.

EDWARD H. VRBA, *Acting Chairman Senate Committee.*

ALBERT STEINBERG, *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 501, 505, 506, 507, 508, 509, 525, 526, 528, 530, 532, 533 and 534.

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 500, a bill for an act relative to primary noxious weeds.

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

House File 601, a bill for an act to provide for regulation and supervision of common carriers by motor vehicle.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 43, a bill for an act relating to the distribution of books among school districts.

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 deposits.

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 relating to a levy for general park purposes.

Also: That the House has amended and failed to pass the following bill in which the concurrence of the House was asked:

Senate File 118, a bill for an act relating to the place for bringing action for injuries or damages caused by motor vehicles.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File 156, a bill for an act relating to library fund.

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

Senate File 208, a bill for an act relating to the management of cemeteries.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 43

Amend Senate File 43 by adding thereto, as section two (2), the following:

Sec. 2. The county board of education is hereby authorized and empowered to expend any or all of the library fund created by section forty-three hundred twenty-two (4322), Code, 1935, to be apportioned to schools

that have been or may be closed hereafter for library books to be loaned to the schools of the county that remain open as directed by the county board of education. The county superintendent of schools shall be the custodian of such books and shall keep a record of them in a book provided for that purpose.

HOUSE AMENDMENT TO SENATE FILE 118

Amend Senate File 118 by adding after the word "done" in line 6 thereof the following: "No action shall be brought or maintained in any county of the defendant's residence until the plaintiff posts security, to be approved by the Clerk of the District Court, in sum of not less than one hundred dollars (\$100.00) to secure the costs. If the plaintiff fails to recover judgment such costs shall be taxed and judgment rendered against the plaintiff and his securities."

CONSIDERATION OF SENATE FILE 456 RESUMED

A call of the Senate, previously filed, being in effect, a roll call disclosed that all Senators were present except Senators Benson, Lundy, Parker, Sjulín, Stewart and Whitehill.

By unanimous consent, on request of Senator Doran, the absentees were excused until such time as a roll call would demand their presence.

Senator Leo offered the following amendment and moved its adoption:

Amend as follows:

Insert in line 10, section 19, immediately following the word "feed," the word "seed,".

The amendment was lost.

Senator Mighell offered the following amendment and moved its adoption:

Amend by adding to section 1 thereof the following:

"The terms 'merchandise' and 'mercantile establishments' as used in this act shall include theaters and moving picture shows."

By unanimous consent, on request of Senator Mighell, action was deferred until all Senators were present.

Senator Schadt offered the following amendment and moved its adoption:

Amend by adding to section nineteen (19) as paragraph six (6) the following:

"(6) Stores owned or operated by any person, firm, or corporation when all of said stores so owned or operated are located in unincorporated

villages and no store is more than six (6) miles distant from every other store so owned or operated."

The amendment was adopted.

Senators Benson, Lundy, Parker, Sjulín, Stewart and Whitehill appeared in the Senate Chamber and the call was declared complete.

Senator Levis offered the following amendment and moved its adoption:

Amend by adding after the period (.) at the end of section ten (10) the following:

"After making his assessment of a chain store, the assessor shall forthwith file with the state board of assessment and review a certified copy of the assessment roll. Said board is authorized to correct errors, irregularities or omissions in such assessments, and may add to the tax list any omitted property or raise an assessment found to be erroneous.

"Before making any increase in such assessments, the board shall notify the manager of the chain store affected thereby, by registered mail addressed to the place where the store is located, notifying him or his representative to appear before the board within ten (10) days from the mailing of said notice and show cause why such increase or addition should not be made; provided, that any party aggrieved by the action of the state board may, within twenty (20) days after such action has been taken appeal from the action of the state board to the district court of the county where the property is situated, by serving on the chairman of the state board a written notice of appeal in the same manner as provided for the service of original notices. The state board shall notify the county auditor or county treasurer of any such correction or change and the county auditor or county treasurer shall amend the assessment roll and/or tax list to conform to the order of the board; but no correction or change of assessment shall be made by the state board after the expiration of five years from the date when such assessment was made or should have been made."

The amendment was adopted.

Senator Bekman offered the following amendments:

1. Amend section three (3), line sixteen (16) by inserting after the word "store" the words "over twenty".

2. Further amend section three (3), line twenty-one (21) by inserting after the word "store" the words "over thirty".

3. Further amend section three (3), line twenty-six (26) by inserting after the word "store" the words "over forty".

4. Further amend section three (3), line thirty-one (31), by inserting after the word "store" the words "over fifty".

5. Also amend section nineteen (19), lines one (1) and two (2) by striking the words "provisions of" and inserting in lieu thereof the words "tax levied by".

By unanimous consent, Senator Bekman withdrew his amendments.

Senator Bekman offered the following amendments and moved their adoption:

1. Amend section three (3), line sixteen (16), by inserting after the word "store" the words and figures "over twenty (20)".
2. Further amend section three (3), line twenty-one (21), by inserting after the word "store" the words and figures "over thirty (30)".
3. Further amend section three (3), line twenty-six (26) by inserting after the word "store" the words and figures "over forty (40)".
4. Further amend section three (3), line thirty-one (31) by inserting after the word "store" the words and figures "over fifty (50)".
5. Further amend section three (3), line thirty-six (36) by inserting after the word "store" the words and figures "over seventy-five (75)".
6. Further amend section three (3), line forty-one (41) by inserting after the word "store" the words and figures "over one hundred (100)".

Senator Breen offered the following amendment as a substitute for the amendments by Senator Bekman, and moved its adoption:

Amend by striking from section three (3), the word "additional" from lines sixteen (16), twenty-one (21), twenty-six (26), thirty-one (31), thirty-six (36), and forty-one (41).

Roll call was requested.

Rule 8 was invoked.

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

Ayes, 17:

Augustine	Doran	Gillette	Moore
Beardsley	Ellis	Hill	Schadt
Breen	Elthon	Hopkins	Shaw
Dean	Geske	Lundy	Vrba
Dewey			

Nays, 33:

Baldwin	Evans	Husted	Parker
Bekman	Faul	Kirketeg	Pelzer
Benson	Forsling	Leo	Sjulin
Berg	Guernsey	Levis	Smith
Byers	Hart	Martin	Stewart
Corwin	Harvey	Mighell	Talbott
Cromwell	Henningsen	Miller	Whitehill
Donohue	Hoeven	Mowry	Zeigler
Edwards			

Absent or not voting, none.

The motion was lost.

The amendments by Senator Bekman were adopted.

Senator Baldwin offered the following amendments and moved their adoption :

Amend section 13 by adding to line ten (10) the following: "It is further declared that the act by any wholesaler or retailer of selling, bargaining to sell, giving outright or loaning of any literature, advertising copy or printing designed or destined for distribution by mail or otherwise in this state to any retailer, is an unfair method of competition, contrary to public policy, and in contravention of the policy of this Act."

Also amend section 14, line 10 by striking the period after the figures (\$500.00) and adding thereto the following: "for every branch of every such violating wholesaler or retailer in this state."

Also amend section 13 by inserting after the word "by" in line two (2) the word "any".

By unanimous consent, on request of Senator Baldwin, action on his amendments was deferred temporarily.

Senator Faul offered the following amendment and moved its adoption :

Amend by inserting as subsection six (6), section nineteen (19) the following:

"Every person, firm, partnership, corporation or association of persons whose principal business is selling at retail food for consumption on the premises."

By unanimous consent, on request of Senator Faul, the amendment was changed by striking the word and figure "six (6)" in lines one (1) and two (2) and inserting in lieu thereof the word and figure "seven (7)".

By unanimous consent, on request of Senator Faul, action was deferred temporarily.

Senator Breen offered the following amendment :

Amend by striking, in line 7 of Section 20, the words "to be unlawful and is prohibited" and inserting in lieu thereof the following: "to be against public policy".

By unanimous consent, on request of Senator Breen, his amendment was withdrawn.

Senator Breen offered the following amendment and moved its adoption :

Amend by striking all of section 21 and inserting in lieu thereof the following:

"If any section, subsection, division, clause, sentence, or phrase of this Chapter is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this

Chapter. The legislature hereby declares that in the passage of this Chapter it is the expressed intent of the legislature to impose an occupation tax upon any and all persons engaged in conducting a business by a system of chain stores, to change the method of assessing chain stores and to regulate the business practices of all stores, as herein defined and provided, as far as the same is constitutional and valid, and the legislature hereby further declares that it would have passed this Chapter and each section, subsection, division, clause, sentence and phrase hereof irrespective of whether any one or more of the sections, subsections, divisions, clauses, sentences or phrases be declared unconstitutional."

By unanimous consent, on request of Senator Breen, action was deferred until after action on the amendment by Senator Levis.

Senator Breen offered the following amendment and moved its adoption:

Amend by striking the words in lines 2 and 3 of section 17 as follows: "and operating chain or multiple stores".

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend by striking from line 9 of section 3 the word and figures "twenty (20)" and by inserting in lieu thereof "ten (10)"; also by striking from line 10 of said section the words and figures "twenty-five dollars (\$25.00)" and by inserting in lieu thereof "ten dollars (\$10.00)".

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend by inserting between subsections (1) and (2) of section 3 as a subsection the following:

"(1½) Upon stores or mercantile establishments operated in this state and belonging to a chain or group having a total of more than ten (10) stores, but not more than twenty (20) stores, the annual license shall be twenty-five dollars (\$25.00) for each such additional store operated in this state."

Senator Bekman offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "store" in line six (6) the words and figures "over ten (10)".

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Augustine offered the following amendment and moved its adoption:

Amend by striking from line 10 of section 19 the words "petroleum products".

Further action was deferred.

Senator Donohue moved that all the microphones except three should be removed and that those remaining should be made available to those desiring them.

Senator Gillette moved as a substitute that Senators sharing a microphone may, on reporting to the Secretary, have the same removed during the week-end.

The substitution was made and the substitute motion prevailed.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

Roll call disclosed that all Senators were present except Senators Forsling, Husted and Stewart.

The sergeant-at-arms was instructed to secure the attendance of the absentees.

Senators Forsling and Husted appeared in the Senate Chamber.

By unanimous consent, on request of Senator Augustine, Senator Stewart was temporarily excused from the call of the Senate.

CONSIDERATION OF SENATE FILE 456 RESUMED

Consideration of the amendment by Senator Augustine was resumed.

Senator Bekman offered the following as a substitute for the amendment by Senator Augustine and moved its adoption:

Amend section nineteen (19), line ten (10), by adding after the words "petroleum products", the words "retailed from bulk stations or tank wagons incidental thereto".

Senator Stewart appeared in the Senate Chamber and the call was declared complete.

By unanimous consent, Senator Bekman offered the following substitute amendment and moved its adoption:

Amend section nineteen (19), line ten (10), by adding after the words "petroleum products", the words "retailed from bulk storage plants or tank wagons incidental thereto".

The substitution was made.

Senator Husted moved the previous question on the substitute amendment.

Roll call was requested.

On the question "Shall the substitute amendment be adopted?" the vote was:

Ayes, 29:

Augustine	Ellis	Levis	Shaw
Beardsley	Elthon	Lundy	Sjulin
Bekman	Geske	Mighell	Smith
Benson	Hill	Miller	Stewart
Breen	Hopkins	Moore	Talbott
Dean	Husted	Mowry	Vrba
Dewey	Leo	Pelzer	Whitehill
Doran			

Nays, 12:

Baldwin	Corwin	Evans	Kirketeg
Berg	Donohue	Harvey	Parker
Byers	Edwards	Henningsen	Zeigler

Absent or not voting, 9:

Cromwell	Gillette	Hart	Martin
Faul	Guernsey	Hoeven	Schadt
Forsling			

The amendment was adopted.

Senator Breen offered the following amendment:

Amend Senate File 456 by striking the words and figures "twenty-five dollars (\$25.00)" in line 10 of section 3 and inserting in lieu thereof the words and figures "ten dollars (\$10.00)."

By unanimous consent, on request of Senator Breen, his amendment was withdrawn.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 456 by striking in lines 57 and 58 of section 12 the following: "and being a part of chain or multiple system of stores as defined in this act."

The amendment was adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend Senate File 456 by adding to section 19 the following:

"(6) Vending machines from which are vended peanuts, popcorn, candy, gum, or soft drinks; also so-called news-stands selling the above listed articles, together with periodicals, tobaccos and novelties, when such so-called news-stands are run incidental to a main business not included within the provisions of this Act."

The amendment was adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend Senate File 456 as follows:

1. Strike all of Division I thereof.
2. Insert a section before section nine (9) as follows:

"Section 1. Because of the more rapid turnover of invested capital, the interchange of merchandise between stores, the storage of merchandise at central depots for distribution through retail units, any person, firm, partnership, corporation, or association of persons engaged in the business of operating stores in this state where goods, wares, merchandise or other commodities are sold or offered for sale at retail under the same general management, supervision, ownership or control, shall be known as chain stores and assessed as hereafter provided."

3. Add as a new section after section ten (10) the following:

"Sec. 11. In addition to the assessment as heretofore determined, there shall be added by the assessor the amount of ten (10) average days' sales throughout the calendar year preceding the assessment of each chain store which is assessed. The average day's sales shall be computed by dividing the total cost value of the merchandise sold during said year by the number of business days which the store operated."

4. Further amend by renumbering the sections.

Further action was deferred.

HOUSE MESSAGES CONSIDERED

House File 500, a bill for an act to amend section one (1) of Chapter one hundred thirty-one (131), Acts of the Forty-seventh General Assembly, relating to primary noxious weeds.

Read first and second times and referred to sifting committee.

House File 601, a bill for an act to repeal Chapters two hundred fifty-two-A one (252-A1), two hundred fifty-two-A two (252-A2), and two hundred fifty-two-C one (252-C1), Code, 1935, and to repeal sections one hundred forty-four (144), one hundred fifty (150), one hundred fifty-one (151), one hundred fifty-two (152),

one hundred fifty-three (153), one hundred fifty-four (154), one hundred fifty-six (156), one hundred fifty-nine (159), four hundred ninety (490), five hundred thirty-one (531), and five hundred thirty-two (532) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly; to define common, contract, and private carriers by motor vehicle; to provide for the supervision and regulation by the Iowa state commerce commission of common and contract carriers by motor vehicle engaged in the transportation of passengers or property upon the highways of this state and to prescribe the powers and jurisdiction of the Iowa state commerce commission under this act; to provide for issuance of certificates to persons now operating motor vehicles under the provisions of Chapters two hundred fifty-two-A one (252-A1) and two hundred fifty-two-C one (252-C1), Code, 1935, and to provide for issuance of permits to persons now operating motor vehicles as contract carriers; 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 from the Iowa state commerce commission; 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 Iowa state commerce commission; to define terminals and provide for the supervision, regulation, and authorization for the establishment thereof; to provide that common carriers shall establish, observe, and file schedules of their rates, fares, and charges, and for procedure for changes therein; 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 Iowa state commerce commission; 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; to provide for the assessment and collection of fees and licenses on motor vehicles subject to this act; to provide for the disposition of moneys collected hereunder; to provide for reciprocal agreements between states; to provide for temporary permits; to provide for suspension, cancellation, and transfer of certificates and permits, and to provide for punishment for violation of the provisions of this act.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 67, 88 and 208.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 67, 88 and 208.

BILLS SENT TO THE GOVERNOR

Senator Benson from the committee on enrolled bills submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on this 31st day of March, 1939, sent to the Governor for his approval, Senate Files 67, 88 and 208. RALPH E. BENSON, *Chairman.*

Passed on file.

EXTRA COPIES

By unanimous consent, on request of Senator Breen, 500 additional copies of Senate File 279 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 266, 288, 298, 319, 320, 327, 381, 389, 427, 377, 450, 453, 460, 468, 469, 470, 471, 472, 473, 475, 476, 477, and House Files 58, 155, 435, 602.

Senate File 376 having been reported out by your committee through an error in the printed bill is hereby recalled.

E. P. DONOHUE, *Chairman.*

AMENDMENTS FILED

MR. PRESIDENT: 1. Amend Senate File 217 by striking from lines one (1) and two (2) of the title the following: "Muscatine County, Iowa, and".

2. Amend by striking section one (1).

3. Amend by striking section three (3) and renumbering and rewriting the said section as follows:

"Sec. 2. The state comptroller is hereby authorized and directed to draw his warrant to the county to which appropriation has been made under the provisions of this act and in the sum so appropriated and heretofore set out, in payment of said special assessment, and the treasurer of state is hereby authorized and directed to pay the same out of any funds in the state treasury not otherwise appropriated."

FRED CROMWELL.

MR. PRESIDENT: Amend Senate File 456 by striking all of subsection five (5) of section nineteen (19) and by inserting in lieu thereof:

"(5) Hotels, rooming houses, cafes and restaurants."

H. D. MILLER.

MR. PRESIDENT: Amend Senate File 456 by striking section twenty (20) therefrom, and inserting in lieu thereof the following:

"It shall be unlawful for any person, firm, partnership, corporation or association of persons engaged in the State of Iowa in the business described in section one (1) of this act to carry on such business at any of its locations within said state until licenses have been issued for all its locations within the state. No such license shall be issued by the State Tax Commission unless the licensee furnish a statement in writing there-to sworn to by it and its lessor, if any, at each location within the state that said lessor will not be required to bear any part of the tax herein imposed and it shall be unlawful for any such licensee to require its lessor to pay, directly or indirectly, any part of said tax herein imposed."

H. V. LEVIS.

MR. PRESIDENT: Amend Senate File 456, section sixteen (16), line four (4), by inserting after the word "perishable" the words "or season-able".

E. K. BEKMAN.

MR. PRESIDENT: Amend Senate File 456 by striking from lines 11 and 12 of section 19 thereof the following: "(not including builders and general hardware, glass, and paints)".

E. K. BEKMAN.

Senator Breen moved that the Senate adjourn until 10:00 a. m. Monday.

Senator Husted offered as a substitute that the Senate adjourn until 10:00 a. m. Saturday.

The substitute motion was lost.

The motion prevailed and the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 3, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. W. Y. Cole, pastor of Trinity Methodist Church of Osceola.

The Journal of March 31st was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Beardsley, from citizens of Warren and Clarke counties, opposing chain store taxation.

By Senator Berg, from citizens of Black Hawk county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Berg, from citizens of Black Hawk county, favoring the elimination of Class "C" beer permits.

By Senator Cromwell, from citizens of Des Moines county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Corwin, from citizens of Muscatine county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Edwards, from citizens of Decatur county, favoring enactment of Senate File 305.

By Senator Geske, from citizens of Clayton county, favoring the elimination of Class "C" beer permits.

By Senator Geske, from citizens of Clayton county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Hart, from citizens of Lee county, favoring the elimination of Class "C" beer permits.

By Senator Hart, from grocers and confectioners of Burlington, opposing the elimination of Class "C" beer permits.

By Senator Hart, from citizens of Lee county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Hart, from citizens of Lee county, favoring legislation providing for free tests for tuberculosis in dairy cattle every year.

By Senator Harvey, from citizens of Monona county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Henningsen, from citizens of Clinton, favoring the elimination of Class "C" beer permits.

By Senator Henningsen, from citizens of Clinton county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Hill, from citizens of Hardin, Benton, Franklin, Hamilton, Story, Polk, Black Hawk and Floyd counties, favoring enactment of House File 431.

By Senator Leo, from citizens of Tama county, favoring the elimination of Class "C" beer permits.

By Senator Martin, from citizens of Scott county, favoring the elimination of Class "C" beer permits.

By Senator Martin, from citizens of Scott county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Moore, from citizens of Pottawattamie county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Pelzer, from citizens of Cass county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Whitehill, from citizens of Marshall county, favoring the elimination of class "C" beer permits.

By Senator Whitehill, from citizens of Marshall county, favoring enactment of House File 431.

By Senator Zeigler, from members of L. L. G. Club of Stockport, favoring legislation providing for pre-marital and pre-natal examinations.

By Senator Cromwell, from citizens of Des Moines county, favoring the elimination of Class "C" beer permits.

By Senator Bekman, from citizens of Poweshiek, Tama, Polk and Linn counties, opposing chain store taxation.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 31, 1939, he had approved the following:

Senate File 16, relating to condemnation proceedings against private property for public school purposes.

Senate File 129, relating to powers of special charter cities to acquire, lease, and sell lands which lie along or near a boundary river.

Senate File 211, providing emergency appropriation for traveling and hotel expenses of judges of the district court to June 30, 1939.

Senate File 213, giving certain cities the power to establish and maintain exhibition halls in city parks, and to levy a tax therefor.

Senate File 214, relating to leasing of city property.

Senate File 241, to delete unconstitutional criminal features of a civil action to establish paternity of an illegitimate child and for judgment for its support.

Senate File 420, making appropriations to Brown & Son, Cedar Falls, et al.

Senate File 151, relating to certain legal publications.

On motion of Senator Mighell, Senate Resolution 16, found on page 873 of the Journal, was taken up for consideration.

Senator Donohue raised the point of order that the same subject matter had been previously considered in Senate Resolution 15.

The President held the point of order well taken.

CONSIDERATION OF SENATE FILE 456 RESUMED

Roll call disclosed that all Senators were present.

Consideration of the following amendment by Senator Levis was resumed.

Amend as follows:

1. Strike all of Division I thereof.

2. Insert a section before section nine (9) as follows:

"Section 1. Because of the more rapid turnover of invested capital, the interchange of merchandise between stores, the storage of merchandise at central depots for distribution through retail units, any person, firm, partnership, corporation, or association of persons engaged in the business of operating stores in this state where goods, wares, merchandise or other commodities are sold or offered for sale at retail under the same general management, supervision, ownership or control, shall be known as chain stores and assessed as hereafter provided."

3. Add as a new section after section ten (10) the following:

"Sec. 11. In addition to the assessment as heretofore determined, there shall be added by the assessor the amount of ten (10) average days' sales throughout the calendar year preceding the assessment of each chain store which is assessed. The average day's sales shall be computed by dividing the total cost value of the merchandise sold during said year by the number of business days which the store operated."

4. Further amend by renumbering the remaining sections.

Senator Levis moved the adoption of the amendment.

Senator Breen offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Senator Levis by striking part one (1) which reads "Strike all of Division I thereof."

The amendment to the amendment was adopted.

Senator Forsling moved the previous question on the amendment by Senator Levis.

The motion prevailed.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 11:

Augustine	Dewey	Gillette	Shaw
Breen	Ellis	Harvey	Vrba
Dean	Geske	Moore	

Nays, 30:

Beardsley	Byers	Edwards	Forsling
Bekman	Corwin	Elthon	Guernsey
Benson	Cromwell	Evans	Henningsen
Berg	Donohue	Faul	

Hill	Kirketeg	Mowry	Talbott
Hoeven	Levis	Parker	Whitehill
Hopkins	Martin	Pelzer	Zeigler
Husted	Miller	Stewart	

Absent or not voting, 9:

Baldwin	Leo	Mighell	Sjulin
Doran	Lundy	Schadt	Smith
Hart			

The amendment was lost.

Senator Miller offered the following amendment and moved its adoption:

Amend by striking all of subsection five (5) of section nineteen (19) and by inserting in lieu thereof:

“(5) Hotels, rooming houses, cafes, and restaurants.”

The amendment was adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend by striking section twenty (20) therefrom, and inserting in lieu thereof the following:

“It shall be unlawful for any person, firm, partnership, corporation or association of persons engaged in the State of Iowa in the business described in section one (1) of this act to carry on such business at any of its locations within said state until licenses have been issued for all its locations within the state. No such license shall be issued by the State Tax Commission unless the licensee furnish a statement in writing there-to sworn to by it and its lessor, if any, at each location within the state that said lessor will not be required to bear any part of the tax herein imposed and it shall be unlawful for any such licensee to require its lessor to pay, directly or indirectly, any part of said tax herein imposed.”

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend by striking from lines 11 and 12 of section 19 thereof the following: “(not including builders and general hardware, glass, and paints)”.

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend section sixteen (16), line four (4), by inserting after the word “perishable” the words “or seasonable”.

By unanimous consent, Senator Bekman withdrew his amend-ment.

On motion of Senator Mighell, consideration of the following amendment was resumed:

Amend by adding to section 1 thereof the following:

"The terms 'merchandise' and 'mercantile establishments' as used in this act shall include theaters and moving picture shows."

Senator Forsling moved that the amendment be laid on the table.

By unanimous consent, the motion was withdrawn.

Roll call was requested.

On the question "Shall the amendment be adopted" the vote was:

Ayes, 12:

Augustine	Dewey	Gillette	Levis
Breen	Ellis	Hopkins	Mighell
Dean	Elthon	Husted	Miller

Nays, 32:

Baldwin	Doran	Henningsen	Parker
Bekman	Edwards	Hill	Shaw
Benson	Evans	Hoeven	Smith
Berg	Faul	Kirketeg	Stewart
Byers	Forsling	Leo	Talbott
Corwin	Geske	Lundy	Vrba
Cromwell	Hart	Moore	Whitehill
Donohue	Harvey	Mowry	Zeigler

Absent or not voting, 6:

Beardsley	Martin	Schadt	Sjulin
Guernsey	Pelzer		

The amendment was lost.

On motion of Senator Baldwin, consideration of the following amendment was resumed:

Amend section 13 by inserting after the word "by" in line two (2) the word "any".

By unanimous consent, Senator Baldwin changed his amendment by adding the following: "and by striking from the words 'retailers' and 'wholesalers' in line three (3) the letter 's'".

Senator Baldwin moved the adoption of the amendment.

The amendment was adopted.

On motion of Senator Baldwin, consideration of the following amendment was resumed:

Amend section 13 by adding to line ten (10) the following: "It is

further declared that the act by any wholesaler or retailer of selling, bargaining to sell, giving outright or loaning of any literature, advertising copy or printing designed or destined for distribution by mail or otherwise in this state to any retailer, is an unfair method of competition, contrary to public policy, and in contravention of the policy of this Act."

By unanimous consent, on request of Senator Baldwin, his amendment was withdrawn.

On motion of Senator Baldwin, consideration of the following amendment was resumed:

Amend section 14, line 10, by striking the period after the figures (\$500.00) and adding thereto the following: "for every branch of every such violating wholesaler or retailer in this state."

By unanimous consent, on request of Senator Baldwin, his amendment was withdrawn.

On motion of Senator Faul, consideration of the following amendment was resumed:

Amend by inserting as subsection seven (7), section nineteen (19) the following:

"Every person, firm, partnership, corporation or association of persons whose principal business is selling at retail food for consumption on the premises."

By unanimous consent, on request of Senator Faul, his amendment was withdrawn.

On motion of Senator Breen, consideration of the following amendment was resumed:

Amend by striking all of section 21 and inserting in lieu thereof the following:

"If any section, subsection, division, clause, sentence, or phrase of this Chapter is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The legislature hereby declares that in the passage of this Chapter it is the expressed intent of the legislature to impose an occupation tax upon any and all persons engaged in conducting a business by a system of chain stores, to change the method of assessing chain stores and to regulate the business practices of all stores, as herein defined and provided, as far as the same is constitutional and valid, and the legislature hereby further declares that it would have passed this Chapter and each section, subsection, division, clause, sentence and phrase hereof irrespective of whether any one or more of the sections, subsections, divisions, clauses, sentences or phrases be declared unconstitutional."

Senator Breen moved the adoption of the amendment.

Senator Forsling offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "stores" in line nine (9) of the amendment the following: "except, as they may have been in this act exempted".

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Leo offered the following amendment and moved its adoption:

Amend by inserting in line 10 of section 19, following the word "feed," the words "grass seeds, leguminous seeds,".

The amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend by striking the words "each chain store" in line two (2) Sec. nine (9) and substituting in lieu thereof the words "every store of any kind".

Also amend by striking from line one (1) Sec. eleven (11) the word "chain".

Roll call was requested.

Rule 8 was invoked.

By unanimous consent, Senator Beardsley was excused from voting because of personal interest in the amendment.

Ayes, 9:

Baldwin	Cromwell	Doran	Stewart
Breen	Dewey	Faul	Whitehill
Corwin			

Nays, 40:

Augustine	Evans	Hopkins	Mowry
Bekman	Forsling	Husted	Parker
Benson	Geske	Kirketeg	Pelzer
Berg	Gillette	Leo	Schadt
Byers	Guernsey	Levis	Shaw
Dean	Hart	Lundy	Sjulin
Donohue	Harvey	Martin	Smith
Edwards	Henningsen	Mighell	Talbott
Ellis	Hill	Miller	Vrba
Elthon	Hoeven	Moore	Zeigler

Excused from voting, 1:

Beardsley

The amendment was lost.

Senator Forsling offered the following amendment and moved its adoption:

Amend section nineteen (19) by inserting after the word "of", where it first occurs in line two (2), the words "the unit tax imposed by Division I of"; also by striking the word "it" from line three (3) and inserting the words "Division II of this act".

The amendment was adopted.

Senator Hill rose to a point of personal privilege to answer an editorial in the Des Moines Register of April 3d.

Senator Bekman 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 Donohue, the call of the Senate was raised.

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

Ayes, 50:

Augustine	Doran	Hill	Mowry
Baldwin	Edwards	Hoeven	Parker
Beardsley	Ellis	Hopkins	Pelzer
Bekman	Elthon	Husted	Schadt
Benson	Evans	Kirketeg	Shaw
Berg	Faul	Leo	Sjulin
Breen	Forsling	Levis	Smith
Byers	Geske	Lundy	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler
Donohue	Henningesen		

Nays, none.

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

Senator Bekman 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 Baldwin, 1,000 copies of Senate File 456 as passed by the Senate were ordered printed.

By unanimous consent, Senator Elthon introduced Superintendent George Eaton and the American Government Class of the La Porte City High School.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper 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 concurred in Senate amendments to and passed House File 502, a bill for an act relating to the tax on cigarettes and tobacco.

Also: That the House has concurred in Senate amendments to and passed House File 503, a bill for an act relating to beer and malt liquors.

Also: That the House has concurred in Senate amendments to and passed House File 510, a bill for an act relating to the collection of income, corporation and sales tax.

Also: That the House has concurred in Senate amendments to and passed House File 511, a bill for an act relating to chain-store tax and the collection thereof.

Also: That the House has concurred in Senate amendments to and passed House File 512, a bill for an act relating in general to the listing of property for taxation.

Also: That the House has concurred in Senate amendments to and passed House File 513, a bill for an act relating to assessment of moneys and credits.

Also: That the House has concurred in Senate amendments to and passed House File 514, a bill for an act relating to the collection of taxes from insurance companies.

Also: That the House has concurred in Senate amendments to and passed House File 515, a bill for an act relating to the collection of taxes from telephone and telegraph companies.

Also: That the House has concurred in Senate amendments to and passed House File 516, a bill for an act relating to the collection of taxes from railroad companies.

Also: That the House has concurred in Senate amendments to and passed House File 517, a bill for an act relating to official reports and documents.

Also: That the House has concurred in Senate amendments to and passed House File 518, a bill for an act relating to collection of taxes from express companies.

Also: That the House has concurred in Senate amendments to and passed House File 519, a bill for an act relating to the collection of taxes from electric transmission lines.

Also: That the House has concurred in Senate amendments to and passed House File 520, a bill for an act relating to the assessment of omitted property.

Also: That the House has concurred in Senate amendments to and

passed House File 521, a bill for an act relating to collection of taxes from pipe line companies.

Also: That the House has concurred in Senate amendments to and passed House File 522, a bill for an act relating to reassessment and re-levy of taxes.

Also: That the House has concurred in Senate amendments to and passed House File 523, a bill for an act relating to local assessor and assessment of property for taxation.

Also: That the House has concurred in Senate amendments to and passed House File 524, a bill for an act relating to boards of review.

Also: That the House has concurred in Senate amendments to and passed House File 527, a bill for an act relating to inheritance tax and the collection thereof.

Also: That the House has concurred in Senate amendments to and passed House File 535, a bill for an act relating to the use tax and the collection thereof.

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

House File 395, a bill for an act providing for certificate of payment of taxes to fiduciaries.

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

House File 436, a bill for an act relating to sale of lands acquired under permanent school fund.

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

House File 472, a bill for an act relating to making of estimates of the local tax budget.

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

House File 477, a bill for an act to legalize certain payment by the board of supervisors of Monona county.

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

House File 566, a bill for an act to validate all funds deposited by school corporations in banks which were not approved by the board of school directors.

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

House File 613, a bill for an act relating to the definition of legal newspaper.

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

House File 636, a bill for an act to legalize proceedings of the Board of Trustees of Green Bay Levee and Drainage District Number 2.

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

House File 642, a bill for an act to legalize a special election held in the town of Hopkinton, Iowa.

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

Senate File 44, a bill for an act relating to the filing of petitions in the juvenile court.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 75, a bill for an act to provide for the financing of the hospital buildings.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 132, a bill for an act relating to duties of executors and administrators.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 133, a bill for an act relating to mortgagees and record holders of mortgages.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 124, a bill for an act relating to the lien of taxes.

Also: That the House has refused to concur in Senate amendments to House File 327, a bill for an act to create the position of car dispatcher to carry out the provisions of this act relating to the operation of motor vehicles operated on state business.

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

House Concurrent Resolution 15, memorializing Congress to enact at this session a House Joint Resolution known as the Hog Processing Tax Refund Bill.

Also: That the House has concurred in Senate amendments to the following concurrent resolution:

House Concurrent Resolution 16, requesting the Governor to appoint a committee to act with him to represent the State of Iowa at the reception to be held for Crown Prince Olaf and Crown Princess Martha.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS

HOUSE AMENDMENT TO SENATE FILE 75

Amend section three (3) of Senate File 75 as follows: Insert after the word "in" in line three the words: "the Clarence Sun," and in line four after the word "at" the words: "Clarence, Iowa"; and in line four after the word "and" the words "Plain Talk", and in line five after the word "at" the words: "Des Moines, Iowa."

HOUSE AMENDMENT TO SENATE FILE 124

Amend section one (1) by striking from line four (4) the word and figures "August 1, 1939" and by inserting in lieu thereof the word and figures "November 1, 1939".

HOUSE AMENDMENT TO SENATE FILE 132

Amend section one (1), line seventeen (17), by adding immediately following the comma (,) in said line the following: "for the use of such minor,".

HOUSE AMENDMENTS TO SENATE FILE 133

1. Amend section one (1), line nine (9), by inserting after the word "recorder" the following: ", or the state of Iowa in case of an old age assistance lien by service upon the superintendent of the division of old age assistance".
2. Amend by striking all of section three (3), the publication clause.
3. Amend the title by adding after the word "mortgages" in line five (5) the following: ", and on the state of Iowa in case of an old age assistance lien".

HOUSE CONCURRENT RESOLUTION 15

Whereas, House Joint Resolution 138 has been introduced in the Congress of the United States making provision for the refund of the processing tax on hogs marketed for slaughter by the raisers and producers who in fact bore all or a part of the burden of such tax; and

Whereas, The Agricultural Adjustment Act, levying a processing tax has been held unconstitutional and said processing tax as previously assessed on hogs marketed for slaughter was in fact charged to the raisers and producers and was deducted from the market price of such hogs paid to such raisers and producers; and

Whereas, Congress has seen fit to refund that part of the processing tax that was borne by the packers and other processors; and

Whereas, Congress has seen fit to refund to the ginners and producers of cotton that portion of the penalty tax paid by them under the provisions of the Bankhead Cotton Control Act; and

Whereas, Congress has seen fit to refund the retirement fund to the one hundred fifty railroad corporations which had previously paid it under an unconstitutional act; and

Whereas, It is the recognized policy of the Congress of the United States to refund taxes levied or collected to those who were thus unjustly impoverished and bore the burden of such tax; and

Whereas, The hog producers of the nation are the only ones who have been discriminated against in not having been reimbursed by the government of the United States on the processing tax which was in fact charged to the raisers and producers and was deducted from the market price of such hogs marketed for slaughter; now, therefore,

Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That the Congress now in session be memorialized to enact at this session House Joint Resolution 138 known as the Hog Processing Tax Refund Bill.

Be It Further Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That copies of this concurrent resolution be sent to the President of the United States and to the Representatives in Congress from this state and to Senator Lynn J. Frazier and Representative William Lemke.

HOUSE MESSAGES CONSIDERED

House File 395, a bill for an act providing for the payment by fiduciaries of personal taxes to the county providing for the compromising of taxes by the county treasurer with the consent of the board of supervisors and providing for a certificate of payment of taxes to fiduciaries by the county treasurer.

Read first and second times and referred to sifting committee.

House File 436, a bill for an act to amend section forty-five hundred three (4503), Code, 1935, to provide additional time for sale of lands acquired under permanent school fund.

Read first and second times and referred to sifting committee.

House File 472, a bill for an act to amend section fifty-six hundred sixty-three (5663), as amended by section two (2) of Chapter ninety-two (92), Acts of the Forty-seventh General Assembly, relating to the making of estimates for the local tax budget, annual appropriations and unencumbered balances, and to legalize and validate the same, in cities over seventy-five thousand population.

Read first and second times and referred to sifting committee.

House File 477, a bill for an act to legalize payment of \$283.50 by the Board of Supervisors of Monona county to the three official newspapers of Monona county for election results published by said newspapers in November, 1936, as ordered by county auditor and as published from copy furnished by said county auditor.

Read first and second times and referred to sifting committee.

House File 566, a bill for an act to validate all funds deposited by school corporations in banks which were not approved by the board of school directors, and to provide for the payment of such funds now on deposit in closed banks from the state sinking fund.

Read first and second times and referred to sifting committee.

House File 613, a bill for an act to repeal section eleven thousand ninety-nine-e one (11099-e1), Code, 1935, and to enact a substitute therefor, relating to the definition of a legal newspaper.

Read first and second times and referred to sifting committee.

House File 636, a bill for an act to legalize proceedings of the board of trustees of Green Bay Levee and Drainage District Number 2, in Lee county, Iowa, with respect to reconstructing and improving the drainage and levee works in said district, the levy of a supplemental and additional assessment to pay the cost thereof, and the issuance of bonds by said board in anticipation of the collection of said assessment.

Read first and second times and referred to sifting committee.

House File 642, a bill for an act to legalize a special election held in the town of Hopkinton, Iowa, on the twenty-third day of February, 1939, on the proposition of authorizing said town to construct a municipal building and contract indebtedness and issue bonds for such purpose, and levy a tax annually upon the taxable property in said town for the payment of such bonds and the interest thereon, and to legalize indebtedness incurred and taxes levied pursuant thereto, and the proceedings providing for the issuance and sale of said bonds, and to declare bonds issued pursuant to said election to be valid and enforceable obligations of said town.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Forsling, Senate File 248, a bill for an act to amend Chapter one hundred twenty-two (122), Acts of the 46th General Assembly, relating to dangerous and concealed weapons, was taken up and considered.

Senator Forsling moved that the bill be read a third 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
Bekman

Benson
Breen

Byers
Corwin

Cromwell
Dean

Doran	Gillette	Levis	Sjulin
Edwards	Guernsey	Martin	Smith
Ellis	Hart	Mighell	Talbott
Elthon	Harvey	Miller	Vrba
Faul	Hill	Mowry	Whitehill
Forsling	Hopkins	Parker	Zeigler
Geske	Kirketeg	Schadt	

Nays, none.

Absent or not voting, 15:

Baldwin	Donohue	Husted	Pelzer
Beardsley	Evans	Leo	Shaw
Berg	Henningesen	Lundy	Stewart
Dewey	Hoeven	Moore	

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

Senator Forsling 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 AMENDMENT CONSIDERED

Senator Beardsley called up for consideration Senate File 43, amended by the House, and moved that the Senate concur in the following amendment:

Amend by adding thereto, as section two (2), the following:

Sec. 2. The county board of education is hereby authorized and empowered to expend any or all of the library fund created by section forty-three hundred twenty-two (4322), Code, 1935, to be apportioned to schools that have been or may be closed hereafter for library books to be loaned to the schools of the county that remain open as directed by the county board of education. The county superintendent of schools shall be the custodian of such books and shall keep a record of them in a book provided for that purpose.

The motion prevailed and the Senate concurred in the House amendment.

THIRD READING OF BILLS

Senator Beardsley moved that Senate File 43, a bill for an act to amend section forty-three hundred twenty-three (4323), Code, 1935, relating to the distribution of books among school districts, be read a third time now, as amended, 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	Hill	Parker
Baldwin	Ellis	Hoeven	Pelzer
Beardsley	Elthon	Hopkins	Schadt
Bekman	Faul	Husted	Shaw
Benson	Forsling	Kirketeg	Sjulin
Breen	Geske	Leo	Smith
Byers	Gillette	Lundy	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Donohue	Henningsen	Mowry	Zeigler

Nays, none.

Absent or not voting, 6:

Berg	Doran	Levis	Moore
Dewey	Evans		

The bill as amended 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 Shaw, consideration of Senate File 109, a bill for an act to amend section six thousand nine hundred forty-four (6944) of the Code by adding thereto a new paragraph exempting horses and mules from taxation, was resumed.

Senator Donohue offered the following amendment and moved its adoption.

Amend by striking therefrom all of line five (5) and inserting in lieu thereof: "23. Five (5) work horses or five (5) mules."

Senator Sjulin offered the following as a substitute for the amendment by Senator Donohue and moved its adoption:

Amend by striking therefrom all of line five (5) and inserting in lieu thereof the following: "23. Six (6) horses or six (6) mules, or six (6) of both in the aggregate to each owner."

The substitution was made and the substitute amendment was adopted.

Senator Shaw offered the following amendment and moved its adoption:

Amend by inserting after the word "Code" in line two (2) of the title the figures "1935", and also amend section one (1), line two (2), by inserting after the word "Code" the figures "1935".

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend by striking the "Whereas" paragraph directly preceding the enacting clause.

By unanimous consent, Senator Elthon withdrew his amendment.

Senator Donohue moved the previous question on the main bill.

The motion prevailed.

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	Edwards	Hoeven	Parker
Baldwin	Ellis	Hopkins	Pelzer
Beardsley	Evans	Husted	Schadt
Bekman	Faul	Kirketeg	Shaw
Benson	Forsling	Leo	Sjulin
Breen	Geske	Levis	Smith
Byers	Gillette	Lundy	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Donohue	Henningsen	Mowry	Zeigler
Doran	Hill		

Nays, none.

Absent or not voting, 4:

Berg	Dewey	Elthon	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 Sjulin 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 Sjulin, Senate File 109 was messaged to the House immediately.

HOUSE AMENDMENTS CONSIDERED

Senator Faul called up for consideration Senate File 75, amended by the House, and moved that the Senate concur in the following amendments:

Amend section three (3) of Senate File 75 as follows: Insert after the

word "in" in line three the words: "the Clarence Sun," and in line four after the word "at" the words: "Clarence, Iowa"; and in line four after the word "and" the words "Plain Talk", and in line five after the word "at" the words: "Des Moines, Iowa."

The motion prevailed and the Senate concurred in the House amendments.

THIRD READING OF BILLS

Senator Faul moved that Senate File 75, a bill for an act to amend Chapters 269 and 269-A1 of the Code, 1935, and all amendments thereto, and to provide for the financing of the erection of the hospital buildings and additions thereto, by the issuance of county public hospital bonds, and to provide for an increase in the tax rate for the improvement and maintenance of county public hospitals, in counties having a population of one hundred thirty-five thousand inhabitants or over, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 46:

Augustine	Donohue	Henningsen	Mowry
Baldwin	Doran	Hill	Parker
Beardsley	Edwards	Hoeven	Schadt
Bekman	Ellis	Hopkins	Shaw
Benson	Elthon	Husted	Sjulin
Berg	Evans	Kirketeg	Smith
Breen	Faul	Leo	Stewart
Byers	Forsling	Levis	Talbott
Corwin	Geske	Martin	Vrba
Cromwell	Gillette	Mighell	Whitehill
Dean	Guernsey	Miller	Zeigler
Dewey	Hart		

Nays, none.

Absent or not voting, 4:

Harvey	Lundy	Moore	Pelzer
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The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Faul 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 AMENDMENT CONSIDERED

Senator Faul called up for consideration Senate File 124, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1) by striking from line four (4) the word and figures "August 1, 1939" and by inserting in lieu thereof the word and figures "November 1, 1939".

The motion prevailed and the Senate concurred in the House amendment.

THIRD READING OF BILLS

Senator Faul moved that Senate File 124, a bill for an act to amend section seven thousand one hundred ninety-three (7193), Code of Iowa, 1935, as to the lien of taxes when the tax sale is held under section seven thousand two hundred fifty-nine (7259) or section seven thousand two hundred sixty-two (7262), both of the Code of Iowa, 1935, and to amend section seven thousand two hundred ninety-five (7295), Code of Iowa, 1935, as to the time in which certain actions can be brought as to tax sales and deeds, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 46:

Augustine	Edwards	Hoeven	Parker
Baldwin	Ellis	Hopkins	Pelzer
Beardsley	Elthon	Husted	Schadt
Bekman	Evans	Kirketeg	Shaw
Benson	Faul	Leo	Sjulin
Berg	Forsling	Levis	Smith
Byers	Geske	Martin	Stewart
Corwin	Guernsey	Mighell	Talbott
Cromwell	Hart	Miller	Vrba
Dean	Harvey	Moore	Whitehill
Dewey	Henningsen	Mowry	Zeigler
Donohue	Hill		

Nays, none.

Absent or not voting, 4:

Breen	Doran	Gillette	Lundy
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The bill as amended having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Faul 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 AMENDMENT CONSIDERED

Senator Donohue called up for consideration Senate File 132, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1), line seventeen (17), by adding immediately following the comma (,) in said line the following: "for the use of such minor,".

The motion prevailed and the Senate concurred in the House amendment.

THIRD READING OF BILLS

Senator Donohue moved that Senate File 132, a bill for an act to amend Chapter five hundred nine (509) of the Code of Iowa, 1935, authorizing executors, administrators and trustees, under order of court to pay legacies, bequests, distributive shares or interest 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, be read a third time now, as amended, 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	Harvey	Mowry
Baldwin	Doran	Hill	Pelzer
Beardsley	Edwards	Hoeven	Schadt
Bekman	Ellis	Hopkins	Shaw
Benson	Elthon	Husted	Sjulin
Berg	Evans	Kirketeg	Smith
Byers	Forsling	Levis	Stewart
Corwin	Geske	Martin	Talbott
Cromwell	Gillette	Mighell	Vrba
Dean	Guernsey	Miller	Whitehill
Dewey	Hart	Moore	Zeigler

Nays, none.

Absent or not voting, 6:

Breen	Henningsen	Lundy	Parker
Faul	Leo		

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.

HOUSE AMENDMENTS CONSIDERED

Senator Cromwell called up for consideration Senate File 133, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section one (1), line nine (9), by inserting after the word "recorder" the following: ", or the state of Iowa in case of an old age assistance lien by service upon the superintendent of the division of old age assistance".

2. Amend by striking all of section three (3), the publication clause.

3. Amend the title by adding after the word "mortgages" in line five (5) the following: ", and on the state of Iowa in case of an old age assistance lien".

The motion prevailed and the Senate concurred in the House amendments.

THIRD READING OF BILLS

Senator Cromwell moved that Senate File 133, a bill for an act to amend section seven thousand two hundred seventy-nine (7279) and section seven thousand two hundred eighty (7280), Code of Iowa, 1935, relating to notice of expiration of right of redemption from tax sale and providing for service of such notice on mortgagees and record holders of mortgages, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 49:

Augustine	Doran	Henningsen	Mowry
Baldwin	Edwards	Hill	Parker
Beardsley	Ellis	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Benson	Evans	Husted	Shaw
Berg	Faul	Kirketeg	Sjulin
Breen	Forsling	Leo	Smith
Byers	Geske	Levis	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler
Donohue			

Nays, none.

Absent or not voting, 1:

Lundy

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

Senator Cromwell 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 INSISTS ON AMENDMENTS

Senator Forsling called up for consideration House File 327 and moved that the Senate insist on its amendments, and request a conference committee.

The motion prevailed.

SENATE FILE 304 WITHDRAWN

By unanimous consent, on request of Senator Baldwin, Senate File 304 was withdrawn from further consideration of the Senate.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Mowry, Senate File 119, a bill for an act to repeal section five thousand three hundred thirty-seven (5337), of the Code of Iowa, 1935, and to enact a substitute therefor, relating to poor tax, was taken up and considered.

Senators Levis, Forsling, Lundy and Guernsey offered the following amendment and moved its adoption:

Amend by adding thereto the following:

Sec. 2. When the revenue derived from the maximum levy for poor relief in any county is insufficient for the support of the poor, the remaining necessary funds shall be furnished by the state of Iowa from funds now or hereafter made available for that purpose.

By unanimous consent, on request of the authors, the amendment was withdrawn.

Senator Mowry offered the following amendment and moved its adoption:

Amend by inserting after the word "exceed" in line nine the word "three" and enclosing the figure 3 in parenthesis.

The amendment was adopted.

By unanimous consent, on request of Senator Mowry, the final "e" was stricken from "therefore" in line three (3) of the title.

Senator Breen offered the following amendment and moved its adoption:

Amend by striking the word and figure "three (3)" in line nine (9) and inserting in lieu thereof the word and figure "four (4)".

Senator Lundy moved that action be deferred and the bill be allowed to retain its place on the calendar.

The motion prevailed.

EXECUTIVE SESSION

On motion of Senator Donohue, the Senate resolved itself into executive session, and for the purposes of this session suspended the last paragraph of Rule 49.

The Senate confirmed the appointment of Hon. C. Fred Porter of Polk county, as state comptroller, effective at once, to serve at the pleasure of the Governor.

The Senate confirmed the appointment of Hon. Fred W. Nelson of Story county, as a member of the Iowa board of assessment and review, to succeed Hon. L. E. Roddewig, to serve for the term ending June 30, 1945.

The Senate confirmed the appointment of Hon. Chas. R. Fischer of Monona county, as Iowa commissioner of insurance, to serve for the term ending June 30, 1943.

The Senate arose from executive session and resumed regular session.

SENATE RESOLUTION 17

Whereas, It is now the 3rd day of April, 1939, and

Whereas, The General Assembly of the State of Iowa has now been in session since the 9th day of January, 1939, and

Whereas, The laws of the State of Iowa require the Governor of the state to make appointments to the Board of Assessment and Review, the Board of Control, the Board of Parole, the State Highway Commission, the Iowa Liquor Control Commission and to fill the positions of insurance commissioner and labor commissioner within sixty (60) days after the convening of the General Assembly, and

Whereas, That time is long since past, and

Whereas, (regrettable though it is) The Governor of this great state seems to have overlooked one of the major duties of his office, and

Whereas, Since the time for making such appointments is past and the Senate may no longer act upon any purported appointments of the Governor; now, therefore,

Be It Resolved by the Senate of the State of Iowa: That the President of the Senate appoint a committee of one to wait upon his Excellency, the Governor, and to notify him that under the statutes the time is past when the Senate may consider the confirmation of appointments to the Board of Assessment and Review, the Board of Control, the Board of Parole, the State Highway Commission, the Iowa Liquor Control Commission and appointments for insurance commissioner and labor commissioner; and that said committee be instructed to respectfully call the attention of the Governor to the following sections of the Code: 6943-c16, 3276, 3783, 4623, 8605, 1511, and 1921-f7.

Be It Further Resolved by the Senate of the State of Iowa: That said committee be instructed to notify his Excellency, the Governor, that since the tenth day of February the State Board of Social Welfare, as constituted by Chapter 151 of the Acts of the 47th General Assembly, has been non-existent and that such of its acts as have been performed since then have been unlawful and in direct violation of statute; further, that on February 20, 1939, House File 204 became the law of this state and that under such statute it became the duty of the Governor to appoint a full-time board of three to take over the duties of the now non-existent part-time board of social welfare; and that said committee respectfully calls the attention of his Excellency, the Governor, to lines four (4), five (5), six (6), and seven (7) of Section Four (4) of Chapter one hundred fifty-one (151) of the Acts of the 47th General Assembly of the State of Iowa.

EDWARD BREEN.
M. X. GESKE.

CONFERENCE COMMITTEE ON HOUSE FILE 327

President Hickenlooper announced that, as President of the Senate, he had appointed Senators Forsling, Byers, Baldwin, and Whitehill as members of the conference committee on the part of the Senate, on House File 327.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 288 by striking all of section two (2) and inserting in lieu thereof the following:

"This act being deemed of immediate importance shall be in full force and effect after its publication in the New Hampton Tribune, a newspaper published at New Hampton, Iowa, and the Fredericksburg News, a newspaper published at Fredericksburg, Iowa."

E. P. DONOHUE

MR. PRESIDENT: Amend Senate File 320 by striking all of section ten (10) and inserting in lieu thereof the following:

"This act being deemed of immediate importance shall be in full force and effect after its publication in the New Hampton Tribune, a newspaper published at New Hampton, Iowa, and the Nashua Reporter, a newspaper published at Nashua, Iowa."

E. P. DONOHUE

MR. PRESIDENT: Amend House File 400 as follows:

1. Amend section 11½ by striking all of lines one (1) to six (6), inclusive, and by adding in lieu thereof the following:

"In addition to the regular permits, city or town councils may issue, effective during a period from April 15th to October 1st, temporary Class "B" permits in resort cities or towns where the population, by reason of the temporary residents, is increased during the summer months. The number of additional permits shall be determined by the city or town council on the estimated increase in population during the summer months at a ratio of one temporary permit for each seven hundred and fifty (750) temporary residents."

2. Amend line six (6) of section 19 by adding the following between the comma (,) and the word "and":

"Those temporary permits issued in resort towns as herein authorized,".

3. Amend line 13 of section 19 by inserting after the word "thereafter" the following:

“, except as otherwise provided,”.

LESTER S. GILLETTE.

MR. PRESIDENT: Amend the title of Senate File 438 by striking the period (.) following the word "districts" and inserting the following: "and providing for the payment of expense of state auditors."

E. P. DONOHUE

MR. PRESIDENT: Amend Senate File 438 by adding thereto the following:

Sec. 2. That section five (5) of Senate File 2, Acts of the Forty-eighth General Assembly of Iowa is hereby amended by striking all of section five (5) and inserting in lieu thereof the following:

"Where the examination is made by the state auditor under the provisions of this chapter, each examiner shall file with the local governing body and also with the Auditor of State a detailed, itemized and sworn voucher of his per diem and expense, which expense shall not exceed the sum of three dollars (\$3.00) per day for the time such examiner is actually engaged in such examination. The said statement or voucher shall be subject to approval by such governing body and when so approved shall be forwarded to the Auditor of State. If the local governing body fails to disapprove the said statement of expense within ten days from the filing thereof the Auditor of State and State Comptroller may approve the said claim and the same shall be paid from any unappropriated funds in the state treasury."

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the New Hampton Tribune, a newspaper published at New Hampton, Iowa, and the Nashua Reporter, a newspaper published at Nashua, Iowa.

E. P. DONOHUE.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 4, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Dr. John Owen Gross, president of Simpson college, of Indianola.

The Journal of April 3d was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from citizens of Black Hawk county, favoring enactment of Senate File 305.

By Senator Corwin, from citizens of Muscatine county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Cromwell, from citizens of Des Moines county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Elthon, from citizens of Mitchell county, favoring enactment of Senate File 305.

By Senator Forsling, from citizens of Woodbury county, favoring enactment of Senate File 305.

By Senator Gillette, from citizens of Palo Alto county, favoring enactment of Senate File 227.

By Senator Gillette, from members of the Adventist Church of Ruthven, favoring enactment of the restrictive beer bill recently passed by the House.

By Senator Harvey, from citizens of Crawford county, favoring enactment of Senate File 305.

By Senator Hopkins, from citizens of Guthrie county, opposing enactment of Senate File 245.

By Senator Martin, from citizens of Scott county, favoring the elimination of Class "C" beer permits.

By Senator Martin, from citizens of Scott county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Mighell, from citizens of Plymouth county, favoring enactment of Senate File 305.

By Senator Moore, from citizens of Pottawattamie county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Moore, from citizens of Pottawattamie county, favoring enactment of Senate File 305.

By Senator Mowry, from citizens of Newton, favoring the elimination of Class "C" beer permits.

By Senator Schadt, from citizens of Johnson county, favoring the elimination of Class "C" beer permits.

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 620, a bill for an act relating to imitation butter and oleomargarine.

Also: That the House has failed to pass Senate File 105, a bill for an act relating to the supreme court of the state of Iowa.

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

Senate Concurrent Resolution 12, relating to the appointment of a committee to attend the reception to be held for Crown Prince Fredrik and Crown Princess Ingrid of Denmark, and the Speaker has appointed as such committee on the part of the House; Representatives Hoegh, Rovn, Walter, Scott of Sac and Thompson of Pocahontas.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 620, a bill for an act to repeal section three thousand ninety-three (3093), Code, 1935, and to enact a substitute therefor, relating to imitation butter and oleomargarine.

Read first and second times and referred to sifting committee.

On motion of Senator Breen, Senate Resolution 17 was taken up for consideration.

SENATE RESOLUTION 17

Whereas, It is now the 3rd day of April, 1939, and

Whereas, The General Assembly of the state of Iowa has now been in session since the 9th day of January, 1939, and

Whereas, The laws of the state of Iowa require the Governor of the state to make appointments to the Board of Assessment and Review, the Board of Control, the Board of Parole, the State Highway Commission, the Iowa Liquor Control Commission and to fill the positions of insurance commissioner and labor commissioner within sixty (60) days after the convening of the General Assembly, and

Whereas, That time is long since past, and

Whereas, (regrettable though it is) The Governor of this great state seems to have overlooked one of the major duties of his office, and

Whereas, Since the time for making such appointments is past and the Senate may no longer act upon any purported appointments of the Governor; now, therefore,

Be It Resolved by the Senate of the State of Iowa: That the President of the Senate appoint a committee of one to wait upon his Excellency, the Governor, and to notify him that under the statutes the time is past when the Senate may consider the confirmation of appointments to the Board of Assessment and Review, the Board of Control, the Board of Parole, the State Highway Commission, the Iowa Liquor Control Commission and appointments for insurance commissioner and labor commissioner; and that said committee be instructed to respectfully call the attention of the Governor to the following sections of the Code: 6943-c16, 3276, 3783, 4623, 8605, 1511, and 1921-f7.

Be It Further Resolved by the Senate of the State of Iowa: That said committee be instructed to notify his Excellency, the Governor, that since the tenth day of February the State Board of Social Welfare, as constituted by Chapter 151 of the Acts of the 47th General Assembly, has been non-existent and that such of its acts as have been performed since then have been unlawful and in direct violation of statute; further, that on February 20, 1939, House File 204 became the law of this state and that under such statute it became the duty of the Governor to appoint a full-time board of three to take over the duties of the now non-existent part-time board of social welfare; and that said committee respectfully calls the attention of his Excellency, the Governor, to lines four (4), five (5), six (6), and seven (7) of section four (4) of Chapter one hundred fifty-one (151) of the Acts of the 47th General Assembly of the state of Iowa.

Senator Elthon moved that action on the resolution be deferred.

Senator Forsling moved that the resolution be laid on the table.

Roll call was requested.

On the question "Shall the resolution be laid on the table?" the vote was:

Ayes, 36:

Beardsley	Edwards	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Byers	Faul	Kirketeg	Sjulin
Corwin	Forsling	Leo	Smith
Cromwell	Hart	Levis	Stewart
Dewey	Harvey	Martin	Talbott
Donohue	Henningsen	Mowry	Whitehill
Doran	Hill	Parker	Zeigler

Nays, 11:

Augustine	Ellis	Guernsey	Moore
Breen	Geske	Mighell	Vrba
Dean	Gillette	Miller	

Absent or not voting, 3:

Baldwin	Benson	Lundy
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The motion prevailed and the resolution was laid on the table.

Senator Doran asked unanimous consent to take up Senate File 371.

Objection was made.

CONSIDERATION OF HOUSE FILE 8 RESUMED

On motion of Senator Edwards, consideration of House File 8, a bill for an act to repeal Chapter one hundred forty-six (146), Acts of the Forty-seventh General Assembly; to repeal section fifty-four hundred fourteen (5414), Code, 1935, as amended by said Chapter one hundred forty-six (146), and to enact a substitute therefor relating to bounties on certain animals and birds, was resumed.

Senator Doran offered the following amendment and moved its adoption:

Amend section two (2) of House File 8 by striking therefrom line ten (10).

On motion of Senator Donohue, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

CONSIDERATION OF HOUSE FILE 8 RESUMED

Consideration of the amendment by Senator Doran was resumed.

The amendment was lost.

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, 45:

Augustine	Ellis	Hill	Parker
Beardsley	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Benson	Faul	Husted	Shaw
Berg	Forsling	Kirketeg	Sjulin
Breen	Geske	Leo	Smith
Corwin	Gillette	Martin	Stewart
Cromwell	Guernsey	Mighell	Talbott
Dean	Hart	Miller	Vrba
Dewey	Harvey	Moore	Whitehill
Doran	Henningsen	Mowry	Zeigler
Edwards			

Nays, none.**Absent or not voting, 5:**

Baldwin	Donohue	Levis	Lundy
Byers			

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.

THIRD READING OF BILLS

On motion of Senator Faul, House File 76, a bill for an act to amend section six thousand three (6003), Code, 1935, relating to the construction and repair of street improvements and sewers, and contracts therefor, in cases where cost of material only is to be assessed and where materials and improvements when completed must be approved and accepted by the city, was taken up and considered.

Senator Faul moved that the bill be read a third 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	Hill	Parker
Beardsley	Elthon	Hopkins	Pelzer
Bekman	Evans	Husted	Schadt
Benson	Faul	Kirketeg	Shaw
Breen	Forsling	Leo	Smith
Corwin	Geske	Martin	Stewart
Cromwell	Gillette	Mighell	Talbott
Dean	Guernsey	Miller	Vrba
Dewey	Hart	Moore	Whitehill
Doran	Harvey	Mowry	Zeigler
Edwards	Henningesen		

Nays, none.**Absent or not voting, 8:**

Baldwin	Byers	Hoeven	Lundy
Berg	Donohue	Levis	Sjulin

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

Senator Faul 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 Faul, House File 78, a bill for an act to amend the law as it appears in section seventy-one hundred thirty-four (7134), Code, 1935, relating to trials on appeals from the local board of review and the fixing of assessments and collection of court costs, fees and expenses on appeals from the local board of review, and the distribution thereof among the various taxing bodies affected by said appeals, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend House File 78 by striking therefrom all of section two (2).

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend House File 78 by inserting as section two (2) the following:

"The city solicitor shall represent the city assessor and local board of review in all litigation dealing with the assessments made by such city assessor. The county, school district or any other taxing body interested in the taxes derived from such assessments may be represented by an attorney and may be required to appear by attorney upon written request of the city solicitor to the presiding officer of any such taxing body.

And such appearance by attorney heretofore made by any taxing body are hereby authorized and legalized.”

Senator Faul offered the following amendment to the amendment and moved its adoption :

Amend by striking the last sentence.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Faul moved that the bill be read a third 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	Henningsen	Parker
Beardsley	Ellis	Hill	Pelzer
Bekman	Elthon	Hoeven	Schadt
Benson	Evans	Hopkins	Shaw
Breen	Faul	Husted	Sjulin
Corwin	Forsling	Kirketeg	Smith
Cromwell	Geske	Leo	Stewart
Dean	Gillette	Martin	Talbott
Dewey	Guernsey	Miller	Vrba
Donohue	Hart	Moore	Whitehill
Doran	Harvey	Mowry	Zeigler

Nays, none.

Absent or not voting, 6:

Baldwin	Byers	Lundy	Mighell
Berg	Levis		

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

Senator Faul offered the following amendment to the title and moved its adoption :

Amend by changing the period (.) following the word “appeals” in line seven (7) of the title to a comma (,) and adding the following: “and to provide that the city solicitor shall represent the local board of review, and that the other taxing bodies may appear by attorneys in such appeals.”

The amendment was adopted and the title as amended was agreed to.

Senator Faul 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, House File 119, a bill for an act to amend sections sixty-two (62) and three hundred two (302) of Chapter one hundred thirty-four (134) of the laws of the Forty-seventh General Assembly of the state of Iowa, relating to motor vehicles, with report of committee recommending amendment and passage, was taken up and considered.

Senator Hopkins offered the following amendment and moved its adoption:

Amend House File 119 by inserting a comma in line four (4) of section one (1), immediately before the word "an", and by inserting a comma in the same line immediately after the word "alphabetical".

The amendment was adopted.

By unanimous consent, on request of Senator Hopkins, action on House File 119 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Benson, House File 270, a bill for an act to make permanent a temporary transfer made October 10, 1938, by authority of the state comptroller of nineteen thousand dollars (\$19,000.00) from the maintenance and construction fund of Carroll county, Iowa, to the poor fund of said county, was taken up and considered.

Senator Benson moved that the bill be read a third 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	Harvey	Parker
Beardsley	Edwards	Henningesen	Pelzer
Bekman	Ellis	Hopkins	Schadt
Benson	Elthon	Husted	Shaw
Berg	Evans	Kirketeg	Sjulin
Breen	Faul	Leo	Smith
Corwin	Forsling	Martin	Stewart
Cromwell	Geske	Mighell	Talbott
Dean	Gillette	Miller	Vrba
Dewey	Guernsey	Moore	Whitehill
Donohue	Hart	Mowry	Zeigler

Nays, none.

Absent or not voting, 6:

Baldwin	Hill	Levis	Lundy
Byers	Hoeven		

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

Senator Benson 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 Harvey, House File 317, a bill for an act to amend section seventy-two hundred sixty-five (7265), Code, 1935, relating to assignments and compromise of certificates of purchase by the board of supervisors, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking from line six (6) the words "the assignment of" and inserting in lieu thereof the words: "and assign the".

The amendment was adopted.

Senator Harvey moved that the bill be read a third 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	Hill	Parker
Bekman	Ellis	Hoeven	Pelzer
Benson	Elthon	Hopkins	Schadt
Berg	Faul	Husted	Shaw
Breen	Forsling	Kirketeg	Sjulin
Corwin	Geske	Leo	Smith
Cromwell	Gillette	Martin	Stewart
Dean	Guernsey	Mighell	Talbott
Dewey	Hart	Miller	Vrba
Donohue	Harvey	Moore	Whitehill
Doran	Henningsen	Mowry	Zeigler

Nays, none.

Absent or not voting, 6:

Baldwin	Byers	Levis	Lundy
Beardsley	Evans		

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

Senator Harvey 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 Parker, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 8, by Senators Donohue and Levis,

A JOINT RESOLUTION

Joint Resolution proposing an amendment to Article IX, division 2nd, section 7, of the constitution of the state of Iowa to change the method of determining the proportion and manner of distribution of money subject to the support and maintenance of common schools.

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

Section 1. Article IX of the constitution of the state of Iowa is hereby amended by striking therefrom section 7 of division 2nd thereof and by inserting in lieu thereof the following:

“Sec. 7. The money subject to the support and maintenance of common schools shall be distributed to the districts in such proportion and in such manner as may be provided by the general assembly.”

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.

Read first and second times and referred to sifting committee.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 4, 1939, he had approved the following:

Senate File 67, amending sections seven thousand four hundred twenty-d one (7420-d1) and seven thousand four hundred twenty-d eight (7420-d8), Code of Iowa, 1935, relating to deposits.

Senate File 88, authorizing the levy of an additional tax not to exceed three-eighths of a mill by certain cities for general park purposes.

Senate File 208, relating to the management of cemeteries by municipalities and boards of trustees of cities and towns to whom the management of municipal cemeteries has been transferred by ordinance.

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 has concurred in the Senate Amendments as recommended therein and adopted amendments recommended by the said conference committee report and passed House File 114, a bill for an act to designate a farm-to-market road system.

A. C. GUSTAFSON, *Chief Clerk.*

By unanimous consent, on request of Senator Hoeven, action on House File 32 was deferred temporarily.

THIRD READING OF BILLS

On motion of Senator Hoeven, House File 217, a bill for an act to amend section three (3) of Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly, and section three (3) of Chapter one hundred ninety-eight (198), Acts of the Forty-seventh General Assembly, so as to exempt certain trade-in property and the gross receipts from the sale thereof from retail sales tax and use tax, was taken up and considered.

Senator Hoeven offered the following amendment and moved its adoption:

Amend by striking from line eleven (11) of section one (1) the word "shold" and inserting in lieu thereof the word "sold".

The amendment was adopted.

Senator Hoeven offered the following amendment and moved its adoption:

Amend by striking from line three (3) of section two (2) the figure "6" and inserting in lieu thereof the figure "5", and by striking from line five (5) the figure "7" and by inserting in lieu thereof the figure "6".

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, 46:

Augustine	Donohue	Hill	Parker
Baldwin	Edwards	Hoeven	Pelzer
Beardsley	Ellis	Hopkins	Schadt
Bekman	Elthon	Husted	Shaw
Benson	Evans	Kirketeg	Sjulin
Berg	Faul	Leo	Smith
Breen	Geske	Levis	Stewart
Byers	Gillette	Martin	Talbott
Corwin	Guernsey	Mighell	Vrba
Cromwell	Hart	Moore	Whitehill
Dean	Harvey	Mowry	Zeigler
Dewey	Henningsen		

Nays, none.**Absent or not voting, 4:**

Doran	Forsling	Lundy	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 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 Baldwin, House File 32, a bill for an act to repeal sections thirteen thousand one hundred eighty-six (13186), thirteen thousand one hundred eighty-seven (13187), and thirteen thousand one hundred eighty-eight (13188), Code, 1935, relating to the showing of prize-fight pictures, 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, 37:

Augustine	Dewey	Guernsey	Moore
Baldwin	Donohue	Hart	Parker
Beardsley	Doran	Harvey	Schadt
Benson	Edwards	Henningsen	Shaw
Berg	Ellis	Hill	Stewart
Breen	Elthon	Lundy	Talbott
Byers	Evans	Martin	Vrba
Corwin	Geske	Mighell	Whitehill
Cromwell	Gillette	Miller	Zeigler
Dean			

Nays, 5:

Faul	Husted	Mowry	Pelzer
Hopkins			

Absent or not voting, 8:

Bekman	Hoeven	Leo	Sjulin
Forsling	Kirketeg	Levis	Smith

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 Moore, House File 307, a bill for an act to authorize nonprofit corporations to contract to furnish hospital service to subscribers and to contract with hospitals to furnish hospital service; to provide for the regulation and supervision thereof; to fix and declare their rights, powers and duties; to declare such corporation to be a charitable and benevolent institution; to prescribe the powers and duties of the commissioner of insurance with reference thereto, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend by inserting in line three (3) of section eleven (11) immediately following the word "costs" the words "including salaries paid its officers, if any,".

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend section fifteen (15) by striking from line one (1) the words "subject to" and inserting in lieu thereof the words "organized under"; by striking from line three (3) the words "and all of" and inserting in lieu thereof the word "but"; and by striking from line four (4) the word "but" preceding the word "shall".

The amendment was adopted.

President pro tem Hoeven took the chair at 2:44.

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, 42:

Augustine	Berg	Cromwell	Doran
Baldwin	Breen	Dean	Edwards
Beardsley	Byers	Dewey	Ellis
Bekman	Corwin	Donohue	Elthon

Evans	Harvey	Lundy	Schadt
Faul	Hill	Mighell	Smith
Forsling	Hoeven	Miller	Stewart
Geske	Hopkins	Moore	Talbott
Gillette	Husted	Mowry	Whitehill
Guernsey	Kirketeg	Parker	Zeigler
Hart	Leo		

Nays, none.

Absent or not voting, 8:

Benson	Levis	Pelzer	Sjulin
Henningsen	Martin	Shaw	Vrba

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 Hill, House File 307 was messaged to the House immediately.

On motion of Senator Leo, House File 238, a bill for an act to amend Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, by providing for a homestead tax credit for certain Indian lands held in trust, was taken up and considered.

Senator Leo moved that the bill be read a third 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	Donohue	Henningsen	Moore
Baldwin	Doran	Hill	Mowry
Beardsley	Ellis	Hoeven	Parker
Bekman	Elthon	Hopkins	Pelzer
Benson	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Breen	Forsling	Leo	Sjulin
Byers	Geske	Lundy	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Whitehill
Dean	Hart	Miller	Zeigler
Dewey	Harvey		

Nays, none.

Absent or not voting, 4:

Edwards	Levis	Smith	Vrba
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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 Leo 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 Leo, Senate File 259, a companion bill, was withdrawn from further consideration of the Senate.

SPECIAL ORDERS

By unanimous consent, on request of Senator Forsling, Senate Files 458, 433, and 415 were made special orders of business at 10:15 a. m. Wednesday.

By unanimous consent, on request of Senator Bekman, Senate Files 475 and 476 were added as special orders at 10:15 Wednesday.

President Hickenlooper took the chair at 3:00.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 114

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned, members of the conference committee appointed to consider the differences between the House and Senate on House File 114 relating to the farm-to-market road bill, beg leave to report that we have had the same under consideration and recommend the following:

1. That the House concur in Senate amendments 1, 3, 4, 6, 7, 8, 9, 10, 11, and 12.
2. That the Senate recede from its amendments 2, 5, and 13.
3. That section thirty-three (33) of the act be amended by adding thereto the following:

"The state highway commission also shall transfer from the primary road fund to the farm-to-market road fund, on or before June 30, 1941, and on or before June 30 of each year thereafter, all moneys in excess of the sum of sixteen million dollars (\$16,000,000.00) received in the primary road fund from state sources, exclusive, however, of funds received from the sale of primary road bonds."

4. Also that section thirty-five (35) of the act be amended by striking therefrom the words, "motor vehicle license fees" and inserting in lieu thereof, "primary road fund".

DEWEY E. GOODE.

JOHN R. SHALES.

W. M. ROPES.

A. H. AVERY.

K. A. EVANS.

E. P. DONOHUE.

SANFORD ZEIGLER, JR.

On the part of the House.

On the part of the Senate.

MINORITY REPORT

MR. PRESIDENT AND MR. SPEAKER: I, the undersigned, a member of the conference committee to consider the differences between the House and Senate on House File 114 relating to the farm-to-market road bill, beg leave to submit the following minority report:

1. That the House concur in Senate Amendments 1, 3, 4, 6, 7, 8, 9, 10, 11 and 12.

2. That the Senate insist on its amendments 2, 5 and 13.

3. I do not concur in section 3 of the majority report which seeks to amend section thirty-three (33) of the act.

4. I concur in section 4 of the majority report.

CHARLES B. HOEVEN.

A member of the Joint Conference
Committee on the Part of the Senate.

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 415, 458, 433; House Files 540, 541, 542, 138, 636; Senate File 399; House Files 391, 235, 613, 245, 436 and Senate Files 303, 112 and 99.

E. P. DONOHUE, *Chairman*.

AMENDMENTS FILED

MR. PRESIDENT: Amend House File 119 by striking all of section two (2) and inserting in lieu thereof the following: "Sec. 2. Section three hundred two (302) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh (47th) General Assembly of Iowa is hereby repealed and the following is inserted in lieu thereof: All accident reports shall be in writing and the written report shall be without prejudice to the individual so reporting and shall be for the confidential use of the department, except that upon the request of any person involved in an accident, or the attorney for such person, the department shall disclose the identity of the person involved in the accident and his address."

E. P. DONOHUE.

MR. PRESIDENT: Amend Senate File 119 by striking from line nine (9) of section one (1) the word "to" and inserting "up to and including the year 1941, thereafter the maximum millage levy for such purpose shall not exceed one and one-half (1½) mills, said levy when made shall".

L. H. DORAN.

MR. PRESIDENT: Amend Senate File 321 by adding after section five (5) as sections six (6) and seven (7) the following, and by renumbering the subsequent sections:

"Sec. 6. That the law as it appears in section 16 (a) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly of Iowa be amended by changing the comma (,) following the word 'days'

in line seven (7) to a period (.) and by striking from line seven (7) the following words: 'or by both such fine and imprisonment; and'.

"Sec. 7. That the law as it appears in Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly of Iowa be amended by adding two new sections to be known as Sec. 14 (e) and Sec. 14 (f) as follows:

'Sec. 14 (e). Nonresident Employing Units. Any employing unit which is a nonresident of the state of Iowa and for which services are performed in insured work within the state of Iowa by having such services performed within the state of Iowa shall be deemed:

(1). To agree that such employing unit shall be subject to the jurisdiction of the District Court of the state of Iowa over all civil actions and proceedings against such employing unit for all purposes of this Act, and

(2). To appoint the Secretary of State of this state as its lawful attorney upon whom may be served all original notices of suit and other legal processes pertaining to such actions and proceedings,

(3). To agree that any original notice of suit or any other legal process so served upon such nonresident employing unit shall be of the same legal force and validity as if personally served on it in this state.'

Sec. 14 (f). Sections 5079-d13 to 5079-d22 inclusive, Chapter 251, Code of Iowa, 1935, shall be applicable to all civil actions and proceedings brought against any employing units under the provisions of Sec. 14 (e)."

Amend the title to Senate File 321 by changing the period (.) after the word "worker" in line six (6) to a semicolon (;) and adding the following: also Sec. 16 (a) of said Act relating to penalties for false statements; also Sec. 14 of said Act relating to collection of contributions."

E. K. BERMAN.

MR. PRESIDENT: Amend House Concurrent Resolution 15 as follows:

Strike all after paragraph two (2) and add the following in lieu thereof:

"Whereas, It is universally conceded that the demand curve for hogs is of less than unit elasticity; and because of this fact, farmers do receive more net and gross income from raising fewer hogs than before a reduction program was put into effect, and farmers do benefit from a program similar to that employed by large industrial units in this country; and

"Whereas, The World War greatly increased the demand for agricultural products, with the result that some fifty million acres of grass land was broken up and put into crop production, and, since the export demand for farm produce is vitally affected by the self-sufficiency policies adopted by the dictatorial countries with the result that this country is now capable of producing more meat, milk, lard, grain and fibre than our national income will absorb at parity price, and, since it has been clearly shown that the individual decision of 6,400,000 farmers will not solve this problem, it is clearly evident that some kind of an agricultural policy designed to protect the farmer and promote the interests of the consumer must be followed if the prosperity of the country is to be fully developed and an independent rural citizenry maintained; and

"Whereas, The federal government, in relieving distress and stimulating business revival, has been unable to limit its expenditures to its receipts, and, since the National debt is now at an all time high and rapidly approaching the staggering sum of 50 billion dollars; now, therefore,

"Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That the Congress now in session be memorialized to amend and strengthen the Soil Conservation Act by giving duly elected local committees more local responsibility in administering the act, and to further provide for the development of some longtime method of making the program self-supporting so that it will not be a continual drain upon the public treasury, and that Congress be urged to so arrange the budget of these United States to the end that the continual piling up of annual deficits shall be averted, that stability and confidence shall be given the business interests of the nation, and that the future happiness of the citizens of our country shall be preserved.

Be It Further Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That copies of this concurrent resolution be sent to the President of the United States and to the Representatives in Congress from this state, and to Senator Lynn J. Frazier and Representative William Lemke."

L. S. GILLETTE.

E. P. DONOHUE.

On motion of Senator Doran, the Senate adjourned until 9:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 5, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. A. O. Wendelburg, pastor of the First Presbyterian Church of Colfax.

The Journal of April 4th was corrected and approved.

LEAVE OF ABSENCE

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

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from citizens of Black Hawk county, favoring the elimination of Class "C" beer permits.

By Senator Cromwell, from citizens of Des Moines county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Dean, from citizens of Franklin county, favoring enactment of Senate File 305.

By Senator Doran, from patrons of the Tama Sales Barn, opposing enactment of Senate File 245 and House File 401.

By Senator Ellis, from members of the F. & B. Clippers 4-H Club of Maquoketa, requesting appropriation for a new 4-H dormitory at the Iowa state fairgrounds.

By Senator Henningsen, from citizens of Clinton county, favoring the elimination of Class "C" beer permits.

By Senator Henningsen, from citizens of Clinton county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Martin, from citizens of Scott county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Pelzer, from citizens of Cass county, favoring enactment of Senate File 305.

By Senator Hart, from citizens of Lee county, opposing the provisions of House File 400 pertaining to federal tax stamps.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

Senate File 477, a proposed bill legalizing the proceedings of the city of Chariton.

House File 425, a proposed bill legalizing the action of the county treasurer of Worth county.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 479, 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, 1939, and ending June 30, 1941, 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.

Senate File 480, by committee on claims, a bill for an act to make appropriations to Hurwich Furniture Company, Monona County Achievement Show, Cass County Farm Improvement Association, C. B. Schager, M. W. Baier, Wm. M. Whisler, David Swanson, J. O. Westrum and Dr. R. W. Jackson.

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 appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the state highway commission or its employees.

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

Senate File 482, by committee on claims, a bill for an act to make appropriations to certain named persons to cover refunds on motor vehicle registration fees.

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

Senate File 483, by committee on claims, a bill for an act to make appropriations to Louisa County, Iowa, Floyd Brackney, Frank M. Burnell, The Independent School District of Stanton, Iowa, Fred Fredericks, George Howland, E. S. MacCartney, H. A. Reimer, and City of Bedford, Iowa.

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

Senate File 484, by committee on appropriations, a bill for an act to appropriate the sum of one thousand two hundred fifty-eight dollars and twenty cents (\$1,258.20) to Paul Kordick of the Western State Sales Company, in payment of the loud speaker system installed in the Senate.

Read first and second times and placed on the calendar.

Senate File 485, by committee on claims, a bill for an act to make an appropriation to Greene County Fair Association.

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

RESIGNATION

I hereby tender my resignation as cloakroom attendant, effective April 4, 1939, and express my sincere appreciation of the courtesies shown me in the past by the members of the Senate.

HENRY LEWIS.

The resignation was accepted.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS ON HOUSE FILE 114

On motion of Senator Evans, the majority and minority reports of the conference committee on House File 114 were accepted as follows:

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 114

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned, members of the conference committee appointed to consider the differences between the House and Senate on House File 114 relating to the farm-to-market road bill, beg leave to report that we have had the same under consideration and recommend the following:

1. That the House concur in Senate amendments 1, 3, 4, 6, 7, 8, 9, 10, 11, and 12.

2. That the Senate recede from its amendments 2, 5, and 13.

3. That section thirty-three (33) of the act be amended by adding thereto the following:

"The state highway commission also shall transfer from the primary road fund to the farm-to-market road fund, on or before June 30, 1941, and on or before June 30 of each year thereafter, all moneys in excess of the sum of sixteen million dollars (\$16,000,000.00) received in the primary road fund from state sources, exclusive, however, of funds received from the sale of primary road bonds."

4. Also that section thirty-five (35) of the act be amended by striking therefrom the words, "motor vehicle license fees" and inserting in lieu thereof, "primary road fund".

DEWEY E. GOODE.

JOHN R. SHALES.

W. M. ROPES.

A. H. AVERY.

On the part of the House.

K. A. EVANS.

E. P. DONOHUE.

SANFORD ZEIGLER, JR.

On the part of the Senate.

MINORITY REPORT

MR. PRESIDENT AND MR. SPEAKER: I, the undersigned, a member of the conference committee to consider the differences between the House and Senate on House File 114 relating to the farm-to-market road bill, beg leave to submit the following minority report:

1. That the House concur in Senate amendments 1, 3, 4, 6, 7, 8, 9, 10, 11 and 12.

2. That the Senate insist on its amendments 2, 5 and 13.

3. I do not concur in section 3 of the majority report which seeks to amend section thirty-three (33) of the act.

4. I concur in section 4 of the majority report.

CHARLES B. HOEVEN.

A member of the Joint Conference
Committee on the Part of the Senate.

Senator Evans moved the adoption of the majority report of the conference committee, and the concurrence in and adoption of the amendments and recommendations proposed therein.

Senator Zeigler moved the previous question.

The motion prevailed.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the majority report be adopted and the Senate concur in and adopt the amendments and recommendations proposed therein?" the vote was:

Ayes, 30:

Beardsley	Edwards	Husted	Pelzer
Bekman	Evans	Kirketeg	Schadt
Berg	Faul	Leo	Sjulin
Byers	Hart	Levis	Stewart
Corwin	Harvey	Lundy	Talbott
Cromwell	Henningsen	Martin	Whitehill
Dewey	Hill	Mowry	Zeigler
Donohue	Hopkins		

Nays, 18:

Augustine	Doran	Gillette	Miller
Baldwin	Ellis	Guernsey	Moore
Benson	Elthon	Hoeven	Shaw
Breen	Forsling	Mighell	Vrba
Dean	Geske		

Absent or not voting, 2:

Parker	Smith
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The majority report was adopted and the Senate concurred in and adopted the amendments and recommendations proposed therein.

THIRD READING OF BILLS

Senator Evans moved that House File 114, 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 provide for certain transfer of funds from the primary road fund to the farm-to-market road fund; 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; and to amend section one hundred seventy-five (175), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, and section forty-seven hundred fifty-five-b three (4755-b3),

Code, 1935, as amended by the conference committee report, be read a third 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	Pelzer
Beardsley	Elthon	Kirketeg	Schadt
Bekman	Evans	Leo	Sjulin
Berg	Faul	Levis	Stewart
Byers	Hart	Lundy	Talbott
Corwin	Harvey	Martin	Vrba
Cromwell	Henningsen	Moore	Whitehill
Dewey	Hill	Mowry	Zeigler
Donohue	Hopkins		

Nays, 14:

Baldwin	Doran	Gillette	Mighell
Benson	Ellis	Guernsey	Miller
Breen	Forsling	Hoeven	Shaw
Dean	Geske		

Absent or not voting, 2:

Parker	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.

By unanimous consent, on request of Senator Levis, Senate File 477, a bill for an act to legalize the proceedings of the city of Chariton, Iowa, relating to the water works improvement, the extension of water mains and the erection of a water tank, commonly known as P. W. A. project No. Iowa-1689-F, and the contracts made for such project, 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, 44:

Augustine	Breen	Doran	Gillette
Baldwin	Byers	Edwards	Guernsey
Beardsley	Corwin	Ellis	Hart
Bekman	Cromwell	Elthon	Harvey
Benson	Dean	Forsling	Henningsen
Berg	Dewey	Geske	Hill

Hoeven	Levis	Moore	Sjulin
Hopkins	Lundy	Mowry	Stewart
Husted	Martin	Pelzer	Talbott
Kirketeg	Mighell	Schadt	Vrba
Leo	Miller	Shaw	Zeigler

Nays, none.

Absent or not voting, 6:

Donohue	Faul	Smith	Whitehill
Evans	Parker		

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.

By unanimous consent, on request of Senator Levis, Senate File 477 was messaged to the House immediately.

By unanimous consent, Senator Levis introduced members of the junior college of Chariton.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 486, by committee on conservation, a bill for an act to make an appropriation for the use of the state conservation commission.

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

EXECUTIVE SESSION

On motion of Senator Elthon, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

RECOMMENDATION OF SIFTING COMMITTEE

MR. PRESIDENT: We, the undersigned, members of the sifting committee, recommend that the following bills, which we consider to be of

a non-controversial character, be taken up at the first opportunity and considered by the Senate:

Senate File 89; House Files 296, 442, 603, and 623; and Senate Files 423, 377, 298, 405, 434, 435, 438, 15, 327, 414, 320, 322, 181, 356, 266, 439, 441, 443, 436, 323, and 288.

E. P. DONOHUE, *Chairman*.
G. R. HILL.
K. A. EVANS.
CARL O. SJULIN.
H. V. LEVIS.

E. P. CORWIN.
H. C. BALDWIN.
SANFORD ZEIGLER, JR.
L. S. GILLETTE.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 119 by adding to section one (1) the following:

"Before any such levy is made in excess of one and one-half (1½) mills, a completely itemized statement of expenditures contemplated by such county shall be submitted to the state comptroller for his approval, and no levy in excess of one and one-half (1½) mills shall be made unless so approved by him and only for the years 1939 and 1940 which are collectible in the ensuing years."

GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 334 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Sections eighty-seven hundred eighty-five (8785), eighty-seven hundred eighty-six (8786), eighty-seven hundred eighty-seven (8787), eighty-seven hundred eighty-eight (8788), eighty-seven hundred eighty-nine (8789), and eighty-eight hundred twenty-one (8821), Code, 1935, are hereby repealed and the following enacted in lieu thereof:

'Qualifications for Membership. Any fraternal beneficiary society or association authorized to do business as such in this state may admit to beneficial membership any person not less than fifteen (15) and not more than sixty-five (65) years of age at nearest birthday, who has been examined by a legally qualified physician, and whose examination has been supervised and approved in accordance with the laws of the society, or who has made declaration of insurability acceptable to the society, and any person so admitted prior to attaining the full age of twenty-one (21) years shall be bound by the terms of his or her application and certificate, and by all the laws, rules, and regulations of the society, and shall be entitled to all the rights and privileges of membership therein, as fully and to the same extent as though he or she were not a minor at the time of applying for such beneficial membership; provided, that any beneficial member of a society who shall apply for additional benefits more than six months after becoming a beneficial member shall pass an additional medical examination or make an additional declaration of insurability, as required by the society, provided, however, that a declaration of insurability may be accepted only in cases, (a) of an applicant under forty-five (45) years of age and for insurance not to exceed two thousand dollars (\$2,000.00), and, (b) of insurance on the lives of children under fifteen (15) years of age. Nothing herein con-

tained shall prevent such society from accepting general or social members to whom no certificates of insurance in any form shall be issued and who shall have no voice or vote in the management of the insurance affairs of the society, nor from issuing juvenile certificates on the lives of children under the age of fifteen (15) years.

Beneficiaries. No beneficiary shall have or obtain any vested interest in the proceeds of any certificate until such certificate has become due and payable in conformity with the provisions of the insurance contract. The insured member shall have the right at all times to change the beneficiary or beneficiaries in accordance with the constitution, by-laws, rules or regulations of the society. Every society may, by its constitution, by-laws, rules or regulations, limit the scope of beneficiaries.'

Sec. 2. Sections eighty-eight hundred forty-three (8843), eighty-eight hundred forty-six (8846) and eighty-eight hundred forty-seven (8847), Code, 1935, are hereby repealed."

Further amend Senate File 334 by striking the following: "to amend Chapter four hundred two (402), Code of 1935, by amending section eighty-seven hundred eighty-one (8781) relating to benefits provided in certificates of membership issued by fraternal beneficiary associations, by adding thereto provisions for endowment and annuity benefits;" from lines one (1), two (2), three (3), four (4), five (5) and six (6) of the title.

Further amend the title to Senate File 334 by inserting immediately following the comma (,) after the figures "(8821)" in line ten (10), the following: "Code, 1935,".

Also amend the title by inserting immediately following the figures "(8847)" in line seventeen (17) the following: ", Code, 1935,".

GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 388 by inserting after the comma following the word "proceedings," in line 5, the following: "including a summary of all".

H. C. BALDWIN.

MR. PRESIDENT: Amend Senate File 433 by striking all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Section thirty-seven hundred eighty-two (3782), Code, 1935, is hereby repealed and the following enacted as a substitute therefor:

"The board of parole shall consist of two electors of the state and the attorney general as ex-officio member. Not more than one of the appointive members shall belong to the same political party, neither of whom shall be a practicing attorney, and who shall devote their entire time to the duties of their office. Each appointive member shall serve for four (4) years from July first of the year of his appointment, except an appointee to fill a vacancy, who shall serve for the balance of the unexpired term, and except the first appointee hereunder who shall serve until July 1, 1941. The chairman of the board shall be the appointive member whose term first expires. The attorney general shall first become

a member of this board on the effective date of this act. This act shall not affect the term of any member of the board whose appointment has heretofore been approved by the Senate.

"Sec. 2. This act being deemed of immediate importance, shall be in full force and effect after its publication in *The Guthrian*, a newspaper published at Guthrie Center, Iowa, and the *Clarksville Star*, a newspaper published at Clarksville, Iowa.'"

E. K. BEKMAN.

L. B. FORSLING.

MR. PRESIDENT: Amend House File 235 by striking from line eighteen (18) the words "at least".

Further amend by striking from line twenty-eight (28) the words "division's liability" and inserting in lieu thereof the words "equivalent of the division's maximum liability".

Further amend by inserting as a last paragraph the following:

"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."

E. K. BEKMAN.

MR. PRESIDENT: Amend Senate File 451 by striking from line three (3) of section one (1) the following: "State College of Agriculture and Mechanic Arts," and inserting in lieu thereof "city of".

Further amend Senate File 451 by striking from line seven (7) of section one (1) the following:

"at said institution", and inserting in lieu thereof, "on property of the State College of Agriculture and Mechanic Arts".

FRED CROMWELL.

On motion of Senator Parker, the Senate adjourned until 9:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 6, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Benjamin J. Trickey, pastor of the First Congregational Church of Marshalltown.

The Journal of April 5th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Smith for the day, on account of illness, on request of Senator Geske.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Benson, from citizens of Carroll county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Guernsey, from citizens of Appanoose county, favoring enactment of Senate File 305.

By Senator Henningsen, from citizens of Clinton county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Martin, from citizens of Scott county, favoring the elimination of Class "C" beer permits.

By Senator Martin, from citizens of Scott county, opposing the provisions of House File 400 pertaining to federal tax stamps.

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 217, a bill for an act to exempt certain trade-in property from retail sales tax and use tax.

Also: That the House has concurred in Senate amendments to and

passed House File 307, a bill for an act relating to hospital service to subscribers.

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

House File 425, a bill for an act to legalize certain action of the county treasurer of Worth county.

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

House File 614, a bill for an act relating to the possession of certain devices commonly known as pin ball or marble machines.

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

House File 619, a bill for an act relating to state aid for agricultural societies and for short-courses in agriculture.

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

House File 628, a bill for an act relating to old age assistance.

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

House Concurrent Resolution 20, providing for the appointment of a committee to urge the use of Iowa coal.

Also: That the House has adopted the conference committee report and has receded from certain amendments and concurred in certain other amendments both as recommended in said conference committee report and has passed Senate File 379, a bill for an act creating a department of public safety.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 20

Whereas, The coal industry is the second largest industry of Iowa; and

Whereas, The industry is able to produce in excess of ten million tons, annually, but because of adverse conditions it is only producing four million tons; and

Whereas, The stability of the Iowa coal industry will greatly increase the employment of labor, aid in stabilizing agricultural products, decrease the roll of unemployed and aid in bringing prosperity to all the people of Iowa; and

Whereas, The stabilization of the Iowa coal industry can be accomplished by all industries in Iowa using Iowa coal for the generation of heat, steam, power and electricity;

Therefore Be It Resolved by the House, the Senate Concurring: That a committee of two members of the House, appointed by the Speaker, two members of the Senate, appointed by the President of the Senate, and a representative of the Governor appointed by the Governor, be appointed to contact all major industries including railroads and public utilities operating in Iowa, urging them to use Iowa coal. The said committee shall serve without expense to the state.

CONSIDERATION OF HOUSE FILE 119 RESUMED

On motion of Senator Hopkins, consideration of House File 119, a bill for an act to amend sections sixty-two (62) and three hundred two (302) of Chapter one hundred thirty-four (134) of the Laws of the Forty-seventh General Assembly of the State of Iowa, relating to motor vehicles, was resumed.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking all of section two (2) and inserting in lieu thereof the following: "Sec. 2. Section three hundred two (302) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh (47th) General Assembly of Iowa is hereby repealed and the following is inserted in lieu thereof: All accident reports shall be in writing and the written report shall be without prejudice to the individual so reporting and shall be for the confidential use of the department, except that upon the request of any person involved in an accident, or the attorney for such person, the department shall disclose the identity of the person involved in the accident and his address."

By unanimous consent, on request of Senator Doran, action on House File 119 was temporarily deferred.

THIRD READING OF BILLS

On motion of Senator Hopkins, House File 296, a bill for an act legalizing the acts of the town council, officers and agents of the town of Adel, Iowa, in constructing a swimming pool, 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, 37:

Augustine	Faul	Husted	Parker
Berg	Geske	Kirketeg	Pelzer
Breen	Gillette	Leo	Schadt
Byers	Guernsey	Levis	Shaw
Corwin	Harvey	Martin	Sjulin
Cromwell	Henningsen	Mighell	Stewart
Dean	Hill	Miller	Talbott
Dewey	Hoeven	Moore	Vrba
Edwards	Hopkins	Mowry	Whitehill
Ellis			

Nays, none.

Absent or not voting, 13:

Baldwin	Donohue	Evans	Lundy
Beardsley	Doran	Forsling	Smith
Bekman	Elthon	Hart	Zeigler
Benson			

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 motion of Senator Gillette, House File 442, a bill for an act to legalize proceedings and the issuance of warrants by the town council of the incorporated town of West Okoboji, was taken up and considered.

Senator Gillette offered the following amendment and moved its adoption:

Amend by striking all of section one (1) and substituting in lieu thereof the following:

"Section 1. The proceedings heretofore taken by the town council of the incorporated town of West Okoboji, Dickinson county, Iowa, whereby on October 11, 1936, they issued warrant number 906 for \$500.00 and on October 27, 1936, they issued warrant number 927 for \$500.00 are hereby declared to be legally sufficient, and said warrants are declared to be as valid as if every provision of law had been complied with, by said council, in the issuance of said warrants."

The amendment was 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, 37:

Augustine	Faul	Hopkins	Parker
Berg	Geske	Kirketeg	Pelzer
Breen	Gillette	Leo	Schadt
Byers	Guernsey	Levis	Shaw
Corwin	Hart	Martin	Sjulin
Cromwell	Harvey	Mighell	Stewart
Dean	Henningsen	Miller	Talbott
Dewey	Hill	Moore	Vrba
Edwards	Hoeven	Mowry	Whitehill
Ellis			

Nays, none.

Absent or not voting, 13:

Baldwin	Donohue	Evans	Lundy
Beardsley	Doran	Forsling	Smith
Bekman	Elthon	Husted	Zeigler
Benson			

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 Gillette, Senate File 255, a bill for an act to provide for control and eradication of Bang's disease in cattle, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Gillette offered the following amendments and moved their adoption:

Amend as follows:

1. Amend by adding immediately following line 11 of section 19 the following:

"No indemnity shall be paid:

- (a) On animals diseased at the time of arrival in this state.
- (b) On animals which the owner or claimant knew to be diseased, or had notice thereof at the time they came into his possession.
- (c) Whenever the owner or agent in possession of said animal has not complied with the rules and regulations of the department.
- (d) When the condemned animals are not destroyed within thirty (30) days after date of appraisal."

2. Amend section 12 by striking the word "it" in line four (4) thereof, and inserting in lieu thereof the words "such cattle".

The amendments were adopted.

Senator Zeigler offered the following amendment and moved its adoption:

Amend by striking from section twenty (20), lines three (3) and four (4), the following:

"two hundred twenty-five thousand dollars (\$225,000.00)" and by inserting in lieu thereof:

"one hundred seventy-five thousand dollars (\$175,000.00)".

The amendment was adopted.

By unanimous consent, on request of Senator Gillette, the word "it" was stricken from line four (4) of section twelve (12), immediately following the comma, and the words "said cattle" inserted in lieu thereof.

Senator Gillette offered the following amendment and moved its adoption:

Amend line four (4) of section fourteen (14) by striking the word and figures "fifteen (15)" and inserting in lieu thereof the word and figures "thirty (30)".

The amendment was adopted.

President pro tem Hoeven took the chair at 9:30.

President Hickenlooper took the chair at 9:35.

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	Edwards	Hoeven	Mowry
Baldwin	Ellis	Hopkins	Parker
Berg	Faul	Husted	Pelzer
Breen	Geske	Kirketeg	Schadt
Byers	Gillette	Leo	Shaw
Corwin	Guernsey	Levis	Sjulin
Cromwell	Hart	Martin	Stewart
Dean	Harvey	Mighell	Talbott
Dewey	Henningsen	Miller	Vrba
Donohue	Hill	Moore	Whitehill
Doran			

Nays, none.

Absent or not voting, 9:

Beardsley	Elthon	Forsling	Smith
Bekman	Evans	Lundy	Zeigler
Benson			

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.

By unanimous consent, on request of Senator Hoeven, action on Senate File 227 was deferred and the bill allowed to retain its place on the calendar as unfinished business.

CONSIDERATION OF HOUSE FILE 119 RESUMED

Consideration of the amendment by Senator Donohue was resumed.

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend by adding the following:

"A written report filed with the department shall not be admissible in or used in evidence in any civil case arising out of the facts on which the report is based."

The amendment to the amendment was adopted.

The amendment as amended was 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, 45:

Augustine	Doran	Henningsen	Moore
Baldwin	Edwards	Hill	Mowry
Beardsley	Ellis	Hoeven	Parker
Benson	Evans	Hopkins	Pelzer
Berg	Faul	Husted	Schadt
Breen	Forsling	Kirketeg	Shaw
Byers	Geske	Leo	Sjulin
Corwin	Gillette	Levis	Stewart
Cromwell	Guernsey	Martin	Talbott
Dean	Hart	Mighell	Vrba
Dewey	Harvey	Miller	Whitehill
Donohue			

Nays, none.

Absent or not voting, 5:

Bekman	Lundy	Smith	Zeigler
Elthon			

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.

The time having arrived for the special orders of business, Senate File 458, a bill for an act to repeal standing appropriation provisions in Code sections of the Code, 1935, for the state banking department and state banking board as follows: Sections ninety-one hundred thirty-six (9136), ninety-one hundred thirty-seven (9137), ninety-one hundred forty-three (9143), ninety-one hundred forty-four (9144), ninety-one hundred forty-five (9145), ninety-one hundred forty-nine (9149), ninety-one hundred fifty

(9150) and ninety-one hundred fifty-four-a five (9154-a5) relating to banking and the banking department, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend by striking section two (2), and renumbering the remaining sections.

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend by adding as section two (2) the following:

Section ninety-one hundred thirty-seven (9137), Code, 1935, is hereby amended by inserting after the word "board," in line four (4) thereof the following:

"subject to the approval of the state comptroller."

The amendment was adopted.

Senator Forsling 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, 17:

Benson	Forsling	Kirketeg	Mowry
Corwin	Hill	Levis	Sjulin
Dewey	Hoeven	Martin	Talbott
Donohue	Husted	Mighell	Zeigler
Doran			

Nays, 30:

Augustine	Dean	Harvey	Parker
Baldwin	Edwards	Henningsen	Pelzer
Beardsley	Ellis	Hopkins	Schadt
Bekman	Evans	Leo	Shaw
Berg	Faul	Lundy	Stewart
Breen	Geske	Miller	Vrba
Byers	Guernsey	Moore	Whitehill
Cromwell	Hart		

Absent or not voting, 3:

Elthon	Gillette	Smith
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

MOTION TO RECONSIDER SENATE FILE 458

MR. PRESIDENT: I move to reconsider the vote by which Senate File 458 failed to pass the Senate.

J. BERG.

On motion of Senator Forsling, Senate File 433, a bill for an act repealing section thirty-seven hundred eighty-two (3782), Code, 1935, and enacting a substitute therefor, making the attorney general a member of the board of parole, was taken up and considered.

Senators Bekman and Forsling offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Section thirty-seven hundred eighty-two (3782), Code, 1935, is hereby repealed and the following enacted as a substitute therefor:

"The board of parole shall consist of two electors of the state and the attorney general as ex-officio member. Not more than one of the appointive members shall belong to the same political party, neither of whom shall be a practicing attorney, and who shall devote their entire time to the duties of their office. Each appointive member shall serve for four (4) years from July first of the year of his appointment, except an appointee to fill a vacancy, who shall serve for the balance of the unexpired term, and except the first appointee hereunder who shall serve until July 1, 1941. The chairman of the board shall be the appointive member whose term first expires. The attorney general shall first become a member of this board on the effective date of this act. This act shall not affect the term of any member of the board whose appointment has heretofore been approved by the Senate.

"Sec. 2. This act being deemed of immediate importance, shall be in full force and effect after its publication in The Guthrian, a newspaper published at Guthrie Center, Iowa, and the Clarksville Star, a newspaper published at Clarksville, Iowa.' "

President pro tem Hoeven took the chair at 11:06.

Senator Baldwin moved that the bill and all pending amendments be laid on the table.

By unanimous consent, Senator Baldwin withdrew his motion.

Senator Baldwin moved the previous question.

The motion prevailed.

Senator Bekman offered the following amendment to the amendment and moved its adoption:

Amend by adding at the end of section one (1) thereof the following:
"The attorney general shall receive no additional salary as a member of the board of parole."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Forsling offered the following amendment:

Amend by striking from line four (4) the word and figure "three (3)", and inserting in lieu thereof the word "two"; also by inserting the word "appointive" after the word "each" in line eight (8) and before the word "member" in line eleven (11).

By unanimous consent, Senator Forsling withdrew his amendment.

Senator Bekman 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.

Senator Faul asked unanimous consent that Senator Husted be excused from voting because of personal interest.

Objection was made.

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

Ayes, 10:

Bekman	Dean	Hill	Leo
Benson	Forsling	Hopkins	Zeigler
Byers	Gillette		

Nays, 86:

Augustine	Doran	Hoeven	Mowry
Baldwin	Edwards	Husted	Parker
Beardsley	Ellis	Kirketeg	Pelzer
Berg	Faul	Levis	Schadt
Breen	Geske	Lundy	Shaw
Corwin	Guernsey	Martin	Stewart
Cromwell	Hart	Mighell	Talbott
Dewey	Harvey	Miller	Vrba
Donohue	Henningsen	Moore	Whitehill

Absent or not voting, 4:

Elthon	Evans	Sjulin	Smith
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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

By unanimous consent, Senator Dean introduced Mr. Harvey and his class from the Britt High School.

President Hickenlooper took the chair at 11:45.

Senator Baldwin moved that the vote by which Senate File 458 failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

President Hickenlooper held that the motion by Senator Baldwin was out of order because a motion by Senator Berg to reconsider the vote had previously been filed.

Senator Doran moved that the Senate recess until 1:15 p. m.

Senator Faul offered as a substitute that the Senate recess until 1:30 p. m.

The substitution was made, the substitute motion prevailed, and the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 487, by committee on insurance, a bill for an act to amend section eighty-seven hundred eighty-five (8785), Code, 1935, relating to beneficiaries of fraternal insurance.

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 House has concurred in Senate amendments to and passed House File 78, a bill for an act relating to trials on appeals from the local board of review.

Also: That the House has concurred in Senate amendments to and passed House File 317, a bill for an act relating to assignments and compromise of certificates of purchase by the board of supervisors.

Also: That the House has concurred in Senate amendments to and passed House File 442, a bill for an act to legalize proceedings and the issuance of warrants by the town council of the incorporated town of West Okoboji.

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

House File 236, a bill for an act relating to officers in cities and towns.

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

House File 376, a bill for an act relating to payment for care and maintenance of veterans' graves.

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

House File 622, a bill for an act relating to trapping of fur-bearing animals.

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

Senate File 202, a bill for an act relating to refund of taxes paid upon purchases of motor vehicle fuel.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 366, a bill for an act providing for the payment of certain taxes in installments.

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

Senate File 397, a bill for an act relating to the disposal of personal property by the executive council.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 400, a bill for an act relating to powers and duties of superintendents of institutions operated under the board of control.

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

Senate File 403, a bill for an act relating to officers entitled to supplies.
A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 366

(1) Amend section one (1) as follows:

(a) By inserting in line three (3) after the word "it" the following: "and on which a tax deed has not been issued to said county".

(b) By striking from lines eight (8) and nine (9) the following: "under section seventy-two hundred fifty-five-b one (7255-b1)".

(c) By inserting in line ten (10) after the word "it" the following: "and on which a tax deed has not been issued to said county".

(d) By striking from line twelve (12) the word "or" following the word "auditor" and inserting in lieu thereof the word "of".

(e) By inserting in line forty-one (41) after the word "it" the following: "and on which a tax deed has not been issued to said county".

(2) Amend section four (4) by striking from line four (4) the following: "and/or section six (6)".

(3) Amend by striking all of section six (6) thereof and renumbering the remaining sections in numerical order.

(4) Amend section eight (8) as follows:

(a) By striking from lines ten (10) and eleven (11) the following: "under section seventy-two hundred fifty-five-b one (7255-b1)".

(b) By inserting in line eleven (11) after the word "it" the following: "and on which a tax deed has not been issued to said county".

(5) Amend the title by striking from lines five (5) and six (6) the following: "under the provisions of section seventy-two hundred fifty-five-b one (7255-b1)".

Further amend the title by inserting in line seven (7) after the word "county" the following: "and on which a tax deed has not been issued to said county".

HOUSE AMENDMENTS TO SENATE FILE 400

(1) Amend section sixteen (16) as follows:

(a) Amend line one (1) by striking the word "shall" and inserting in lieu thereof the word "may".

(b) Amend line five (5) by striking the word "no" and inserting in lieu thereof the word "nor".

(c) Amend by inserting in line ten (10) after the word "control" the following: ", which salary and compensation shall not exceed the sum of eighteen hundred dollars (\$1,800) in cash and six hundred dollars (\$600) in value of support and maintenance furnished,".

(2) Amend by striking all of section nineteen (19).

(3) Amend section eighteen (18), subsection five (5), by striking the word "oral" in the sixth line of said subsection and inserting in lieu thereof the word "moral".

(4) Amend the title as follows:

(a) Amend by inserting after the comma at the end of line three (3) the following: "as amended by Chapter one hundred sixteen (116), Acts of the Forty-seventh General Assembly,".

(b) Amend by striking from lines eighteen (18), nineteen (19), and twenty (20) the following: "providing for the appointment of a farm manager for all state institutions under the supervision of the board of control;".

HOUSE MESSAGES CONSIDERED

House File 425, a bill for an act to legalize the action of the county treasurer of Worth County, Iowa, in making payment from the general fund of said county of the sum of twenty-eight hundred twenty-five and 75/100 dollars (\$2,825.75) for the purpose of retiring certain bonds and coupons issued by and against drainage district number 40 of Worth County, Iowa.

Read first and second times and referred to sifting committee.

House File 614, a bill for an act to amend section thirteen thousand two hundred ten (13210), Code of Iowa, 1935, and section two (2) of Chapter two hundred thirty-one (231), Acts of the 47th General Assembly, relating to the possession of gambling

devices; and to amend Chapter one hundred sixty-four (164), Code, 1935, relating to the licensing by the department of agriculture of pin ball and marble devices, providing for the disposition of license fees, and providing for penalties for the violation of the provisions hereof.

Read first and second times and referred to sifting committee.

House File 619, a bill for an act to amend section twenty-eight hundred ninety-four (2894), Code, 1935, and Chapter one hundred thirty-six (136), Code, 1935, relating to fairs and agricultural societies, and to repeal sections twenty-nine hundred two-d one (2902-d1), twenty-nine hundred twenty-one (2921), twenty-nine hundred twenty-two (2922), and twenty-nine hundred twenty-three (2923), Code, 1935, relating to state aid for agricultural societies and for short courses in agriculture.

Read first and second times and referred to sifting committee.

House File 628, a bill for an act to repeal section fifty-two hundred ninety-six-f ten (5296-f10), Code, 1935, as amended by section seven (7) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, and to enact a substitute in lieu thereof; to amend sections fifty-two hundred ninety-six-f twelve (5296-f12), fifty-two hundred ninety-six-f twenty-three (5296-f23), fifty-two hundred ninety-six-f twenty-seven (5296-f27), fifty-two hundred ninety-six-f thirty-four (5296-f34), fifty-two hundred ninety-six-f forty (5296-f40), Code, 1935; to amend sections three (3), eight (8), nine (9), fourteen-a (14a), fifteen (15), twenty-five (25), twenty-eight (28), thirty-three (33), and thirty-seven (37) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, and section one (1) of Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly; and to further amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding new sections; relating to old age assistance, the amount thereof, and to whom granted; the liability of certain persons for support of a claimant or recipient of old age assistance; to the construction of the law governing old age assistance payments; to unredeemed warrants; to marking endorsements by use of fingerprints; to the powers and duties of the state board of social welfare and the duties of the county at-

torney ; and to the amount of funds allocated to the payment of old age assistance.

Read first and second times and referred to sifting committee.

House File 236, a bill for an act amending section fifty-six hundred thirty-two (5632), Code, 1935, relating to officers in cities and towns.

Read first and second times and referred to, sifting committee.

House File 376, a bill for an act to amend section fifty-three hundred ninety-six-a one, (5396-a1), Code, 1935, relating to payment for care and maintenance of veterans graves.

Read first and second times and referred to sifting committee.

House File 622, a bill for an act to amend section seventy-six (76) of Chapter ninety-nine (99), Laws of the Forty-seventh General Assembly, relating to trapping of fur-bearing animals.

Read first and second times and referred to sifting committee.

By unanimous consent, on request of Senator Forsling, action on Senate File 415 was deferred and the bill allowed to retain its place on the calendar as a special order.

THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 475, a bill for an act to amend section six (6), Chapter one hundred fifty-one (151), Acts of the Forty-seventh General Assembly, relating to powers and duties of the state board of social welfare, was taken up and considered.

Senator Bekman moved that the bill be read a third 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	Dean	Forsling	Hopkins
Baldwin	Dewey	Geske	Husted
Beardsley	Donohue	Gillette	Kirketeg
Bekman	Doran	Guernsey	Leo
Berg	Edwards	Hart	Levis
Breen	Ellis	Harvey	Lundy
Byers	Elthon	Henningsen	Martin
Corwin	Evans	Hill	Mighell
Cromwell	Faul	Hoeven	Moore

Mowry	Schadt	Stewart	Whitehill
Parker	Shaw	Talbott	Zeigler
Pelzer	Sjulin	Vrba	

Nays, none.

Absent or not voting, 3:

Benson	Miller	Smith
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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 Bekman 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 Bekman, Senate File 476, a bill for an act to provide for the administration of funds made available to the counties for emergency relief, was taken up and considered.

Senator Bekman moved that the bill be read a third 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	Harvey	Miller
Baldwin	Doran	Henningsen	Moore
Bekman	Edwards	Hill	Mowry
Benson	Elthon	Hoeven	Schadt
Berg	Evans	Hopkins	Shaw
Breen	Faul	Husted	Sjulin
Byers	Forsling	Kirketeg	Stewart
Corwin	Geske	Leo	Talbott
Cromwell	Gillette	Levis	Vrba
Dean	Guernsey	Martin	Whitehill
Dewey	Hart	Mighell	Zeigler

Nays, none.

Absent or not voting, 6:

Beardsley	Lundy	Pelzer	Smith
Ellis	Parker		

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

Senator Bekman 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 305, a bill for an act to amend section four (4), Chapter one hundred forty-four (144), Acts of the Forty-seventh General Assembly, to provide an exemp-

tion of personal earnings of blind persons eligible to assistance under the provisions of said act and to qualify the state of Iowa for full federal participation, was taken up and considered.

Senator Hopkins moved the previous question.

The motion prevailed.

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, 45:

Augustine	Ellis	Hill	Mowry
Baldwin	Elthon	Hoeven	Parker
Beardsley	Evans	Hopkins	Pelzer
Berg	Faul	Husted	Schadt
Breen	Forsling	Kirketeg	Shaw
Byers	Geske	Leo	Sjulin
Corwin	Gillette	Lundy	Stewart
Cromwell	Guernsey	Martin	Talbott
Dean	Hart	Mighell	Vrba
Dewey	Harvey	Miller	Whitehill
Doran	Henningsen	Moore	Zeigler
Edwards			

Nays, none.

Absent or not voting, 5:

Bekman	Donohue	Levis	Smith
Benson			

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.

By unanimous consent, on request of Senator Baldwin, Senate File 305 was messaged to the House immediately.

On motion of Senator Sjulin, Senate File 166, a bill for an act to declare the necessity of creating governmental subdivisions of the State to be known as "soil conservation districts," to engage in conserving soil resources and preventing and controlling soil erosion; to establish the State soil conservation committee, and to define its powers and duties; to provide for the creation of soil conservation districts; to define the powers and duties of soil conservation districts, and to provide for the exercise of such powers,

including the power to acquire property by purchase, gift, and otherwise; to empower such districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and the adoption and carrying out of soil-conserving land-use practices, and to provide for the enforcement of such programs and regulations; to provide for establishing boards of adjustment in connection with land-use regulations, and to define their functions and powers; to provide for discontinuance of such soil conservation districts; to provide for financial assistance to such soil conservation districts, and making an appropriation for that purpose, and for otherwise effectuating the provisions of this Act, and for other purposes, with report of committee recommending amendment and without recommendation, was taken up, considered, and the report of the committee adopted.

The following committee amendment was taken up and considered:

Amend by striking the words and figures "fifteen thousand dollars (\$15,000.00)" in lines two (2) and three (3) of subsection A of section sixteen (16) and inserting in lieu thereof the words and figures "five thousand dollars (\$5,000.00)".

The amendment was adopted.

Senator Gillette offered the following amendments and moved their adoption:

Amend as follows:

1. Amend section three (3), subsection 10, by inserting following the word "any" in line 36, the word "agricultural".

2. Amend section four (4), subsection A, by striking the word "they" in line 12, and inserting in lieu thereof the words "the three appointed members".

3. Amend section four (4), subsection C, by striking all after the period in line 48, all of lines 49, 50, 51, 52, and 53, and all preceding the period in line 54, and inserting in lieu thereof the following: "The member representing the secretary of agriculture shall serve until there is a change in the personnel of the secretary of agriculture."

4. Amend section five (5), subsection B, by inserting following the word "notice" in line 29 the words "by publication". Strike the period in line 32, and the word "On", and insert in lieu thereof the following: " , on". Strike all of lines 73, 74, 75 and 76.

5. Amend section five (5), subsection C, by striking the word "as" in line 83, and inserting in lieu thereof the word "is".

6. Amend section five (5), subsection H, by striking the words "and landlords lying", in line 230.

7. Amend section six (6) by inserting after the word "supervisors" in line 6 the following: ", who shall be residents". Strike from line 23 the following: "only such qualified electors shall be eligible to vote".

8. Amend section seven (7) by striking all of lines 15, 16 and 17. Strike all following the period in line 39, all of lines 40, 41 and 42.

9. Amend section eight (8), by striking all after the word "shall" in line 3, all of line 4 and all of line 5 preceding the word "have".

10. Amend section eleven (11) by inserting immediately preceding the word "court" in line 27, the word "district". Strike the word "process" in line 28 and insert the words "original notice".

11. Amend section fifteen (15) by striking the word "elegible" in line 26 and inserting in lieu thereof the word "eligible".

12. Amend section twelve (12), subsection C by inserting following the word "served" in line 56 the words "by written notice".

13. Amend section twelve (12) subsection D, by inserting following the word "served" in line 91 the words "by publication".

The amendments were adopted.

Senator Gillette offered the following amendment and moved its adoption:

Amend as follows:

Sec. 2, line 5, change "reserve" to "preserve".

Sec. 4, line 56, change "of" to "in".

Sec. 5, line 60, change "of" to "which".

Sec. 6, line 20, change "such" to "each".

Sec. 8, line 50, change "device" to "devise".

Sec. 8, line 52, insert comma (,) after "administer".

Sec. 8, line 84, insert "its" after "effect".

Sec. 9, line 38, after the word "referendum" insert: "or in any matters relating thereto shall invalidate said referendum".

Sec. 12, line 66, change "of" to "to".

The amendment was adopted.

Senator Donohue moved the previous question.

The motion prevailed.

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, 46:

Augustine	Corwin	Ellis	Guernsey
Baldwin	Cromwell	Elthon	Hart
Beardsley	Dean	Evans	Harvey
Bekman	Dewey	Faul	Henningsen
Benson	Donohue	Forsling	Hill
Berg	Doran	Geske	Hoeven
Breen	Edwards	Gillette	Hopkins

Husted	Mighell	Schadt	Talbott
Kirketeg	Miller	Shaw	Vrba
Leo	Moore	Sjulin	Whitehill
Lundy	Mowry	Stewart	Zeigler
Martin	Parker		

Nays, none.

Absent or not voting, 4:

Byers	Levis	Pelzer	Smith
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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 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.

HOUSE AMENDMENTS CONSIDERED

Senator Forsling called up for consideration Senate File 366, amended by the House, and moved that the Senate concur in the following amendments:

(1) Amend section one (1) as follows:

(a) By inserting in line three (3) after the word "it" the following: "and on which a tax deed has not been issued to said county".

(b) By striking from lines eight (8) and nine (9) the following: "under section seventy-two hundred fifty-five-b one (7255-b1)".

(c) By inserting in line ten (10) after the word "it" the following: "and on which a tax deed has not been issued to said county".

(d) By striking from line twelve (12) the word "or" following the word "auditor" and inserting in lieu thereof the word "of".

(e) By inserting in line forty-one (41) after the word "it" the following: "and on which a tax deed has not been issued to said county".

(2) Amend section four (4) by striking from line four (4) the following: "and/or section six (6)".

(3) Amend by striking all of section six (6) thereof and renumbering the remaining sections in numerical order.

(4) Amend section eight (8) as follows:

(a) By striking from lines ten (10) and eleven (11) the following: "under section seventy-two hundred fifty-five-b one (7255-b1)".

(b) By inserting in line eleven (11) after the word "it" the following: "and on which a tax deed has not been issued to said county".

(5) Amend the title by striking from lines five (5) and six (6) the following: "under the provisions of section seventy-two hundred fifty-five-b one (7255-b1)".

Further amend the title by inserting in line seven (7) after the word "county" the following: "and on which a tax deed has not been issued to said county".

The motion prevailed and the Senate concurred in the House amendments.

THIRD READING OF BILLS

Senator Forsling moved that Senate File 366, a bill for 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-b one (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 effected by any such agreement, 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, be read a third time now, as amended, 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	Henningsen	Mowry
Baldwin	Edwards	Hill	Pelzer
Beardsley	Ellis	Hopkins	Schadt
Bekman	Elthon	Husted	Shaw
Benson	Evans	Kirketeg	Sjulin
Berg	Paul	Lundy	Stewart
Breen	Forsling	Martin	Talbott
Corwin	Guernsey	Mighell	Vrba
Cromwell	Hart	Miller	Whitehill
Dean	Harvey	Moore	Zeigler
Dewey			

Nays, none.

Absent or not voting, 9:

Byers	Gillette	Leo	Parker
Donohue	Hoeven	Levis	Smith
Geske			

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

Senator Forsling 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 Senate proceed to the consideration of the non-controversial bills as listed in the recommendation of the sifting committee, found on page 960 of the Journal.

On motion of Senator Kirketeg, Senate File 414, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Farmers Mutual Insurance Association of Corning, Iowa, and to provide for the renewal of the charter of said Farmers Mutual Insurance Association, 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, 46:

Augustine	Doran	Hill	Mowry
Baldwin	Edwards	Hoeven	Parker
Beardsley	Ellis	Hopkins	Pelzer
Bekman	Elthon	Husted	Schadt
Benson	Evans	Kirketeg	Shaw
Berg	Faul	Leo	Sjulin
Byers	Forsling	Lundy	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler
Donohue	Henningesen		

Nays, none.

Absent or not voting, 4:

Breen	Geske	Levis	Smith
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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 Kirketeg 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 Kirketeg, Senate File 414 was messaged to the House immediately.

On motion of Senator Talbott, Senate File 89, a bill for an act to amend section fifty-five hundred sixty-one (5561), Code, 1935, relating to power and control of township trustees over township cemeteries, and to provide authority to township trustees to

establish a perpetual maintenance fund for township cemeteries, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Talbott offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting therefor the following:

Section 1. Section fifty-five hundred sixty-one (5561), Code, 1935, is amended by adding thereto the following:

"They shall have authority to provide for the sale of lots or portions thereof, in any cemetery under their control, and make rules and regulations in regard thereto, and may provide for perpetual upkeep by the establishment of a perpetual upkeep fund from the proceeds of sale of lots, and may accept gifts, devise or bequest, made to them for that purpose."

The amendment was adopted.

Senator Talbott moved that the bill be read a third 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	Harvey	Mowry
Baldwin	Doran	Hill	Parker
Beardsley	Edwards	Hoeven	Pelzer
Bekman	Ellis	Hopkins	Schadt
Benson	Elthon	Husted	Shaw
Berg	Evans	Kirketeg	Sjulin
Byers	Faul	Leo	Talbott
Corwin	Forsling	Martin	Vrba
Cromwell	Gillette	Mighell	Whitehill
Dean	Guernsey	Miller	Zeigler
Dewey	Hart	Moore	

Nays, 1:

Henningsen

Absent or not voting, 6:

Breen	Levis	Smith	Stewart
Geske	Lundy		

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

Senator Talbott 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 603, a bill for an

act to legalize the proceedings relating to the sale and issuance of refunding bonds of the town of Farragut, in the county of Fremont, state of Iowa, and the proceedings providing for the levy of taxes to pay said bonds and the interest thereon, 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, 43:

Augustine	Doran	Henningsen	Mowry
Baldwin	Edwards	Hill	Parker
Beardsley	Ellis	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Benson	Evans	Husted	Shaw
Berg	Faul	Kirketeg	Sjulin
Byers	Forsling	Leo	Talbott
Corwin	Gillette	Levis	Vrba
Cromwell	Guernsey	Martin	Whitehill
Dean	Hart	Mighell	Zeigler
Dewey	Harvey	Moore	

Nays, none.

Absent or not voting, 7:

Breen	Geske	Miller	Stewart
Donohue	Lundy	Smith	

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 Donohue, House File 623, a bill for an act to authorize disinterested employees of a corporation to take acknowledgments on instruments running to the corporation, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by adding after the word "who" in line one (1) of section one the following: "is a notary public and who".

The amendment was adopted.

Senator Mighell offered the following amendment and moved its adoption:

Amend by striking section two (2), the publication clause.

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	Mighell
Baldwin	Donohue	Hart	Miller
Beardsley	Doran	Harvey	Moore
Bekman	Edwards	Henningesen	Schadt
Benson	Ellis	Hill	Shaw
Berg	Elthon	Hoeven	Stewart
Byers	Evans	Hopkins	Talbott
Corwin	Faul	Kirketeg	Vrba
Cromwell	Forsling	Leo	Whitehill
Dean	Gillette	Martin	Zeigler

Nays, 1:

Mowry

Absent or not voting, 9:

Breen	Levis	Parker	Sjulin
Geske	Lundy	Pelzer	Smith
Husted			

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 Faul, Senate File 423, a bill for an act to repeal subdivisions one (1), two (2) and three (3) of section eighty-nine hundred twenty-seven (8927), Code 1935, and to enact a substitute therefor relating to investments of insurance companies other than life, was taken up and considered.

Senator Faul moved that the bill be read a third 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	Evans	Henningesen
Baldwin	Dewey	Faul	Hill
Bekman	Donohue	Forsling	Hoeven
Benson	Doran	Gillette	Hopkins
Berg	Edwards	Guernsey	Husted
Corwin	Ellis	Hart	Kirketeg
Cromwell	Elthon	Harvey	Leo

Martin
Mighell
Miller
Moore

Mowry
Pelzer
Schadt

Shaw
Stewart
Talbot

Vrba
Whitehill
Zeigler

Nays, none.

Absent or not voting, 9:

Beardsley
Breen
Byers

Geske
Levis

Lundy
Parker

Sjulin
Smith

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

Senator Faul 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 Faul, Senate File 423 was messaged to the House immediately.

On motion of Senator Dean, Senate File 377, a bill for an act to legalize the corporate acts and the renewal of The Portland Co-operative Company, Portland, Iowa, was taken up and considered.

Senator Dean offered the following amendment and moved its adoption:

Amend by striking from line two (2) of section two (2) the words, "said report and" and inserting in lieu thereof the following:

"their report for the year 1935 as required by Chapter three hundred eighty-nine (389), Code, 1935, and upon receipt thereof."

The amendment was adopted.

Senator Dean offered the following amendment to the title and moved its adoption:

Amend by inserting the words "and charter" immediately following the word "acts" in the title.

The amendment was 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, 39:

Augustine
Baldwin
Beardsley
Bekman

Benson
Breen
Corwin
Cromwell

Dean
Dewey
Donohue
Doran

Edwards
Ellis
Elthon
Evans

Forsling	Hill	Miller	Shaw
Gillette	Hoeven	Moore	Talbott
Guernsey	Hopkins	Mowry	Vrba
Hart	Leo	Parker	Whitehill
Harvey	Martin	Pelzer	Zeigler
Henningsen	Mighell	Schadt	

Nays, none.

Absent or not voting, 11:

Berg	Geske	Levis	Smith
Byers	Husted	Lundy	Stewart
Faul	Kirketeg	Sjulin	

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.

By unanimous consent, on request of Senator Kirketeg, action on Senate File 298 was deferred and the bill allowed to retain its preferential place on the calendar.

On motion of Senator Bekman, Senate File 405, a bill for an act to amend section eleven thousand twenty-four (11024), Code, 1935, by providing for a statute of limitations on all claims arising or existing prior to January 1, 1935, against the holder of the record title to real estate in possession since January 1, 1925, unless such claimant shall file a claim within one year from and after July 4, 1939, in the office of recorder of deeds of the county where such real estate is situated, was taken up and considered.

Senator Bekman moved that the bill be read a third 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	Dewey	Guernsey	Moore
Baldwin	Donohue	Hart	Mowry
Bekman	Doran	Harvey	Parker
Benson	Edwards	Henningsen	Pelzer
Berg	Ellis	Hill	Shaw
Breen	Elthon	Hopkins	Stewart
Byers	Evans	Kirketeg	Talbott
Corwin	Faul	Leo	Whitehill
Cromwell	Forsling	Martin	Zeigler
Dean	Gillette	Miller	

Nays, none.

Absent or not voting, 11:

Beardsley	Husted	Mighell	Smith
Geske	Levis	Schadt	Vrba
Hoeven	Lundy	Sjulin	

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

Senator Bekman 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 434, a bill for an act to amend section eight hundred eighty-seven (887), Code, 1935, relating to double election boards so as to provide for mandatory appointment of double election boards and the time thereof, a committee bill, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking from line six (6) the word "shall" and inserting in lieu thereof the word "may".

By unanimous consent, the amendment was withdrawn.

By unanimous consent, on request of Senator Donohue, action on Senate File 434 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Breen, Senate File 435, a bill for an act to amend Chapter forty (40), Code of Iowa, 1935, to provide for the conduct of schools of instruction for election boards by the county auditor, 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, 48:

Augustine	Donohue	Harvey	Moore
Baldwin	Doran	Henningsen	Mowry
Beardsley	Edwards	Hill	Parker
Bekman	Ellis	Hoeven	Pelzer
Benson	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Breen	Faul	Kirketeg	Stewart
Byers	Forsling	Leo	Talbott
Corwin	Gillette	Martin	Whitehill
Cromwell	Guernsey	Mighell	Zeigler
Dean	Hart	Miller	

Nays, none.

Absent or not voting, 7:

Dewey	Levis	Sjulin	Vrba
Geske	Lundy	Smith	

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, Senate File 438, a bill for an act to amend Senate File Two (2), Acts 48th General Assembly, relating to the audit of counties, cities and towns, and school districts, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by adding thereto the following:

Sec. 2. That section five (5) of Senate File 2, Acts of the Forty-eighth General Assembly of Iowa is hereby amended by striking all of section five (5) and inserting in lieu thereof the following:

"Where the examination is made by the state auditor under the provisions of this Chapter, each examiner shall file with the local governing body and also with the Auditor of State a detailed, itemized and sworn voucher of his per diem and expense, which expense shall not exceed the sum of three dollars (\$3.00) per day for the time such examiner is actually engaged in such examination. The said statement or voucher shall be subject to approval by such governing body and when so approved shall be forwarded to the Auditor of State. If the local governing body fails to disapprove the said statement of expense within ten days from the filing thereof the Auditor of State and State Comptroller may approve the said claim and the same shall be paid from any unappropriated funds in the state treasury."

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the New Hampton Tribune, a newspaper published at New Hampton, Iowa, and the Nashua Reporter, a newspaper published at Nashua, Iowa.

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend by adding at the end of the proposed section two (2), the following:

"Repayment to the state shall be made as provided by section 126, Code, 1935."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend the title by striking the period (.) following the word "districts" and inserting the following: "and providing for the payment of expense of state auditors."

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, 38:

Augustine	Dean	Hart	Miller
Baldwin	Dewey	Harvey	Mowry
Beardsley	Donohue	Henningsen	Parker
Bekman	Doran	Hill	Pelzer
Benson	Edwards	Hoeven	Schadt
Berg	Ellis	Hopkins	Shaw
Breen	Evans	Kirketeg	Stewart
Byers	Faul	Leo	Talbott
Corwin	Gillette	Martin	Zeigler
Cromwell	Guernsey		

Nays, none.

Absent or not voting, 12:

Elthon	Husted	Mighell	Smith
Forsling	Levis	Moore	Vrba
Geske	Lundy	Sjulin	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 Martin, Senate File 15, a bill for an act to amend section sixty-nine hundred forty-four (6944) of the Code of Iowa, 1935, relating to exemptions from taxation, and to provide for the exemption from taxation of certain interstate bridges, 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 all of subsection (b) of part 2 of section 1.

The amendment was adopted.

Senator Martin moved that the bill be read a third 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	Harvey	Mowry
Baldwin	Donohue	Henningsen	Parker
Bekman	Edwards	Hill	Pelzer
Benson	Ellis	Hoeven	Schadt
Berg	Evans	Hopkins	Shaw
Breen	Faul	Kirketeg	Stewart
Byers	Forsling	Martin	Talbott
Corwin	Guernsey	Mighell	Zeigler
Cromwell	Hart	Miller	

Nays, none.

Absent or not voting, 15:

Beardsley	Geske	Levis	Smith
Dean	Gillette	Lundy	Vrba
Doran	Husted	Moore	Whitehill
Elthon	Leo	Sjulin	

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

Senator Martin 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 327, a bill for an act to amend section five thousand four hundred twelve (5412), Code, 1935, relating to official publications of board of supervisors, 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	Dean	Hart	Miller
Baldwin	Dewey	Harvey	Mowry
Beardsley	Donohue	Henningsen	Parker
Bekman	Doran	Hill	Pelzer
Benson	Edwards	Hoeven	Schadt
Berg	Ellis	Hopkins	Shaw
Breen	Evans	Kirketeg	Stewart
Byers	Faul	Leo	Talbott
Corwin	Gillette	Martin	Zeigler
Cromwell	Guernsey		

Nays, none.

Absent or not voting, 12:

Elthon	Husted	Mighell	Smith
Forsling	Levis	Moore	Vrba
Geske	Lundy	Sjulin	Whitehill

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.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 43, 44, 75, 124, 132 and 133.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 43, 44, 75, 124, 132 and 133.

BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 6th day of April, 1939, sent to the Governor for his approval, Senate Files 43, 44, 75, 124, 132 and 133.

RALPH E. BENSON, *Chairman.*

Passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 112 by striking all of section one (1) after the comma (,) in line four (4) and insert in lieu thereof "shall file any note or other evidence of indebtedness as a claim against any estate, where the mortgage has not previously exhausted the security for the payment thereof, shall, within ten (10) days after the filing thereof, serve written notice on the administrator or executor of said estate in the same manner provided for the service of an original notice, which notice shall describe the claim and state the amount thereof. The said claim shall come on for hearing at the succeeding term of court after the filing thereof, and the executor or administrator or persons interested in said estate may offer evidence of the value of the security held by the claimant and in the event the value thereof is determined

by the court to be in an amount equal to or in excess of the full amount of said claim the court shall enter an order discharging the estate or any personal property therein from any liability for the payment of such claim or any part thereof.”

G. R. HILL.

MR. PRESIDENT: Amend Senate File 224 as follows:

1. Amend by adding after section one (1) as section two (2) the following:

“Subparagraph twenty-eight (28) of Section six thousand two hundred eleven (6211), Code, 1935, is hereby amended by striking out the words “one-half” in lines two (2) and three (3), thereof, and inserting in lieu thereof the word “one”.

2. Amend by adding after the new section two (2) as section three (3) the following:

“Subparagraph twenty-eight (28) of Section six thousand two hundred eleven (6211), Code, 1935, is hereby amended by inserting immediately after the word “hall” in line eight (8), the words “or auditorium”.

3. Amend by adding after the new section three (3) as section four (4) the following:

“Section five thousand seven hundred seventy-three (5773), Code, 1935, is amended by striking therefrom the first sentence, beginning with the word “any” and ending with the word “purposes” and inserting in lieu thereof the following: “Any city or town may when authorized by the voters or in the event any bonds have heretofore been authorized by the voters under this section, but not issued, erect, purchase, or remodel a city or town hall to be used for general community and municipal purposes, including council chamber and offices, waterworks offices, fire or police station and may include or erect separately an assembly hall, auditorium, public hall or armory; said building or buildings to be used for any one or more of such purposes.”

H. C. BALDWIN.

MR. PRESIDENT: Amend my amendment to Senate File 266 found on pages 891 and 892 of the Journal of the Senate of March 30, 1939, by adding thereto a new section as follows:

“Section 12. Section seven (7) of Chapter 156 of the Acts of the Forty-seventh General Assembly is hereby amended by adding thereto the following:

“The council shall within sixty (60) days, after this Act becomes effective, certify to the Civil Service Commission a list showing the classification and duties of all Civil Service positions; any subsequent changes in the classification or duties of Civil Service positions shall immediately be certified to the Civil Service Commission by the Council.”

FRANK C. BYERS.

MR. PRESIDENT: Amend Senate File 356, section one (1), by striking the word and figure “thirty (30)” in lines six (6) and eleven (11), and inserting in lieu thereof in both places the word and figure “fifteen (15)”.

ORA E. HUSTED.

MR. PRESIDENT: Amend Senate File 363 as follows:

Strike from line two (2) of the title the words "and gas".

Strike from lines seven (7) and eight (8) of the title the words "and gas".

Strike from line three (3) of paragraph three (3) of the title the words "and gas".

Amend section one (1) by striking from line four (4) the words "and gas".

Strike from line ten (10) of section one (1) the words "and gas".

Strike subsection two (2) of section one (1) and insert "To the second person, firm, or corporation, drilling, developing and causing to be put in operation the second producing oil well within the state of Iowa there shall be paid the sum of ten thousand dollars (\$10,000.00)."

Strike subsection three (3) of section one (1) and insert "To the third person, firm, or corporation, drilling, developing and causing to be put in operation the third producing oil well within the state of Iowa there shall be paid the sum of five thousand dollars (\$5,000.00)."

Amend section two (2) by striking from line two (2) the words "or gas".

L. H. DORAN.

MR. PRESIDENT: Amend Senate File 415 by striking all of sections one (1) and two (2) thereof and inserting in lieu thereof the following:

"Section 1. Section three thousand two hundred eighty-seven (3287), Code, 1935, is amended by striking therefrom the words "Juvenile Home" in line seventeen (17) and the words "Soldiers' Orphans' Home" in line eighteen (18) thereof.

Sec. 2. The state board of social welfare shall have full power to contract for, manage, control and govern, subject only to the limitations imposed by law the following institutions:

1. Juvenile Home.
2. Soldiers' Orphans' Home.

The powers and duties of the state board of social welfare for the management, control and government of the state juvenile home and state soldiers' orphans' home shall be the same as now conferred by law upon the board of control."

GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 479 by adding at the end of section 52 the following:

The board of control may appropriate from the funds allotted to the state hospitals for the insane not to exceed \$10,000.00 for the establishment of observation wards under arrangement with one or more recognized hospitals for the purpose of there making diagnosis and treatment of persons adjudged insane by a commission of insanity. The admission and care of such patients shall be according to rules adopted by the board of control.

L. B. FORSLING.

On motion of Senator Doran, the Senate adjourned until 9:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 7, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Ira J. Houston, D.D., pastor of the First Congregational Church of Webster City.

The Journal of April 6th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Sjulín for the day, on request of Senator Faul; Senator Dean for the day, on request of Senator Gillette; Senator Geske for the day, on request of Senator Corwin.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Benson, from citizens of Carroll county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Corwin, from citizens of Muscatine county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Cromwell from Bricklayers' Union No. 10 of Burlington, favoring enactment of Senate Files 279, 280 and 281, and House Files 490, 491, and 569.

By Senator Dewey, from the Henry County Boys' 4-H Club Committee, requesting support of appropriations for a new 4-H Club dormitory at the Iowa state fairgrounds.

By Senator Edwards, from the Beaconsfield Consolidated School, favoring enactment of House File 407.

By Senator Evans, from citizens of Montgomery county, favoring enactment of Senate File 305.

By Senator Faul, from citizens of Polk county, favoring the elimination of Class "C" beer permits.

By Senator Faul, from citizens of Des Moines, favoring the retention of Class "C" beer permits.

By Senator Faul, from citizens of Des Moines, favoring adoption of a joint resolution memorializing Congress to enact the General Welfare Act of 1939.

By Senator Faul, from citizens of Polk county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Faul, from citizens of Polk county, favoring enactment of House File 431.

By Senator Gillette, from citizens of Palo Alto county, favoring enactment of Senate File 305.

By Senator Hart, from citizens of Lee county, requesting favorable consideration of the askings of Iowa State College for the next alumni reunion.

By Senator Hart, from citizens of Lee county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Henningsen, from citizens of Clinton county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Martin, from citizens of Scott county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Shaw, from citizens of Sioux Rapids, favoring the adoption of a joint resolution memorializing Congress to enact the General Welfare Act of 1939.

By Senator Stewart, from citizens of Fayette county, favoring the elimination of Class "C" beer permits.

INTRODUCTION OF BILLS

Senate File 488, by committee on educational institutions, a bill for an act to amend the law as it appears in Chapter two hundred (200), section four thousand thirty-one (4031), Code, 1935, relating to the State College of Agriculture and Mechanic Arts, and providing for the establishment, maintenance and operation of a school for industrial science and mechanics and the building trades under the supervision and direction of the State College of Agri-

culture and Mechanic Arts at Ames, Iowa, or at any other location to be selected by the State Executive Council.

Read first and second times and referred to sifting committee.

Senate File 489, by special agricultural relief committee, a bill for an act to amend Chapter five hundred twenty-five (525), 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 for other incidental and related matters.

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

House File 246, a bill for an act relating to the duties of the state highway commission.

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

House File 247, a bill for an act relating to authority of the Iowa state commerce commission.

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 make an appropriation for first producing oil well in Iowa.

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

Senate File 330, a bill for an act relating to retirement systems for policemen and firemen.

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

Senate File 331, a bill for an act to legalize the acts of special charter cities.

Also: That the Speaker of the House has appointed as members of the conference committee on the part of the House on House File 327, a bill for an act relating to motor vehicle units owned by the State of Iowa: Representatives Burma, Judd, Pieper, and Burk.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 246, a bill for an act to amend section forty-six hundred twenty-six (4626), Code, 1935, relating to the duties of the state highway commission in connection with removal or alteration of lights or light-reflecting devices adjacent to grade railway crossings, primary road intersections, or on or adjacent to primary roads.

Read first and second times and referred to sifting committee.

House File 247, a bill for an act to amend Chapter three hundred sixty-eight (368) of the Code, 1935, relating to authority of the Iowa state commerce commission to order removal or alteration of lights used for illuminating purposes which interfere with observation of railroad signals.

Read first and second times and referred to sifting committee.

House File 433, a bill for an act to make an appropriation for first producing oil well in Iowa.

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

EXTRA COPIES

By unanimous consent, on request of Senator Dóran, 500 additional copies of Senate File 479 were ordered printed.

By unanimous consent, on request of Senator Forsling, 500 copies of Senate File 379, as passed, were ordered printed.

SPECIAL ORDER

By unanimous consent, on request of Senator Doran, Senate File 479 was made a special order of business for 10:00 a. m. Wednesday, April 12, 1939.

Senator Lundy called up for consideration House Concurrent Resolution 20.

HOUSE CONCURRENT RESOLUTION 20

Whereas, The coal industry is the second largest industry of Iowa; and
Whereas, The industry is able to produce in excess of ten million tons, annually, but because of adverse conditions it is only producing four million tons; and

Whereas, The stability of the Iowa coal industry will greatly increase the employment of labor, aid in stabilizing agricultural products, decrease the roll of unemployed and aid in bringing prosperity to all the people of Iowa; and

Whereas, The stabilization of the Iowa coal industry can be accomplished by all industries in Iowa using Iowa coal for the generation of heat, steam, power and electricity;

Therefore Be It Resolved by the House, the Senate Concurring: That a committee of two members of the House, appointed by the Speaker, two members of the Senate, appointed by the President of the Senate, and a representative of the Governor appointed by the Governor, be appointed to contact all major industries including railroads and public utilities operating in Iowa, urging them to use Iowa coal. The said committee shall serve without expense to the state.

On motion of Senator Lundy, the resolution was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Parker called up for consideration Senate File 400, amended by the House, and moved that the Senate concur in the following amendments:

(1) Amend section sixteen (16) as follows:

(a) Amend line one (1) by striking the word "shall" and inserting in lieu thereof the word "may".

(b) Amend line five (5) by striking the word "no" and inserting in lieu thereof the word "nor".

(c) Amend by inserting in line ten (10) after the word "control" the following: ", which salary and compensation shall not exceed the sum of eighteen hundred dollars (\$1,800) in cash and six hundred dollars (\$600) in value of support and maintenance furnished,".

(2) Amend by striking all of section nineteen (19).

(3) Amend section eighteen (18), subsection five (5), by striking the word "oral" in the sixth line of said subsection and inserting in lieu thereof the word "moral".

(4) Amend the title as follows:

(a) Amend by inserting after the comma at the end of line three (3) the following: "as amended by Chapter one hundred sixteen (116), Acts of the Forty-seventh General Assembly,".

(b) Amend by striking from lines eighteen (18), nineteen (19), and twenty (20) the following: "providing for the appointment of a farm manager for all state institutions under the supervision of the board of control;".

The motion prevailed, and the Senate concurred in the House amendments.

THIRD READING OF BILLS

Senator Parker moved that Senate File 400, a bill for an act to amend Chapter one hundred seventy (170), and sections thirty-two hundred eighty-seven (3287), thirty-two hundred ninety-two (3292), thirty-two hundred ninety-three (3293), as amended by Chapter one hundred sixteen (116), Acts of the Forty-seventh General Assembly, thirty-three hundred (3300), thirty-three hundred thirty (3330), thirty-three hundred thirty-one (3331), thirty-three hundred thirty-two (3332), thirty-three hundred fifty-two (3352), thirty-three hundred fifty-six (3356), thirty-three hundred ninety-five (3395), thirty-three hundred ninety-six (3396), thirty-four hundred two (3402), thirty-four hundred six (3406), thirty-four hundred sixty-seven (3467), thirty-four hundred seventy-five (3475), thirty-four hundred seventy-six (3476), thirty-four hundred seventy-seven (3477), thirty-four hundred ninety-nine (3499), and thirty-five hundred four (3504), Code, 1935, all relating to the powers and duties of the superintendent of each of the institutions operated under the board of control; providing for the appointment of a business manager for such institutions, and prescribing his powers and duties; and to provide for the changing of the name of the institution for the feeble-minded at Glenwood to the Glenwood State School, be read a third time now, as amended, 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	Mowry
Benson	Evans	Kirketeg	Parker
Berg	Faul	Leo	Pelzer
Breen	Gillette	Levis	Schadt
Corwin	Guernsey	Lundy	Shaw
Cromwell	Harvey	Martin	Smith
Dewey	Henningsen	Mighell	Talbott
Doran	Hill	Miller	Zeigler
Edwards	Hopkins		

Nays, 1:

Stewart

Absent or not voting, 15:

Baldwin	Dean	Geske	Sjulin
Beardsley	Donohue	Hart	Vrba
Bekman	Elthon	Hoeven	Whitehill
Byers	Forsling	Moore	

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.

HOUSE AMENDMENT CONSIDERED

Senator Beardsley called up for consideration Senate File 218, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1) by inserting the following as subsection three (3):

3. Insert the following after sub-paragraph fifty-six (56):

"56-b. The linear measure of the plot of ground upon which the building is located abutting upon the highway shall be deemed 'frontage occupied by the building', and the phrase 'frontage on such highway for a distance of three hundred (300) feet or more' shall mean the total frontage on both sides of the highway for such distance."

The motion prevailed and the Senate concurred in the House amendment.

THIRD READING OF BILLS

Senator Beardsley moved that Senate File 218, a bill for an act to amend section one (1) and section three hundred sixteen (316) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, defining residence and suburban districts in cities and towns and for the purpose of regulating motor vehicle traffic therein, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 42:

Augustine	Edwards	Hopkins	Parker
Baldwin	Ellis	Husted	Pelzer
Beardsley	Evans	Kirketeg	Schadt
Benson	Faul	Leo	Shaw
Berg	Forsling	Levis	Smith
Breen	Gillette	Lundy	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Harvey	Mighell	Vrba
Dewey	Henningsen	Miller	Whitehill
Donohue	Hill	Mowry	Zeigler
Doran	Hoeven		

Nays, none.

Absent or not voting, 8:

Bekman	Dean	Geske	Moore
Eyers	Eithon	Hart	Sjulin

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 Smith, Senate File 227, a bill for an act to create an agricultural land credit fund; to provide for the appropriation of funds to apply as a credit on taxes on agricultural lands; prescribing the procedure whereby said funds are allocated by the state treasurer to the county treasurers of the several counties; and providing a method of allotting tax credits on agricultural lands in special charter cities; to prescribe the procedure for the making of such credit; to define agricultural lands and providing for the making of claims for credit as provided in this act; and to provide a method of appeal from the act of the boards of supervisors of the several counties relating to the said agricultural land credit, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend by inserting after the figures (\$660,000.00) in line four (4) of section one (1), the following:

"or so much thereof as may be necessary".

Further amend by striking the word and figure "twelve (12)" in line seven (7) of section two (2) and inserting in lieu thereof the word and figure "fifteen (15)".

The amendment was adopted.

Senator Hoeven offered the following amendments and moved their adoption:

Amend section 9 as follows:

1. By striking from lines two (2) and three (3) the following: ", in matter of computation of such credit,";

2. By striking from line three (3) the word "making" and inserting in lieu thereof the word "entering".

The amendments were adopted.

Senator Hoeven 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, 38:

Augustine	Edwards	Hopkins	Parker
Baldwin	Ellis	Husted	Pelzer
Beardsley	Forsling	Kirketeg	Schadt
Bekman	Gillette	Leo	Shaw
Benson	Guernsey	Levis	Smith
Berg	Hart	Lundy	Stewart
Breen	Harvey	Mighell	Vrba
Corwin	Henningsen	Miller	Whitehill
Dewey	Hill	Mowry	Zeigler
Doran	Hoeven		

Nays, 6:

Cromwell	Faul	Moore	Talbott
Donohue	Martin		

Absent or not voting, 6:

Byers	Elthon	Geske	Sjulin
Dean	Evans		

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 Kirketeg, action on Senate File 298 was deferred and the bill allowed to retain its preferential place on the calendar.

By unanimous consent, on request of Senator Breen, action on Senate File 434 was deferred and the bill allowed to retain its place on the calendar.

Senator Smith was excused for the remainder of the day, on request of Senator Shaw.

On motion of Senator Bekman, Senate File 320, a bill for an act to amend the law as it appears in Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly, relating to unemployment compensation, so as to make the provisions thereof conform to the provisions of the Railroad Unemployment Insurance Act of the United States of America; providing for the trans-

fer of the contributions collected under the provisions of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly from employers, as the term employer is defined in section one-a (1-a) of the Railroad Unemployment Insurance Act, and credited to the Unemployment Compensation Fund, from the account of the State of Iowa in the Unemployment Trust Fund established and maintained pursuant to section nine hundred four (904) of the Social Security Act as amended, to the Railroad Unemployment Insurance Account established and maintained pursuant to section ten (10) of the Railroad Unemployment Insurance Act; providing for the furnishing of certain records by the Iowa Unemployment Compensation Commission to the Railroad Retirement Board; providing for cooperation between the Iowa Unemployment Compensation Commission and the Railroad Retirement Board with respect to the Iowa Employment office; granting to the Iowa Unemployment Compensation Commission authority to enter into reciprocal arrangements with the Federal Government as contemplated by section twelve-g (12-g) of the Railroad Unemployment Insurance Act; providing for the exclusion from the benefits of the Iowa Unemployment Compensation Law individuals eligible for benefits under the Railroad Unemployment Insurance Act; providing for the exclusion of individuals covered by the Railroad Unemployment Insurance Act from coverage under the Iowa Unemployment Compensation Law; and providing for the termination of benefit rights on July 1, 1939, under the Iowa Unemployment Compensation Law of individuals covered by the Railroad Unemployment Insurance Act, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking all of section ten (10) and inserting in lieu thereof the following:

"This act being deemed of immediate importance shall be in full force and effect after its publication in the New Hampton Tribune, a newspaper published at New Hampton, Iowa, and the Nashua Reporter, a newspaper published at Nashua, Iowa."

The amendment was adopted.

Senator Bekman moved that the bill be read a third 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	Mowry
Baldwin	Ellis	Hopkins	Pelzer
Bekman	Evans	Kirketeg	Schadt
Benson	Faul	Leo	Shaw
Breen	Gillette	Levis	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Vrba
Dewey	Harvey	Miller	Whitehill
Donohue	Henningsen	Moore	Zeigler
Doran	Hill		

Nays, none.

Absent or not voting, 12:

Beardsley	Dean	Geske	Parker
Berg	Elthon	Husted	Sjulin
Byers	Forsling	Lundy	Smith

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

Senator Bekman 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 322, a bill for an act to amend subsection four (4) of section eleven thousand seven (11007), Code, 1935, relating to limitations of actions, 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, 36:

Augustine	Doran	Henningsen	Mighell
Baldwin	Edwards	Hill	Moore
Benson	Ellis	Hoeven	Mowry
Berg	Evans	Hopkins	Schadt
Breen	Faul	Husted	Shaw
Corwin	Gillette	Kirketeg	Stewart
Cromwell	Guernsey	Leo	Talbott
Dewey	Hart	Levis	Vrba
Donohue	Harvey	Martin	Zeigler

Nays, none.

Absent or not voting, 14:

Beardsley	Elthon	Miller	Sjulin
Bekman	Forsling	Parker	Smith
Byers	Geske	Pelzer	Whitehill
Dean	Lundy		

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 Donohue, Senate File 181, a bill for an act to cancel taxes on real property belonging to Tabor College located at Tabor, Fremont county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sjulín offered the following amendment and moved its adoption:

Amend by striking in line ten (10) of section one (1) the word "Quarter" and inserting in lieu thereof the word "corner".

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, 38:

Augustine	Edwards	Hoeven	Moore
Baldwin	Evans	Hopkins	Mowry
Beardsley	Faul	Husted	Parker
Benson	Forsling	Kirketeg	Schadt
Byers	Gillette	Leo	Shaw
Corwin	Guernsey	Levis	Stewart
Cromwell	Hart	Martin	Talbott
Dean	Harvey	Mighell	Vrba
Dewey	Henningsen	Miller	Zeigler
Donohue	Hill		

Nays, none.

Absent or not voting, 12:

Bekman	Doran	Geske	Sjulín
Berg	Ellis	Lundy	Smith
Breen	Eithon	Pelzer	Whitehill

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 356, a bill for an act

to amend sections sixty-two hundred sixty-one (6261) and sixty-five hundred seventy-eight-b one (6578-b1), as amended, Code, 1935, relating to the anticipation of special taxes and the issuance of certificates or bonds authorized in said sections, and providing for a vote of the people thereon, was taken up and considered.

Senator Husted offered the following amendment and moved its adoption:

Amend by striking section three (3).

The amendment was adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend section one (1) by striking the word and figure "thirty (30)" in lines six (6) and eleven (11) and inserting in lieu thereof in both places the word and figure "fifteen (15)".

The amendment was adopted.

By unanimous consent, on request of Senator Beardsley, further action on Senate File 356 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Berg, Senate File 266, a bill for an act to amend Chapter two hundred eighty-nine (289), Code, 1935, and Chapter one hundred fifty-six (156) of the Laws of the Forty-seventh General Assembly of Iowa, relating to civil service in certain cities, was taken up and considered.

Senator Byers offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting the following in lieu thereof:

Section 1. Section five thousand six hundred eighty-nine (5689), Code, 1935, as amended by Section 1 of Chapter 156 of the Laws of the Forty-seventh General Assembly of Iowa, is hereby amended by adding the following:

"No Commissioner shall be removed during his term of office by the appointing power except for cause."

Sec. 2. Section five thousand six hundred ninety (5690), Code, 1935, is hereby amended by striking the comma in line four (4) and inserting a period in lieu thereof and by striking the remainder of the sentence.

Said section is further amended by adding the following:

"Each Commissioner shall receive compensation for time actually engaged in performing their duties the sum of ten dollars (\$10.00) per diem each, but not to exceed the following amounts: In cities of 15,000

population or less, \$50.00 per year; cities of from 15,000 to 30,000, \$200.00 per year; cities of 30,000 to 50,000, \$500.00 per year; in cities with a population of 50,000 or more, \$750.00 per year."

Sec. 3. Section three (3) of Chapter 156 of the Laws of the Forty-seventh General Assembly of Iowa is hereby amended by striking the figures "75,000" in line five (5) of said section and inserting in lieu thereof the figures "25,000."

Said section is further amended by adding thereto the following:

"It shall be mandatory upon all department heads to promptly report to the Civil Service Commission all material information affecting the record of any Civil Service employee in his department."

Sec. 4. Section five thousand six hundred ninety-three (5693), Code, 1935, as amended by section four (4) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by adding thereto the following:

"The City Council shall determine and provide an adequate budget for the efficient operation of the Commission."

Sec. 5. Section five (5) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by striking line ten (10) of said section.

Said section is further amended by striking line fourteen (14) of said section and inserting in lieu thereof the following:

"Employees whose duties require less than ninety (90) days' service each year."

Sec. 6. Section six (6) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by inserting after the comma in line ten (10) thereof the words "except common laborers,".

Said section is further amended by inserting after the word "date" in line twelve (12) of said section the following:

"and common laborers who have served less than two years in such position or positions on the said date,".

Said section is further amended by striking the period in line sixteen (16) of said section and inserting in lieu thereof a comma and inserting after the comma the following:

"provided no common laborer shall be required to pass an examination for any other purpose than to determine his or her physical fitness for the employment or position sought."

Sec. 7. Section eight (8) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by striking the last paragraph of said section and inserting the following in lieu thereof:

"All vacancies in the civil service shall be open to competitive examinations but should an applicant already under civil service qualify in such examination he shall have preference over all others except in the police and fire service, where all grades above the lowest shall be filled by promotion of subordinates when such subordinates qualify as eligible and when so promoted they shall hold such position with full civil service rights therein."

Sec. 8. Section five thousand six hundred ninety-seven (5697), Code, 1935, is hereby repealed and the following enacted in lieu thereof:

"In all appointments under the provisions of this Chapter, section one thousand one hundred fifty-nine (1159) of the Code of Iowa relating to soldiers' preference shall govern."

Sec. 9. Section twelve (12) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by striking the period after the word "respectively" in line thirteen (13) of said section and by inserting a comma in lieu thereof and by adding the following after the comma:

"with the approval of the city council."

Sec. 10. Section five thousand seven hundred one (5701), Code, 1935, as amended by section thirteen of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by striking the period at the end of the subdivision numbered one and by adding thereto the following:

“, or for positions of technical skill which would require a larger field to draw from.”

Sec. 11. Section nineteen (19) of Chapter 156 of the Laws of the Forty-seventh General Assembly is hereby amended by adding after the period in line nine (9) the following:

“The commission shall have the right to employ outside legal advice or counsel when the circumstances are such that the city attorney or solicitor cannot properly represent the commission.”

Senator Baldwin offered the following amendment to the amendment and moved its adoption:

Amend by adding thereto the following: “Sec. 12. Amend section five (5), Chapter one hundred fifty-six (156) of the Laws of the 47th General Assembly, by striking from line eight (8) the words ‘city clerk’”.

The amendment to the amendment was lost.

Senator Faul offered the following amendment to the amendment and moved its adoption:

Amend the amendment as follows:

Amend by adding as two new sections the following:

“Section five thousand six hundred ninety-nine (5699), Code, 1935, as amended by section eleven (11), Chapter one hundred fifty-six (156), Acts of the Forty-seventh General Assembly, is amended by adding to said section the following:

‘In cities having a population in excess of twenty-five thousand (25,000) or more, the Chief of the Fire Department shall be appointed from the active members of the department who hold civil service seniority rights as firemen and have had five years service in the department.’”

“Section five thousand seven hundred one (5701), Code, 1935, is amended by changing the comma (,) to a period following the word ‘year’ in line three (3), subsection one (1), and striking the remainder of said subsection.”

By unanimous consent, on request of Senator Faul, the words

“in excess” were stricken from the second paragraph immediately following the word “population”.

The amendment to the amendment was adopted.

By unanimous consent, Senator Byers withdrew the amendments filed by him and found on pages 571 and 667 of the Journal.

Senator Baldwin moved that further action be deferred on Senate File 266 and that it be taken up as a special order of business Monday morning. The motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 8, 32, 76, 217, 238, 270, 307, 502, 503, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 527 and 535.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 8, 32, 76, 217, 238, 270, 307, 502, 503, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 527 and 535.

REPORT OF COMMITTEE

Senator Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 480, a bill for an act to make appropriations to Hurwicz Furniture Co., Monona County Achievement Show, Cass County Farm Improvement Association, C. B. Schager, M. W. Saier, Wm. M. Whisler, David Swanson, J. O. Westrum and Dr. R. W. Jackson, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *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 appropriations to certain named persons in settlement of damages sustained by them on account

of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the State Highway Commission or its employees, begs leave to report it has had the same under consideration and returns the bill without recommendation. L. H. DORAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 482, a bill for an act to make appropriations to certain named persons to cover refunds on motor vehicle registration fees, begs leave to report it has had the same under consideration and returns the bill without recommendation. L. H. DORAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 483, a bill for an act to make appropriations to Louisa County, Iowa, Floyd Brackney, Frank M. Burnell, The Independent School District of Stanton, Iowa, Fred Fredericks, George Howland, E. S. MacCartney, H. A. Reimer, and City of Bedford, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation. L. H. DORAN, *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 Greene County Fair Association, begs leave to report it has had the same under consideration and returns the bill without recommendation. L. H. DORAN, *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 for the use of the state conservation commission, begs leave to report it has had the same under consideration and returns the bill without recommendation. L. H. DORAN, *Chairman*.

Ordered passed on file.

SENATE CONCURRENT RESOLUTION 14

Whereas, Senate Joint Resolution 2 was heretofore adopted by both Houses of the Legislature and signed by the Governor, and

Whereas, Said resolution provides for the printing of 5,000 copies of state salary lists, and

Whereas, Said copies of the state salary lists have been printed and are now ready for distribution, now, therefore,

Be It Resolved by the Senate, the House Concurring: The state comptroller is hereby authorized to make the following distribution of the salary lists published under the authority of Senate Joint Resolution 2:

1. To each member of the Forty-eighth General Assembly.... 2 copies
2. To each elective state officer 1 copy
3. To each of the state bureaus and commissions..... 1 copy
4. To the auditor of each county, one copy for each 700 residents of the county, which shall be distributed as follows:

- To each elected county officer..... 1 copy
- To the mayor of each city or town..... 1 copy
- To each municipal library..... 1 copy
- To each newspaper published in the county..... 1 copy

On receipt of said lists, said auditor shall give notice by mail to each person or institution entitled to a copy that same are available, and all copies not required for said distribution, or not claimed within sixty (60) days thereafter, shall be given away on request.

5. To each state institutional library..... 1 copy
6. To the Republican State Central Committee.....125 copies to be distributed as follows:
 - To each member of the state committee...1 copy
 - To each county chairman.....1 copy
7. To the Democratic State Central Committee.....125 copies to be distributed as follows:
 - To each member of the state committee...1 copy
 - To each county chairman.....1 copy
8. To each representative of the press assigned a seat in the press gallery of the Senate or House..... 1 copy
9. To each radio broadcasting station in Des Moines..... 1 copy

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 481, section one (1), by adding as a new line immediately following line twenty-three (23) the following:

Oliver Yaggy	Cedar Falls	\$49.50	Collision
			J. BERG.

On motion of Senator Baldwin, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 10, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. R. L. Brown, pastor of the First Methodist church of Moravia.

The Journal of April 7th was corrected and approved.

LEAVE OF ABSENCE

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

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from citizens of Black Hawk county, favoring enactment of Senate File 305.

By Senator Mowry, from the Jasper County Liberal Voters Club, opposing enactment of the chain store tax bill.

By Senator Mowry, from the United Retail Employees of American Local 121, opposing enactment of the chain store tax bill.

By Senator Sjulín, from citizens of Fremont and Page counties, opposing enactment of House File 637.

By Senator Stewart, from citizens of Allamakee county, favoring the elimination of Class "C" beer permits.

By Senator Pelzer, from citizens of Cass county, favoring the elimination of Class "C" beer permits.

By Senator Vrba, from citizens of Winneshiek county, favoring the elimination of Class "C" beer permits.

By Senator Byers, from citizens of Linn county, favoring the elimination of Class "C" beer permits.

By Senator Hoeven, from citizens of Sioux county, favoring enactment of House File 155.

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 119, a bill for an act relating to motor vehicles.

Also: That the House has concurred in Senate amendments to and passed House File 623, a bill for an act relating to instruments running to corporations.

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

House Concurrent Resolution 23, relating to completing the clerical work of the Forty-eighth General Assembly.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 37, a bill for an act relative to annual levies.

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

Senate File 289, a bill for an act relating to mutual insurance associations.

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

Senate File 419, a bill for an act relating to payment of compensation benefits.

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 legalize the proceedings of the City of Chariton, Iowa, relating to the water works improvement.

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

House File 635, a bill for an act providing for the future distribution of class "A" permit fees.

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

House File 641, a bill for an act to legalize the reincorporation of the Ladies Professorship Association of Fayette, Fayette County, Iowa.

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

House File 645, a bill for an act relating to election contest expense.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 23

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-eighth 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 Journal 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 AMENDMENT TO SENATE FILE 37

Amend by adding to section one (1) the following paragraph:

"The provisions of this act shall not be applicable to any county having an assessed valuation of twenty-two million dollars (\$22,000,000.00) or more."

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 379.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 379.

BILL SENT TO THE GOVERNOR

Senator Benson, 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 April, 1939, sent to the Governor for his approval, Senate File 379.

RALPH E. BENSON, *Chairman.*

Passed on file.

On motion of Senator Dewey, Senate Concurrent Resolution 14 was taken up and considered.

SENATE CONCURRENT RESOLUTION 14

Whereas, Senate Joint Resolution 2 was heretofore adopted by both Houses of the Legislature and signed by the Governor, and

Whereas, Said resolution provides for the printing of 5,000 copies of state salary lists, and

Whereas, Said copies of the state salary lists have been printed and are now ready for distribution, now, therefore,

Be It Resolved by the Senate, the House Concurring: The state comptroller is hereby authorized to make the following distribution of the salary lists published under the authority of Senate Joint Resolution 2:

1. To each member of the Forty-eighth General Assembly.... 2 copies
2. To each elective state officer 1 copy
3. To each of the state bureaus and commissions..... 1 copy
4. To the auditor of each county, one copy for each 700 residents of the county, which shall be distributed as follows:

To each elected county officer	1 copy
To the mayor of each city or town.....	1 copy
To each municipal library	1 copy
To each newspaper published in the county.....	1 copy

On receipt of said lists, said auditor shall give notice by mail to each person or institution entitled to a copy that same are available, and all copies not required for said distribution, or not claimed within sixty (60) days thereafter, shall be given away on request.

5. To each state institutional library 1 copy
6. To the Republican State Central Committee.....125 copies
to be distributed as follows:

To each member of the state committee.....	1 copy
To each county chairman.....	1 copy
7. To the Democratic State Central Committee.....125 copies
to be distributed as follows:

To each member of the state committee.....	1 copy
To each county chairman.....	1 copy
8. To each representative of the press assigned a seat in the press gallery of the Senate or House..... 1 copy
9. To each radio broadcasting station in Des Moines..... 1 copy

On motion of Senator Dewey, the resolution was adopted.

CONSIDERATION OF SENATE FILE 266 RESUMED

The time having arrived for the special order of business, consideration of Senate File 266, a bill for an act to amend Chapter two hundred eighty-nine (289), Code, 1935, and Chapter one hundred fifty-six (156) of the Laws of the Forty-seventh General Assembly of Iowa, relating to civil service in certain cities, was resumed.

Consideration of the amendment by Senator Byers, found on page 1010 of the Journal, was resumed.

Senator Byers offered the following amendment to his amendment and moved its adoption:

Amend by adding thereto a new section as follows:

"Section 12. Section seven (7) of Chapter 156 of the Acts of the Forty-seventh General Assembly is hereby amended by adding thereto the following:

"The council shall within sixty (60) days, after this Act becomes effective, certify to the Civil Service Commission a list showing the classification and duties of all Civil Service positions; any subsequent changes in the classification or duties of Civil Service positions shall immediately be certified to the Civil Service Commission by the Council."

The amendment to the amendment was adopted.

Senator Breen offered the following amendment to the amendment by Senator Byers and moved its adoption:

Amend section seven (7) by inserting a period (.) after the word "examinations" in line five (5) and striking the remainder of the section.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 17:

Augustine	Geske	Hill	Moore
Bekman	Gillette	Hopkins	Shaw
Breen	Guernsey	Mighell	Vrba
Doran	Harvey	Miller	Zeigler
Ellis			

Nays, 18:

Baldwin	Cromwell	Hart	Martin
Beardsley	Dewey	Henningsen	Mowry
Benson	Donohue	Kirketeg	Sjulin
Byers	Evans	Leo	Talbott
Corwin	Faul		

Absent or not voting, 15:

Berg	Forsling	Lundy	Smith
Dean	Hoeven	Parker	Stewart
Edwards	Husted	Pelzer	Whitehill
Elthon	Levis	Schadt	

The amendment to the amendment was lost.

By unanimous consent, on request of Senator Byers, the word "their" in line six (6) of section two (2) of his amendment was changed to the word "his".

Senator Cromwell moved to reconsider the vote by which the Baldwin amendment, found on page 1012 of the Journal, to the Byers amendment, found on page 1010 of the Journal, failed to be adopted.

Roll call was requested.

On the question "Shall the Senate reconsider the vote by which the Baldwin amendment failed to be adopted?" the vote was:

Ayes, 27:

Augustine	Cromwell	Hill	Mowry
Baldwin	Dewey	Hoeven	Parker
Beardsley	Edwards	Hopkins	Schadt
Bekman	Ellis	Husted	Stewart
Benson	Faul	Kirketeg	Vrba
Berg	Hart	Martin	Whitehill
Corwin	Henningesen	Miller	

Nays, 8:

Breen	Elthon	Guernsey	Pelzer
Doran	Evans	Harvey	Zeigler

Absent or not voting, 15:

Byers	Geske	Lundy	Sjulin
Dean	Gillette	Mighell	Smith
Donohue	Leo	Moore	Talbott
Forsling	Levis	Shaw	

The motion prevailed.

Senator Cromwell offered the following amendment to the Baldwin amendment and moved its adoption:

Further amend section five (5) of Chapter 156 of the Laws of the Forty-seventh General Assembly by striking from line eight (8) the word "treasurer", and from line nine (9) the words "auditor, civil engineer, and chief of police".

By unanimous consent, on request of Senator Cromwell, the words "chief of police" were stricken from the amendment.

The amendment to the Baldwin amendment was lost.

The Baldwin amendment was adopted.

Senator Bekman offered the following amendments to the amendment and moved their adoption.

Amend section two (2) of the Byers amendment by adding after the word "each" in line seven (7) the following: "in cities over 35,000".

Further amend by striking from lines seven (7), eight (8), and nine (9), the following:

"In cities of 15,000 population or less, \$50.00 per year; cities of from 15,000 to 30,000, \$200.00 per year;".

Further amend by striking the figures "30,000" in line nine (9) and inserting in lieu thereof the figures "35,000".

The amendments to the amendment were adopted.

The amendment as amended 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, 34:

Augustine	Donohue	Hart	Miller
Baldwin	Edwards	Henningsen	Mowry
Beardsley	Ellis	Hill	Schadt
Bekman	Elthon	Hoeven	Sjulin
Benson	Evans	Hopkins	Stewart
Breen	Faul	Husted	Talbott
Byers	Geske	Kirketeg	Vrba
Cromwell	Gillette	Martin	Whitehill
Dewey	Guernsey		

Nays, 4:

Doran	Harvey	Pelzer	Zeigler
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Absent or not voting, 12:

Berg	Forsling	Lundy	Parker
Corwin	Leo	Mighell	Shaw
Dean	Levis	Moore	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 Byers moved that Senate File 266 be engrossed, which motion prevailed.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Doran, Senate File 371, a bill for an act to make an appropriation to the Iowa conservation commission to be used in cooperation with the WPA funds, to complete the project known as the "Sewer and Sewage Diversion Works, Division B", Dickinson county, Iowa, 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.

Rule 8 was invoked.

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

Ayes, 35:

Augustine	Dewey	Geske	Leb
Baldwin	Donohue	Gillette	Martin
Beardsley	Doran	Guernsey	Mighell
Bekman	Edwards	Hart	Miller
Benson	Ellis	Harvey	Schadt
Breen	Elthon	Henningsen	Shaw
Byers	Evans	Hoeven	Talbott
Corwin	Faul	Hopkins	Vrba
Cromwell	Forsling	Kirketeg	

Nays, 9:

Berg	Moore	Pelzer	Whitehill
Hill	Mowry	Stewart	Zeigler
Husted			

Absent or not voting, 6:

Dean	Lundy	Sjulin	Smith
Levis	Parker		

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

Senator Elthon moved to reconsider the vote by which Senate File 371 passed the Senate.

Further action was temporarily deferred.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

EXECUTIVE SESSION

On motion of Senator Donohue, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

Senator Donohue moved that the last paragraph of Rule 49 be suspended for the day.

On motion of Senator Donohue, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate in executive session confirmed the following appointments:

Mrs. Mary E. Huncke, of Polk County, as a member of the State Board of Social Welfare, for the term ending June 30, 1941.

H. C. Beard, of Ringgold County, as a member of the State Board of Social Welfare, for the term ending June 30, 1943.

King R. Palmer, of Fayette county, as a member of the State Board of Social Welfare, for the term ending June 30, 1945.

The Senate arose from executive session and resumed regular session.

INTRODUCTION OF BILLS

Senate File 490, by committee on judiciary 1, a bill for an act to confirm, ratify, legalize and declare valid for all purposes the action of the Board of Supervisors of Webster County, Iowa, in erecting in the City of Fort Dodge, in said County of Webster and State of Iowa, a building for the purpose of housing Welfare and Juvenile Agencies of said county.

Read first and second times and referred to sifting committee.

Senate File 491, by committee on judiciary 2, a bill for an act to provide for the relinquishment of jurisdiction over certain lands lying in Lee County, State of Iowa, to the State of Missouri.

Read first and second times and referred to sifting committee.

SENATE FILE 133 RECALLED

By unanimous consent, on request of Senator Cromwell, Senate File 133 was recalled from the Governor.

Senator Hoeven moved that all records, exhibits, affidavits, minutes of testimony, transcripts of the record, and other papers accumulated by the board of control committee of the Senate in its investigation of institutions under the board of control be filed with the Secretary of the Senate on Tuesday, April 11th, at 9:00

a. m. and that the same be made available to the public and the press at that time.

Roll call was requested.

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

Ayes, 33:

Beardsley	Doran	Henningsen	Mowry
Bekman	Edwards	Hill	Parker
Benson	Elthon	Hoeven	Pelzer
Berg	Evans	Husted	Schadt
Byers	Faul	Hopkins	Sjulin
Corwin	Forsling	Kirketeg	Talbott
Cromwell	Hart	Levis	Whitehill
Dewey	Harvey	Martin	Zeigler
Donohue			

Nays, 4:

Augustine	Ellis	Geske	Moore
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Absent or not voting, 13:

Baldwin	Guernsey	Mighell	Smith
Breen	Leo	Miller	Stewart
Dean	Lundy	Shaw	Vrba
Gillette			

The motion prevailed.

Senator Donohue moved that the report of the committee on board of control be made a special order of business at 10:00 a. m. Wednesday, which motion prevailed.

CONSIDERATION OF RECONSIDERATION OF SENATE FILE 371 RESUMED

Consideration of the motion by Senator Elthon to reconsider the vote on Senate File 371 was resumed.

On the question "Shall the vote by which Senate File 371 passed the Senate be reconsidered?" the vote was:

Ayes, 35:

Beardsley	Elthon	Hill	Parker
Bekman	Evans	Hoeven	Pelzer
Berg	Forsling	Hopkins	Shaw
Corwin	Geske	Kirketeg	Sjulin
Dewey	Gillette	Leo	Stewart
Donohue	Guernsey	Martin	Vrba
Doran	Hart	Mighell	Whitehill
Edwards	Harvey	Miller	Zeigler
Ellis	Henningsen	Mowry	

Nays, 1:

Faul

Absent or not voting, 14:

Augustine	Byers	Levis	Schadt
Baldwin	Cromwell	Lundy	Smith
Benson	Dean	Moore	Talbott
Breen	Husted		

The motion to reconsider prevailed.

Senator Elthon moved that the vote by which Senate File 371 passed to its third reading be reconsidered.

The motion prevailed.

Senator Elthon offered the following amendment and moved its adoption:

Amend by striking from lines one and two of section one (1) the following: "the general fund of the state of Iowa, not otherwise appropriated," and inserting in lieu thereof "the Iowa Emergency Relief Administration funds now available".

The amendment was 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, 42:

Augustine	Dewey	Guernsey	Martin
Baldwin	Donohue	Hart	Mighell
Beardsley	Doran	Harvey	Miller
Bekman	Edwards	Henningesen	Mowry
Benson	Ellis	Hoeven	Parker
Berg	Elthon	Hopkins	Schadt
Breen	Evans	Husted	Shaw
Byers	Faul	Kirketeg	Sjulin
Corwin	Forsling	Leo	Talbott
Cromwell	Geske	Levis	Vrba
Dean	Gillette		

Nays, 3:

Moore	Stewart	Zeigler
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Absent or not voting, 5:

Hill	Pelzer	Smith	Whitehill
Lundy			

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.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Doran, House File 94, 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, was taken up and considered.

Senator Faul moved that the bill be read a third 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	Doran	Henningsen	Moore
Baldwin	Edwards	Hill	Mowry
Beardsley	Ellis	Hoeven	Parker
Bekman	Elthon	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Breen	Faul	Kirketeg	Shaw
Byers	Forsling	Leo	Sjulin
Corwin	Geske	Levis	Stewart
Cromwell	Gillette	Martin	Vrba
Dean	Guernsey	Mighell	Whitehill
Dewey	Hart	Miller	Zeigler
Donohue	Harvey		

Nays, none.**Absent or not voting, 4:**

Benson	Lundy	Smith	Talbott
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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 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 Doran, action on Senate File 454 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Doran, Senate File 455, a bill for an act to make an emergency appropriation of state funds to the State Planning Board, 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, 27:

Augustine	Dean	Guernsey	Moore
Baldwin	Doran	Harvey	Mowry
Beardsley	Edwards	Hopkins	Schadt
Bekman	Ellis	Levis	Shaw
Breen	Elthon	Lundy	Stewart
Corwin	Geske	Mighell	Vrba
Cromwell	Gillette	Miller	

Nays, 11:

Benson	Donohue	Husted	Whitehill
Berg	Forsling	Sjulin	Ziegler
Dewey	Henningsen	Talbott	

Absent or not voting, 12:

Byers	Hart	Kirketeg	Parker
Evans	Hill	Leo	Pelzer
Faul	Hoeven	Martin	Smith

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.

By unanimous consent, on request of Senator Doran, action on House Files 540, 541 and 542 was deferred and the bills allowed to retain their places on the calendar.

On motion of Senator Doran, Senate File 484, a bill for an act to appropriate the sum of one thousand two hundred fifty-eight dollars and twenty cents (\$1,258.20) to Paul Kordick of the Western State Sales Company, in payment of the loud speaker system installed in the Senate, 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, 34:

Augustine	Ellis	Kirketeg	Pelzer
Baldwin	Elthon	Leo	Schadt
Bekman	Faul	Levis	Shaw
Benson	Geske	Martin	Sjulin
Corwin	Guernsey	Mighell	Stewart
Cromwell	Harvey	Miller	Talbott
Dewey	Henningsen	Mowry	Vrba
Doran	Hill	Parker	Whitehill
Edwards	Hopkins		

Nays, none.

Absent or not voting, 16:

Beardsley	Dean	Gillette	Lundy
Berg	Donohue	Hart	Moore
Breen	Evans	Hoeven	Smith
Byers	Forsling	Husted	Zeigler

The bill having received a constitutional two-thirds 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.

On motion of Senator Doran, Senate File 480, a bill for an act to make appropriations to Hurwich Furniture Company, Monona County Achievement Show, Cass County Farm Improvement Association, C. B. Schager, M. W. Baier, Wm. M. Whisler, David Swanson, J. O. Westrum, and Dr. R. W. Jackson, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell moved that the bill be read a third 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	Hill	Moore
Beardsley	Elthon	Hoeven	Mowry
Bekman	Evans	Hopkins	Pelzer
Benson	Faul	Husted	Schadt
Breen	Forsling	Kirketeg	Shaw
Byers	Geske	Leo	Stewart
Corwin	Gillette	Levis	Talbott
Cromwell	Guernsey	Martin	Vrba
Dewey	Hart	Mighell	Whitehill
Doran	Harvey	Miller	Zeigler
Edwards			

Nays, none.

Absent or not voting, 9:

Baldwin	Donohue	Lundy	Sjulin
Berg	Henningsen	Parker	Smith
Dean			

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

Senator Cromwell 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 Cromwell, action on Senate File 481 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Cromwell, Senate File 482, a bill for an act to make appropriations to certain named persons to cover refunds on motor vehicle registration fees, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell moved that the bill be read a third 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	Hill	Mowry
Beardsley	Edwards	Hoeven	Pelzer
Bekman	Ellis	Hopkins	Schadt
Benson	Elthon	Husted	Shaw
Berg	Evans	Kirketeg	Sjulin
Breen	Faul	Leo	Stewart
Byers	Geske	Levis	Talbott
Corwin	Guernsey	Martin	Vrba
Cromwell	Hart	Mighell	Whitehill
Dean	Harvey	Miller	Zeigler
Dewey	Henningsen		

Nays, none.

Absent or not voting, 8:

Baldwin	Forsling	Lundy	Parker
Donohue	Gillette	Moore	Smith

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

Senator Cromwell 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 Cromwell, Senate File 451, a bill for an act to make appropriations to the Davenport Oil and Supply Company, Davenport, Iowa; T. D. Johnson, Rodman, Iowa; Cal Johnston, Eldon, Iowa; State College of Agriculture and Mechanic Arts, Ames, Iowa; and Real Estate Division in the office of the secretary of state, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend by striking from line three (3) of section one (1) the following: "State College of Agriculture and Mechanic Arts," and inserting in lieu thereof "city of".

Further amend Senate File 451 by striking from line seven (7) of section one (1) the following:

"at said institution", and inserting in lieu thereof, "on property of the State College of Agriculture and Mechanic Arts".

The amendment was adopted.

Senator Cromwell moved that the bill be read a third 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	Mowry
Bekman	Ellis	Hoeven	Pelzer
Benson	Elthon	Hopkins	Schadt
Berg	Faul	Husted	Shaw
Byers	Geske	Kirketeg	Stewart
Corwin	Gillette	Leo	Talbott
Cromwell	Guernsey	Levis	Vrba
Dean	Hart	Martin	Whitehill
Dewey	Harvey	Mighell	Zeigler
Doran	Henningsen	Miller	

Nays, none.

Absent or not voting, 11:

Baldwin	Donohue	Lundy	Sjulin
Beardsley	Evans	Moore	Smith
Breen	Forsling	Parker	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate.

Senator Cromwell offered the following amendment to the title and moved its adoption:

Amend the title by striking from lines three (3) and four (4) the following:

"State College of Agriculture and Mechanic Arts," and inserting in lieu thereof the words "city of".

The amendment was adopted, and the title as amended was agreed to.

Senator Cromwell 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 Cromwell, Senate File 485, a bill for an act to make an appropriation to Greene County Fair Association, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Berg moved that action on Senate File 485 be deferred, and the bill be allowed to retain its place on the calendar.

The motion prevailed.

On motion of Senator Cromwell, Senate File 483, a bill for an act to make appropriations to Louisa County, Iowa, Floyd Brackney, Frank M. Burnell, The Independent School District of Stanton, Iowa, Fred Fredericks, George Howland, E. S. MacCartney, H. A. Reimer, and City of Bedford, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Cromwell moved that the bill be read a third 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	Doran	Harvey	Miller
Bekman	Edwards	Henningsen	Mowry
Benson	Ellis	Hill	Schadt
Berg	Elthon	Hoeven	Shaw
Byers	Evans	Hopkins	Stewart
Corwin	Faul	Kirketeg	Talbott
Cromwell	Gillette	Levis	Vrba
Dean	Guernsey	Martin	Whitehill
Dewey	Hart	Mighell	Zeigler

Nays, none.

Absent or not voting, 14:

Augustine	Forsling	Lundy	Pelzer
Baldwin	Geske	Moore	Sjulin
Breen	Husted	Parker	Smith
Donohue	Leo		

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

Senator Cromwell 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 639, a bill for an act relating to the 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 424, a bill for an act providing that legal work of the state shall be under the direction of the attorney general.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 424

Amend by adding thereto the following sections:

Sec. 3. The attorney general may appoint one assistant attorney general to perform and supervise the legal work of the state tax commission, and in such event the salary and necessary traveling expenses of such assistant attorney general shall be paid from the appropriation to said state tax commission, and upon request of the attorney general the state tax commission shall provide and equip a suitable office and the necessary secretarial assistance for such assistant attorney general.

Sec. 4. The attorney general may appoint one assistant attorney general to perform and supervise the legal work of the state board of social welfare, and in such event the salary and necessary traveling expenses of such assistant attorney general shall be paid from the appropriation to said state board of social welfare, and upon request of the attorney general the state board of social welfare shall provide and equip a suitable office and the necessary secretarial assistance for such assistant attorney general.

Sec. 5. This act, being deemed of immediate importance, shall be in full force and effect after its publication in the Iowa Falls Citizen, a newspaper published at Iowa Falls, Iowa, and the Mapleton Press, a newspaper published at Mapleton, Iowa.

HOUSE MESSAGES CONSIDERED

House File 635, a bill for an act to provide for the future distribution of class "A" permit fees as provided for in section nineteen hundred twenty-one-f one hundred seventeen (1921-f117), Code, 1935, and the barrel tax as provided for in section nineteen hundred twenty-one-f one hundred eighteen (1921-f118), Code, 1935; and providing that from and after July 1, 1940, or as soon prior thereto as all claims filed against the state sinking fund as of January 1, 1939, have been paid, said fees and barrel tax shall accrue to the general fund of the state of Iowa.

Read first and second times and referred to sifting committee.

House File 641, a bill for an act to legalize the reincorporation of the Ladies Professorship Association of Fayette, Fayette county, Iowa, its articles of incorporation, the election of officers, and executive committee under said articles of incorporation, and of the acts and proceedings to effect said reincorporation, and the title of property belonging to said corporation as herein incorporated and assumed by said articles of reincorporation.

Read first and second times and referred to sifting committee.

House File 645, a bill for an act to make an appropriation for the expenses incurred in the election contests of Peter Bendixen vs. Howard P. Eckerman; J. Ray Pilcher vs. T. H. Brodersen; Raymond S. Hill vs. Mrs. Frank M. Elliott.

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

House File 639, a bill for an act to provide an emergency appropriation for salaries of assistants in the office of the state planning board in the discharge of their official duties, and for other expenses of said office, for the period from March 1, 1939, to April 10, 1939, both dates inclusive; and to repeal Chapter two hundred thirty-five (235), Acts of the Forty-seventh General Assembly, relating to the state planning board.

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

SENATE FILE 217 WITHDRAWN

By unanimous consent, on request of Senator Corwin, Senate File 217 was withdrawn from further consideration of the Senate.

By unanimous consent, on request of Senator Stewart, House File 435 was transferred to the preferential list on the calendar.

EXTRA COPIES

By unanimous consent, on request of Senator Forsling, 500 copies of Senate File 379 as passed, were ordered printed.

APPOINTMENT OF COMMITTEE

Pursuant to resolution previously adopted, the President announced the appointment of Senators Berg, Benson, Henningsen, Hoeven, and Sjulín as members of the committee on the part of the Senate to represent the State of Iowa at the reception for Crown Prince Fredrik and Crown Princess Ingrid of Denmark at the Hotel Fort Des Moines on April 20th.

SENATE CONCURRENT RESOLUTION 15

Be It Resolved By The Senate, The House Concurring: That Crown Prince Fredrik and Crown Princess Ingrid of Denmark, who come to Des Moines on April 20th, be presented to the members of the Forty-eighth General Assembly in joint convention in the House Chamber at 4:00 p. m. April 20th.

That the President of the Senate and the Speaker of the House appoint a committee of five members of the Senate and five members of the House to receive and welcome them to the joint session of the General Assembly of Iowa.

J. BERG.

AMENDMENTS FILED

MR. PRESIDENT: Amend section 2 of Senate File 399, by adding thereto a new paragraph to read as follows:

"5. The term 'cosmetics' shall mean and include (1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (2) articles intended for use as a component of any such articles."

Also amend section 2 by striking from line 17 the following: "used in the practice of medicine".

Amend section 3, subsection 15, by adding after the word "turpentine" in line 145 the following: "soaps, witch hazel, cosmetics," J. BERG.

MR. PRESIDENT: Amend Senate File 467 by striking from lines six (6) and seven (7) the words "Pensions received by veterans from the United States Government" and inserting in lieu thereof the following: "Pensions of all kinds received by veterans from the United States Government by reason of service in the military forces of the United States, including disability or dependency compensation paid to veterans, their widows, orphans, or parents, and the retirement pay of persons retired from the military forces of the United States under the laws of the United States".

GEORGE M. FAUL.

MR. PRESIDENT: Amend section four (4) of Senate File 479 by striking the figures "\$7,500.00" in line eight (8) and inserting in lieu thereof "\$7,600.00".

L. H. DORAN.

MR. PRESIDENT: Amend section 19 of Senate File 479 by striking the figures in line 11 and inserting in lieu thereof "\$74,280.00".

Also by striking from line 12 the following: "research, development and".

Also by striking the figures in line 15 and inserting "\$129,280.00".

Further amend said section 19 by striking the words and figures "one hundred twenty-five thousand eight hundred eighty dollars (\$125,880.00)" in lines 3 and 4 and inserting in lieu thereof the following: "one hundred twenty-nine thousand two hundred eighty dollars (\$129,280.00)".

L. H. DORAN.

MR. PRESIDENT: Amend section 22 of Senate File 479 by striking the figures "\$3,000.00" in line seven (7) and inserting in lieu thereof "\$3,600.00".

L. H. DORAN.

MR. PRESIDENT: Amend Senate File 479, section 39, by adding thereto a new subdivision to read as follows:

(7a) Public Safety and Education

For the division of public safety and education there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of thirty-one thousand two hundred ten dollars (\$31,210.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 31,210.00
--	--------------

Total for division of public safety and education	\$ 31,210.00
--	--------------

Further amend section 39 by striking the words and figures "eight hundred twenty-four thousand five hundred ten dollars (\$824,510.00)" in lines 3 and 4 and inserting in lieu thereof the following:

"eight hundred fifty-six thousand five hundred twenty dollars (\$856,520.00)".

Also amend line 57 of section 39 by striking the figures "\$824,510.00" and inserting in lieu thereof "\$856,520.00".

Amend line 14 of subdivision 2 by striking the figures "\$2,400.00" and inserting in lieu thereof "\$3,200.00".

Amend line 18, subdivision 2 by striking the figures "\$461,940.00" and inserting in lieu thereof "\$462,740.00".

L. H. DORAN.

MR. PRESIDENT: Amend Senate File 479, section 48, by striking all of subdivision 2 and inserting in lieu thereof the following:

For the chain store tax division there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of six thousand six hundred fifty dollars (\$6,650.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 6,650.00
--	-------------

Total for chain store tax division	\$ 6,650.00
--	-------------

Also strike all of subdivision 3 and insert in lieu thereof the following:

For the cigarette and beer tax division there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of twenty-six thousand six hundred forty dollars (\$26,640.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$26,640.00

Total for cigarette and beer tax division.....\$26,640.00

Also strike all of subdivision 4 and insert in lieu thereof the following:

For the inheritance and estate tax division there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of fourteen thousand dollars (\$14,000.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$ 14,000.00

Total for the inheritance and estate tax division\$ 14,000.00

Also strike the words and figures "five hundred ninety-seven thousand four hundred seventy dollars (\$597,470.00)" in lines three (3) and four (4) of said section 48 and insert in lieu thereof the following:

"six hundred thousand one hundred twenty dollars (\$600,120.00)".

Also strike the figure in line 53 of said section 48 and insert in lieu thereof the following: "J. BERG."

MR. PRESIDENT: Amend House File 462 by striking all of section one (1) following the colon (:) in line five (5) and inserting in lieu thereof the following: "Re-roofing fifty (50) mess halls at a cost of not to exceed seventy-one hundred dollars (\$7,100.00); re-roofing four (4) headquarters buildings at a cost of not to exceed ten hundred fifty-two dollars (\$1,052.00); fifty (50) ice boxes at a cost of not to exceed seventy-five hundred dollars (\$7,500.00); three (3) ammunition magazines at a cost of not to exceed fifteen hundred dollars (\$1,500.00); six (6) enlisted men's bathhouses and latrines at a cost of not to exceed fifty-seven hundred dollars (\$5,700.00); four (4) officers' bathhouses and latrines at a cost of not to exceed thirty-two hundred dollars (\$3,200.00); addition to office at a cost of not to exceed two thousand dollars (\$2,000.00); ceiling garage at a cost of not to exceed ten hundred forty-eight dollars (\$1,048.00); stoker for heating plant at a cost of not to exceed nine hundred dollars (\$900.00)".

E. P. DONOHUE.

MR. PRESIDENT: Amend House File 635 by striking from line one (1) of section one (1) the word "July", and inserting in lieu thereof the word "December"; and by striking from line three (3) of said section the figures "1939" and inserting in lieu thereof the figures "1940".

Further amend by striking from line one (1) of section two (2) the word "July", and inserting in lieu thereof the word "December"; and by

striking from line three (3) of said section the figures "1939" and inserting in lieu thereof the figures "1940".

Further amend by adding a new section to be known as section three (3) to read as follows:

"Sec. 3. No claim now outstanding but not yet filed, shall be a claim against the state sinking fund unless filed on or before January 1, 1940."

Further amend by renumbering the remaining section. K. A. EVANS.

Senator Berg moved that the Senate adjourn until 9:00 a. m. Tuesday.

Senator Faul offered as a substitute that the Senate adjourn until 10:00 a. m. Tuesday.

The substitute motion was lost.

The motion prevailed, and the Senate adjourned until 9:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 11, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Gustave Edwin Anderson, pastor of the Baptist church, of Danville.

The Journal of April 10th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Smith for the day, on account of illness, on request of Senator Doran.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Augustine, from citizens of Mahaska county, favoring enactment of Senate File 305.

By Senator Beardsley, from citizens of Warren and Marion counties, opposing enactment of House File 637.

By Senator Benson, from citizens of Glidden, opposing enactment of House File 637.

By Senator Benson, from citizens of Carroll and Greene counties, favoring the elimination of Class "C" beer permits.

By Senator Corwin, from citizens of Muscatine county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Cromwell, from citizens of Burlington, favoring the retention of Class "C" beer permits.

By Senator Gillette, from members of the Greater West Bend Club, requesting a redistricting of the senatorial districts.

By Senator Gillette, from citizens of Linn county, favoring the elimination of Class "C" beer permits.

By Senator Pelzer, from citizens of Cass county, favoring the

adoption of a joint resolution memorializing Congress to enact the General Welfare Act of 1939.

By Senator Pelzer, from citizens of Cass county, favoring the elimination of Class "C" beer permits.

By Senator Shaw, from citizens of Humboldt county, favoring the elimination of Class "C" beer permits.

By Senator Shaw, from citizens of Humboldt, Pocahontas and Buena Vista counties, favoring the bill providing for legalization of pin ball machines.

By Senator Vrba, from citizens of Winneshiek county, favoring the elimination of Class "C" beer permits.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 27, 1939, he had approved the following:

Senate File 378, relating to the change in name of the Board of Railroad Commissioners to Iowa State Commerce Commission.

Senate File 390, relating to the Iowa Soldiers' Home, located at Marshalltown.

Senate File 401, relating to the report of the State Highway Commission.

Also, that on April 10, 1939, he had approved the following:

Senate File 43, relating to the distribution of books among school districts.

Senate File 44, relating to the filing of petitions in juvenile court.

Senate File 75, providing for the financing of the erection of hospital buildings and additions thereto by the issuance of county public hospital bonds, in counties having a population of 135,000 or over.

Senate File 124, amending Section 7193, Code, 1935, as to lien of taxes when the tax sale is held under Section 7259 or Section 7262, Code, 1935, and amending Section 7295, Code, 1935, as to the time in which certain actions can be brought as to tax sales and deeds.

Senate File 132, amending Chapter 509, Code, 1935, authorizing executors, administrators and trustees, under order of court, to pay legacies, bequests, distributive shares or interest in trust funds belonging to minors, where the value does not exceed two hundred dollars, to the parents or natural guardian, and accept receipt of such person therefor, where no legal guardian has been appointed for such minor.

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 407, a bill for an act relating to settlement of damages sustained by certain persons on account of collision with state highway equipment.

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 appropriation in payment of certain claims against the state of Iowa.

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

Senate File 457, a bill for an act relating to the auditor of the state highway commission.

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 the distribution of the book containing the state salary list.

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

House File 93, a bill for an act to legalize certain warrants issued by the city of Des Moines.

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

House File 459, a bill for an act relating to the city manager plan of municipal government.

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

House File 651, a bill for an act relating to the relinquishment of certain lands to the state of Missouri.

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

House Concurrent Resolution 21, providing for the sine die adjournment of the Forty-eighth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 21

Be It Resolved by the House, the Senate Concurring: That the Forty-eighth General Assembly adjourn sine die at four (4) o'clock P. M., Tuesday, April 18, 1939.

HOUSE MESSAGES CONSIDERED

House File 93, 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 sifting committee.

House File 651, a bill for an act to provide for the relinquishment of jurisdiction over certain lands lying in Lee County, State of Iowa, to the State of Missouri.

Read first and second times and referred to sifting committee.

House File 459, a bill for an act to amend sections sixty-six hundred twenty-five (6625), sixty-six hundred twenty-six (6626), sixty-six hundred thirty-one (6631), sixty-six hundred thirty-three (6633), sixty-six hundred thirty-eight (6638), sixty-six hundred fifty-one (6651), sixty-six hundred sixty-nine (6669), sixty-six hundred eighty-three (6683), sixty-six hundred eighty-four (6684), and sixty-six hundred ten-e one (6610-c1) of the Code, 1935, and to repeal sections sixty-six hundred twenty-nine (6629) and sixty-six hundred thirty (6630) of the Code, 1935, and to enact a substitute section therefor, relating to the city manager plan of municipal government.

Read first and second times and referred to sifting committee.

By unanimous consent, on request of Senator Kirketeg, action on Senate File 298 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Breen, action on Senate File 434 was deferred and the bill allowed to retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Shaw, Senate File 439, a bill for an act to amend section ninety-seven hundred fifty-two (9752), Code, 1935, to authorize guardians to mortgage or encumber personal

property and to obtain benefits under Chapter four hundred twenty-seven (427) of the Code of 1935 by sealing grain, 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, 39:

Augustine	Edwards	Henningsen	Parker
Beardsley	Ellis	Hill	Pelzer
Bekman	Elthon	Hoeven	Schadt
Benson	Evans	Hopkins	Shaw
Berg	Faul	Husted	Stewart
Breen	Forsling	Kirketeg	Talbott
Corwin	Geske	Leo	Vrba
Cromwell	Gillette	Martin	Whitehill
Dean	Guernsey	Miller	Zeigler
Dewey	Harvey	Mowry	

Nays, none.

Absent or not voting, 11:

Baldwin	Doran	Lundy	Sjulin
Byers	Hart	Mighell	Smith
Donohue	Levis	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.

By unanimous consent, on request of Senator Hill, Senate File 439 was messaged to the House immediately.

On motion of Senator Donohue, Senate File 441, a bill for an act to legalize the action of the board of supervisors of Floyd County, Iowa, in acquiring title to Lot Five (5), Block Two (2), Oak Park Addition to Charles City, Iowa, and to legalize the expenditure of the sum of nine hundred thirty-two dollars and thirty-two cents (\$932.32), for the repair and construction of a house upon the said real estate, a committee bill, 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	Ellis	Hill	Parker
Beardsley	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Benson	Faul	Husted	Shaw
Berg	Forsling	Kirketeg	Sjulin
Corwin	Geske	Leo	Stewart
Cromwell	Gillette	Levis	Talbott
Dean	Guernsey	Martin	Vrba
Dewey	Harvey	Miller	Whitehill
Donohue	Henningsen	Mowry	Zeigler
Edwards			

Nays, none.

Absent or not voting, 9:

Baldwin	Doran	Lundy	Moore
Breen	Hart	Mighell	Smith
Byers			

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.

By unanimous consent, on request of Senator Donohue, Senate File 441 was messaged to the House immediately.

On motion of Senator Donohue, Senate File 443, a bill for an act to authorize the collection, by garnishment proceedings, by the Iowa state board of assessment and review of any income tax, sales tax, or use tax owed to the state, and to prescribe the procedure therefor, a committee bill, 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, 38:

Augustine	Edwards	Hoeven	Pelzer
Beardsley	Ellis	Hopkins	Schadt
Bekman	Evans	Husted	Shaw
Benson	Faul	Leo	Sjulin
Berg	Geske	Levis	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Dewey	Henningsen	Mowry	Zeigler
Donohue	Hill		

Nays, none.

Absent or not voting, 12:

Baldwin	Doran	Hart	Moore
Breen	Elthon	Kirketeg	Parker
Byers	Forsling	Lundy	Smith

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

On motion of Senator Evans, Senate File 436, a bill for an act to prevent the voting of additional road bonds in any county which has previously authorized one or more such bond issues, a committee bill, 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, 34:

Augustine	Ellis	Hopkins	Schadt
Beardsley	Elthon	Husted	Shaw
Bekman	Evans	Kirketeg	Sjulin
Benson	Gillette	Levis	Stewart
Corwin	Guernsey	Miller	Talbott
Cromwell	Harvey	Mowry	Vrba
Dewey	Henningsen	Parker	Whitehill
Donohue	Hill	Pelzer	Zeigler
Edwards	Hoeven		

Nays, 3:

Faul	Geske	Mighell
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Absent or not voting, 13:

Baldwin	Dean	Hart	Martin
Berg	Doran	Leo	Moore
Breen	Forsling	Lundy	Smith
Byers			

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.

By unanimous consent, on request of Senator Evans, Senate File 436 was messaged to the House immediately.

On motion of Senator Berg, Senate File 323, a bill for an act to amend sections one (1) and twenty-two (22), of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, defining the term "boarding house" and the term

“charitable, benevolent, or fraternal institution”; and relating to a resident in an institution; and to amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, providing for the regulation of and licensing of boarding houses supplying board and/or room to recipients; all relating to the old age assistance laws of this state, was taken up and considered.

Senator Berg offered the following amendments and moved their adoption:

Amend section one (1) by striking from line six the words “and/or board” and inserting in lieu thereof the words “or room and board”.

Further amend by adding as section four (4) following section three (3) the following:

“Sec. 4. Amend section fifty-two hundred ninety-six-f twelve (5296-f12), as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding thereto a new subsection as follows:

11. Is not, while a recipient, residing in a boarding house, owned or subsidized by the federal, state, or municipal government.”

Further amend by renumbering section four (4) as section five (5).

Amend the title by striking the comma (,) preceding the word “Code” in line six (6) and inserting the following: “and section fifty-two hundred ninety-six-f twelve (5296-f12), and by striking from line eight (8) the words “board and/or room” and inserting in lieu thereof the words “room or room and board”.

The amendments were adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend by striking the last section, the publication clause.

The amendment was adopted.

Senator Hoeven moved that action on Senate File 323 be deferred and the bill be allowed to retain its place on the calendar, which motion prevailed.

By unanimous consent, on request of Senator Forsling, Senate Concurrent Resolution 16 was taken up and considered.

SENATE CONCURRENT RESOLUTION 16

Whereas, The Iowa Society of Certified Public Accountants, without expense to the state, and under authorization of the executive council sponsored and made a limited survey of the accounting systems of the state treasurer and comptroller, and

Whereas, Such survey discloses that a change in the accounting systems of said offices may be desirable, therefore,

Be It Resolved by the Senate, the House Concurring: The treasurer of state and the comptroller are directed to cooperate with the Iowa Society of Certified Public Accountants in instituting such changes in the accounting systems of the said departments as the treasurer and comptroller may deem advisable, with the purpose of facilitating and bettering the accounting systems of those departments.

On motion of Senator Forsling, the resolution was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Forsling called up for consideration Senate File 424, amended by the House, and moved that the Senate concur in the following amendment:

Amend by adding thereto the following sections:

Sec. 3. The attorney general may appoint one assistant attorney general to perform and supervise the legal work of the state tax commission, and in such event the salary and necessary traveling expenses of such assistant attorney general shall be paid from the appropriation to said state tax commission, and upon request of the attorney general the state tax commission shall provide and equip a suitable office and the necessary secretarial assistance for such assistant attorney general.

Sec. 4. The attorney general may appoint one assistant attorney general to perform and supervise the legal work of the state board of social welfare, and in such event the salary and necessary traveling expenses of such assistant attorney general shall be paid from the appropriation to said state board of social welfare, and upon request of the attorney general the state board of social welfare shall provide and equip a suitable office and the necessary secretarial assistance for such assistant attorney general.

and refuse to concur in the following amendment:

Amend by adding the following section:

Sec. 5. This act, being deemed of immediate importance, shall be in full force and effect after its publication in the Iowa Falls Citizen, a newspaper published at Iowa Falls, Iowa, and the Mapleton Press, a newspaper published at Mapleton, Iowa.

The motion prevailed and the Senate concurred in the amendment adding sections 3 and 4, and refused to concur in the amendment adding section 5.

THIRD READING OF BILLS

On motion of Senator Schadt, Senate File 288, a bill for an act to amend section three thousand six hundred fifty-three (3653),

Code, 1935, relating to the providing and maintaining of homes for dependent, neglected and delinquent children, was taken up and considered.

Senator Donohue offered the following amendment:

Amend by striking all of section two (2) and inserting in lieu thereof the following:

"This act being deemed of immediate importance shall be in full force and effect after its publication in the New Hampton Tribune, a newspaper published at New Hampton, Iowa, and the Fredericksburg News, a newspaper published at Fredericksburg, Iowa."

On motion of Senator Schadt, the amendment was adopted.

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, 39:

Augustine	Evans	Hopkins	Parker
Beardsley	Faul	Husted	Schadt
Benson	Geske	Kirketeg	Shaw
Berg	Gillette	Leo	Sjulin
Cromwell	Guernsey	Levis	Stewart
Dean	Hart	Lundy	Talbott
Dewey	Harvey	Martin	Vrba
Edwards	Henningsen	Mighell	Whitehill
Ellis	Hill	Miller	Zeigler
Elthon	Hoeven	Mowry	

Nays, none.

Absent or not voting, 11:

Baldwin	Byers	Doran	Pelzer
Bekman	Corwin	Forsling	Smith
Breen	Donohue	Moore	

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

Senator Schadt 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 Schadt, Senate File 288 was messaged to the House immediately.

By unanimous consent, on request of Senator Berg, action on Senate File 454, and House Files 540, 541 and 542 was deferred and the bills allowed to retain their places on the calendar.

By unanimous consent, on request of Senator Cromwell, action

on Senate Files 481 and 485 was deferred and the bills allowed to retain their places on the calendar.

On motion of Senator Dewey, Senate File 486, a bill for an act to make an appropriation for the use of the state conservation commission, with report of committee without recommendation, was taken up and considered.

Senator Lundy offered the following amendment and moved its adoption:

Amend by adding after the word "commission," in line six (6) of section one (1), the following:

"subject to the approval of the executive council,".

The amendment was adopted.

Senator Sjulín moved the previous question, which motion prevailed.

Senator Dewey 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, 33:

Augustine	Doran	Harvey	Mighell
Beardsley	Edwards	Henningesen	Miller
Bekman	Ellis	Hoeven	Moore
Benson	Elthon	Hopkins	Mowry
Breen	Geske	Kirketeg	Schadt
Corwin	Gillette	Leo	Shaw
Cromwell	Guernsey	Lundy	Vrba
Dean	Hart	Martin	Whitehill
Dewey			

Nays, 14:

Berg	Forsling	Parker	Stewart
Byers	Hill	Pelzer	Talbott
Donohue	Husted	Sjulín	Zeigler
Paul	Levis		

Absent or not voting 3:

Baldwin	Evans	Smith
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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 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 Stewart, House File 435, a bill for an act to make permanent a temporary transfer of funds in Allamakee County, Iowa, from the bovine tuberculosis eradication fund to the general fund of said county, 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, 40:

Augustine	Elthon	Hoeven	Mowry
Bekman	Evans	Hopkins	Parker
Berg	Faul	Husted	Pelzer
Byers	Forsling	Kirketog	Schadt
Corwin	Geske	Leo	Sjulin
Cromwell	Gillette	Levis	Stewart
Dean	Guernsey	Lundy	Talbott
Dewey	Harvey	Martin	Vrba
Doran	Henningsen	Mighell	Whitehill
Edwards	Hill	Moore	Zeigler

Nays, none.

Absent or not voting, 10:

Baldwin	Breen	Hart	Shaw
Beardsley	Donohue	Miller	Smith
Benson	Ellis		

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 Whitehill, House File 462, a bill for an act to make an appropriation to the Iowa National Guard for the reroofing of mess halls and headquarters buildings, installation of ice boxes, construction of ammunition magazines, construction of bath houses and latrines, addition to office, ceiling of garage building and stoker for heating plant, all at Camp Dodge, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Donohue offered the following amendment:

Amend by striking all of section one (1) following the colon (:) in line five (5) and inserting in lieu thereof the following: "Reroofing fifty (50) mess halls at a cost of not to exceed seventy-one hundred dollars (\$7,100.00); reroofing four (4) headquarters buildings at a cost of not to exceed ten hundred fifty-two dollars (\$1,052.00); fifty (50) ice boxes

at a cost of not to exceed seventy-five hundred dollars (\$7,500.00); three (3) ammunition magazines at a cost of not to exceed fifteen hundred dollars (\$1,500.00); six (6) enlisted men's bathhouses and latrines at a cost of not to exceed fifty-seven hundred dollars (\$5,700.00); four (4) officers bathhouses and latrines at a cost of not to exceed thirty-two hundred dollars (\$3,200.00); addition to office at a cost of not to exceed two thousand dollars (\$2,000.00); ceiling garage at a cost of not to exceed ten hundred forty-eight dollars (\$1,048.00); stoker for heating plant at a cost of not to exceed nine hundred dollars (\$900.00)".

On motion of Senator Berg, the amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend section one (1) by inserting after the word "guard" in line four (4) the following: "for use at Camp Dodge, Iowa,".

The amendment was adopted.

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, 42:

Augustine	Doran	Hill	Mowry
Beardsley	Edwards	Hoeven	Parker
Bekman	Ellis	Hopkins	Schadt
Benson	Elthon	Husted	Shaw
Berg	Evans	Kirketeg	Sjulin
Breen	Faul	Leo	Stewart
Byers	Geske	Lundy	Talbott
Corwin	Gillette	Martin	Vrba
Cromwell	Guernsey	Mighell	Whitehill
Dewey	Harvey	Moore	Zeigler
Donohue	Henningsen		

Nays, none.

Absent or not voting, 8:

Baldwin	Forsling	Levis	Pelzer
Dean	Hart	Miller	Smith

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.

By unanimous consent, on request of Senator Whitehill, House File 462 was messaged to the House immediately.

CONSIDERATION OF SENATE FILE 356 RESUMED

On motion of Senator Husted, consideration of Senate File 356, a bill for an act to amend sections sixty-two hundred sixty-one (6261) and sixty-five hundred seventy-eight-b one (6578-b1), as amended, Code, 1935, relating to the anticipation of special taxes and the issuance of certificates or bonds authorized in said sections, and providing for a vote of the people thereon, was resumed.

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	Edwards	Hopkins	Parker
Beardsley	Ellis	Husted	Pelzer
Bekman	Elthon	Kirketeg	Schadt
Benson	Faul	Leo	Shaw
Berg	Geske	Levis	Sjulin
Breen	Gillette	Lundy	Stewart
Byers	Guernsey	Martin	Talbott
Corwin	Harvey	Mighell	Vrba
Cromwell	Henningsen	Miller	Whitehill
Dewey	Hill	Moore	Zeigler
Donohue	Hoeven	Mowry	

Nays, none.

Absent or not voting, 7:

Baldwin	Doran	Forsling	Smith
Dean	Evans	Hart	

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

Senator Gillette offered the following amendment to the title and moved its adoption:

Amend by striking from lines two (2) and three (3) the words and figures "and sixty-five hundred seventy-eight-b one (6578-b1) as amended".

The amendment was adopted and the title as amended 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.

President pro tem Hoeven took the chair at 11:30.

Senator Bekman asked unanimous consent to take up for consideration Senate File 243.

Objection was made.

THIRD READING OF BILLS

On motion of Senator Husted, Senate File 404, a bill for an act to repeal sections three thousand one hundred fourteen (3114) and three thousand one hundred eighteen (3118), Code, 1935, and to enact substitutes therefor; and to amend sections three thousand one hundred fifteen (3115) and three thousand one hundred seventeen (3117), Code, 1935, all relating to the registration and labeling of commercial feeds; and relating to the method of collection of inspection fees, and to repeal sections three thousand one hundred twenty-two (3122), three thousand one hundred twenty-three (3123) and three thousand one hundred twenty-five (3125), Code, 1935, was taken up and considered.

Senator Husted offered the following amendments and moved their adoption:

Amend as follows:

1. From section one (1) strike lines four (4) to twelve (12), inclusive, and insert in lieu thereof the following:

"All manufacturers, importers, jobbers, firms, associations, corporations, or persons, before selling, offering or exposing for sale or distributing in this state any brand of commercial feed, shall have printed on, or attached to each bag, package, and/or carton, in a conspicuous place, or delivered with each bulk lot, a label which shall contain a legible statement, printed in the English language, clearly and truly setting out:"

2. From section one (1) strike lines twenty-six (26) to thirty-nine (39) inclusive, and insert in lieu thereof the following:

"(h) The minimum percentage of phosphorus (P) and of iodine (I), and the maximum percentage of calcium (ca) and of salt (NaCl), if the same be present in mixed feeds containing more than a total of five per cent (5%) of one or more mineral ingredients, or other unmixed materials used as mineral supplements, and in mineral feeds, mixed or unmixed, which are manufactured, represented and sold for the primary purpose of supplying mineral elements in rations for animals or birds, and containing mineral elements generally regarded as dietary factors essential for normal nutrition; provided that if no nutritional properties other than those of a mineral nature be claimed for a mineral feed product, the per centums of crude protein, crude fat, and crude fiber may be omitted."

3. To section one (1), at the end of line forty-two (42), add close quotes (").

Senator Beardsley offered the following amendment to amendment two (2) and moved its adoption:

Amend by striking from line seven (7) of paragraph "(h)" the word "or" and inserting a comma (,) in lieu thereof.

Further amend by inserting after the word "birds," the words "or poultry,".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend section four (4) by striking the period at the end of line twenty (20) and adding thereto the following:

“, and all of the funds so collected under this section shall be retained by the department and used for the purpose of enforcing the provisions of this act.”

Roll call was requested.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 13:

Augustine	Ellis	Guernsey	Miller
Beardsley	Geske	Henningsen	Moore
Breen	Gillette	Husted	Vrba
Dean			

Nays, 22:

Bekman	Doran	Kirketeg	Pelzer
Benson	Elthon	Leo	Schadt
Berg	Faul	Levis	Talbott
Byers	Forsling	Martin	Whitehill
Cromwell	Harvey	Mowry	Zeigler
Donohue	Hopkins		

Absent or not voting, 15:

Baldwin	Evans	Lundy	Sjulin
Corwin	Hart	Mighell	Smith
Dewey	Hill	Parker	Stewart
Edwards	Hoeven	Shaw	

The amendment was lost.

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	Doran	Hill	Mowry
Beardsley	Edwards	Hoeven	Pelzer
Bekman	Ellis	Hopkins	Schadt
Benson	Elthon	Husted	Shaw
Berg	Evans	Kirketeg	Sjulin
Breen	Faul	Leo	Stewart
Corwin	Geske	Levis	Talbott
Cromwell	Gillette	Lundy	Vrba
Dean	Guernsey	Martin	Whitehill
Dewey	Harvey	Mighell	Zeigler
Donohue	Henningsen	Miller	

Nays, none.

Absent or not voting, 7:

Baldwin
Byers

Forsling
Hart

Moore
Parker

Smith

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.

By unanimous consent, on request of Senator Donohue, Senate File 319, a bill for an act to amend section 3 of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; to amend section 4 (e) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; to amend section 5(e) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; to amend section 7 (c) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; to amend section 19 (p) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; and to amend section 19 (q) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; relating to unemployment compensation and the methods of the administration of such Act, was taken up and considered.

Senator Bekman offered the following amendments and moved their adoption:

Amend as follows:

By striking from line three (3) of section three (3) the word "temporary" and inserting in lieu thereof the word "partial".

Further amend by striking section four (4) and inserting in lieu thereof as section four (4) the following: "Sec. 4. That Sec. 5 (e) of Chapter 102 of the Acts of the Forty-seventh General Assembly of Iowa be amended by changing the colon (:) following the word 'congress' in the eighth line of said Sec. 5 (e) to a semi-colon (;) and adding thereafter the following: '(4). Benefits paid as retirement pay or as private pension.'"

Further amend by striking Sec. 6 and inserting in lieu thereof as Sec. 6 the following: "Sec. 6. That Sec. 4 of Chapter 102 of the Acts of the Forty-seventh General Assembly of Iowa be amended by adding after the word 'week' in line 9 of said section the following: ', in any benefit year,'. Further amend said section by striking lines 20 to 25 inclusive."

Further amend by striking Sec. 7 and renumbering the remaining sections.

The amendments were adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking section nine (9) and inserting in lieu thereof the following:

"Sec. 9. This act being deemed of immediate importance, shall be in force and effect from and after its passage and publication in the Fredericksburg News, a newspaper published at Fredericksburg, Iowa, and in the Nashua Reporter, a newspaper published at Nashua, Iowa."

The amendment was adopted.

Further action was temporarily deferred.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 492, by committee on cities and towns, a bill for an act to authorize a city or town and the state highway commission to enter into agreement with respect to any project for the paving of a portion of the primary road extension within such city or town.

Read first and second times and referred to sifting committee.

CONSIDERATION OF SENATE FILE 319 RESUMED

Consideration of Senate File 319 was resumed.

Senator Bekman moved that the bill be read a third 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	Hill	Miller
Baldwin	Doran	Hoeven	Moore
Beardsley	Edwards	Hopkins	Mowry
Bekman	Ellis	Husted	Schadt
Breen	Elthon	Kirketeg	Shaw
Byers	Forsling	Leo	Stewart
Corwin	Geske	Levis	Talbott
Cromwell	Gillette	Lundy	Vrba
Dean	Hart	Martin	Whitehill
Dewey	Henningsen	Mighell	Zeigler

Nays, none.

Absent or not voting, 10:

Benson	Faul	Parker	Sjulin
Berg	Guernsey	Pelzer	Smith
Evans	Harvey		

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

Senator Bekman offered the following amendment to the title and moved its adoption:

Amend the title by striking from line eight (8) the figures "19 p" and inserting the figure "4" in lieu thereof; also by striking from lines nine (9), ten (10) and eleven (11) the following: "and to amend Sec. 19 (q) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly".

The amendment was adopted and the title as amended was agreed to.

Senator Bekman 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.

THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 321, a bill for an act to amend section 6 (i) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly relating to court review; also section 10 (b) of said act relating to the secretary of the commission; also section 13 (a) of said act relating to a special fund; and also section 19 of said act relating to benefit year and insured worker, was taken up and considered.

Senator Bekman offered the following amendments and moved their adoption:

1. Amend by striking section 1 and inserting in lieu thereof as section 1 the following: "Section 1. That Sec. 6 (i) of Chapter 102 of the Acts of the Forty-seventh General Assembly of Iowa be amended by striking from lines 4 and 5 of said section the following words, 'aggrieved party was last employed or resides', and inserting in lieu thereof the following: 'claimant was last employed or resides, provided that if the claimant does not reside in the State of Iowa the action shall be brought in the district court of Polk county, Iowa'."

2. Amend by striking from line 3 in Sec. 5 the word "worker" and inserting in lieu thereof the word "work".

3. Amend by adding after section five (5) as sections six (6) and seven (7) the following, and by renumbering the subsequent sections:

"Sec. 6. That the law as it appears in section 16 (a) of Chapter one

hundred two (102) of the Acts of the Forty-seventh General Assembly of Iowa be amended by changing the comma (,) following the word 'days' in line seven (7) to a period (.) and by striking from line seven (7) the following words: 'or by both such fine and imprisonment; and'.

"Sec. 7. That the law as it appears in Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly of Iowa be amended by adding two new sections to be known as Sec. 14 (e) and Sec. 14 (f) as follows:

'Sec. 14 (e). Nonresident Employing Units. Any employing unit which is a nonresident of the state of Iowa and for which services are performed in insured work within the state of Iowa by having such services performed within the state of Iowa shall be deemed:

(1). To agree that such employing unit shall be subject to the jurisdiction of the District Court of the state of Iowa over all civil actions and proceedings against such employing unit for all purposes of this Act, and

(2). To appoint the Secretary of State of this state as its lawful attorney upon whom may be served all original notices of suit and other legal processes pertaining to such actions and proceedings,

(3). To agree that any original notice of suit or any other legal process so served upon such nonresident employing unit shall be of the same legal force and validity as if personally served on it in this state.'

Sec. 14 (f). Sections 5079-d13 to 5079-d22 inclusive, Chapter 251, Code of Iowa, 1935, shall be applicable to all civil actions and proceedings brought against any employing units under the provisions of Sec. 14 (e).'

4. Amend section 4, lines 6 and 7, by striking therefrom the words "on which benefits are subsequently paid".

5. Amend the title by changing the period (.) after the word "worker" in line six (6) to a semicolon (;) and adding the following: "also Sec. 16 (a) of said Act relating to penalties for false statements; also Sec. 14 of said Act relating to collection of contributions." Also amend line six (6) by changing the word "worker" to the word "work".

The amendments were adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend by striking the last section and inserting in lieu thereof the following:

"Sec. 9. This act being deemed of immediate importance, shall be in force and effect from and after its passage and publication in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and in The Daily Hawkeye-Gazette, a newspaper published at Burlington, Iowa."

The amendment was adopted.

Senator Bekman moved that the bill be read a third 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	Edwards	Hill	Moore
Baldwin	Ellis	Hoeven	Mowry
Beardsley	Elthon	Hopkins	Pelzer
Bekman	Evans	Kirketeg	Schadt
Benson	Faul	Leo	Shaw
Breen	Forsling	Levis	Stewart
Eyers	Geske	Lundy	Talbott
Corwin	Gillette	Martin	Vrba
Cromwell	Guernsey	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler
Doran	Henningsen		

Nays, none.

Absent or not voting, 8:

Berg	Donohue	Husted	Sjulin
Dean	Hart	Parker	Smith

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

Senator Bekman 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 Bekman, Senate File 321 was ordered engrossed.

On motion of Senator Gillette, Senate File 204, a bill for an act providing for state certification of seeds, plants, or plant parts intended for propagation or sale; establishing a seed certification board; prescribing their powers and duties; and providing penalties for the violation of provisions of this act, was taken up and considered.

Senator Gillette offered the following amendments and moved their adoption:

Amend as follows:

1. Amend section one (1) by inserting the word "the" immediately preceding the word "farm" in line 6.
2. Further amend section one (1) by inserting immediately following the word "station," in line 6 the words "the secretary of the Iowa state horticultural society,".

The amendments were 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, 48:

Augustine	Donohue	Harvey	Miller
Baldwin	Doran	Henningsen	Moore
Beardsley	Edwards	Hill	Mowry
Bekman	Ellis	Hoeven	Parker
Benson	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Breen	Faul	Kirketeg	Sjulin
Byers	Forsling	Leo	Stewart
Corwin	Geske	Levis	Talbott
Cromwell	Gillette	Lundy	Vrba
Dean	Guernsey	Martin	Whitehill
Dewey	Hart	Mighell	Zeigler

Nays, none.

Absent or not voting, 2:

Pelzer	Smith
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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 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.

CONSIDERATION OF MOTION TO RECONSIDER SENATE FILE 458

By unanimous consent, on request of Senator Berg, his motion to reconsider the vote by which Senate File 458 failed to pass the Senate was taken up for consideration.

Rule 8 was invoked.

On the question "Shall the vote be reconsidered?" the vote was:

Ayes, 32:

Bekman	Edwards	Hill	Martin
Benson	Elthon	Hoeven	Mowry
Berg	Evans	Hopkins	Parker
Byers	Faul	Husted	Sjulin
Corwin	Forsling	Kirketeg	Stewart
Dewey	Hart	Leo	Talbott
Donohue	Harvey	Levis	Whitehill
Doran	Henningsen	Lundy	Zeigler

Nays, 13:

Augustine	Ellis	Guernsey	Moore
Baldwin	Geske	Mighell	Shaw
Breen	Gillette	Miller	Vrba
Dean			

Absent or not voting, 5:

Beardsley	Pelzer	Schadt	Smith
Cromwell			

The motion prevailed.

Senator Donohue moved that the vote by which the bill went to its third reading be reconsidered, which motion prevailed.

Senator Forsling offered the following amendment and moved its adoption:

Amend by striking section 7 and inserting in lieu thereof the following: "Sec. 7. Should the banking board and comptroller determine that the foregoing charges are more than sufficient to pay the expense of the examinations, then the board by rule may lessen the charges for examination in such amounts as to defray the actual cost thereof."

The amendment was adopted.

THIRD READING OF BILLS

Senator Forsling moved that Senate File 458, a bill for an act to repeal standing appropriation provisions in Code sections of the Code, 1935, for the state banking department and state banking board as follows: Sections ninety-one hundred thirty-six (9136), ninety-one hundred thirty-seven (9137), ninety-one hundred forty-three (9143), ninety-one hundred forty-four (9144), ninety-one hundred forty-five (9145), ninety-one hundred forty-nine (9149), ninety-one hundred fifty (9150) and ninety-one hundred fifty-four-a five (9154-a5) relating to banking and the banking department, be read a third 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:

Bekman	Elthon	Husted	Parker
Benson	Evans	Kirketeg	Sjulin
Corwin	Faul	Leo	Stewart
Dewey	Forsling	Levis	Talbott
Donohue	Hart	Martin	Whitehill
Doran	Hill	Mowry	Zeigler
Edwards	Hoeven		

Nays, 16:

Augustine	Ellis	Henningsen	Moore
Baldwin	Geske	Hopkins	Schadt
Breen	Gillette	Mighell	Shaw
Dean	Guernsey	Miller	Vrba

Absent or not voting, 8:

Beardsley	Byers	Harvey	Pelzer
Berg	Cromwell	Lundy	Smith

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

Senator Donohue offered the following amendment to the title and moved its adoption:

Amend by striking all of the title following the word "Act" in line one (1) and inserting in lieu thereof the following: "amending sections ninety-one hundred thirty-six (9136), ninety-one hundred thirty-seven (9137), ninety-one hundred forty-three (9143) and ninety-one hundred fifty (9150) and repealing sections ninety-one hundred forty-four (9144), ninety-one hundred forty-five (9145), and ninety-one hundred fifty-four-a five (9154-a5), Code, 1935, relating to the salaries of the superintendent of banking and all bank examiners, relating to the standing appropriation for the banking department, and relating to fees to be charged for examinations."

The amendment was adopted and the title as amended was agreed to.

Senator Forsling 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 119 RESUMED

On motion of Senator Mowry, Senate File 119, a bill for an act to repeal section five thousand three hundred thirty-seven (5337), of the Code of Iowa, 1935, and to enact a substitute therefor, relating to poor tax, was resumed.

Senator Doran offered the following amendment and moved its adoption:

Amend by striking from line nine (9) of section one (1) the word "to" and inserting "up to and including the year 1941, thereafter the maximum millage levy for such purpose shall not exceed one and one-half (1½) mills; said levy when made shall".

By unanimous consent, on request of Senator Mowry, the word "second" was inserted before the word "word".

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend by adding to section one (1) the following:

"Before any such levy is made in excess of one and one-half (1½) mills, a completely itemized statement of expenditures contemplated by such county shall be submitted to the state comptroller for his approval, and no levy in excess of one and one-half (1½) mills shall be made unless so approved by him and only for the years 1939 and 1940 which are collectible in the ensuing years."

The amendment was adopted.

Senator Breen offered the following amendment:

Amend by striking from line nine (9) the word and figure "three (3)" and inserting in lieu thereof the word and figure "four (4)".

By unanimous consent, Senator Breen withdrew his amendment.

Senator Breen moved that action on Senate File 119 be deferred and the bill be allowed to retain its place on the calendar as unfinished business.

Roll call was requested.

On the question "Shall action be deferred?" the vote was:

Ayes, 11:

Augustine	Dean	Guernsey	Moore
Beardsley	Ellis	Mighell	Vrba
Breen	Geske	Miller	

Nays, 29:

Bekman	Edwards	Hill	Martin
Benson	Elthon	Hoeven	Mowry
Berg	Faul	Hopkins	Shaw
Byers	Forsling	Husted	Stewart
Corwin	Hart	Kirketeg	Talbott
Dewey	Harvey	Levis	Whitehill
Donohue	Henningsen	Lundy	Zeigler
Doran			

Absent or not voting, 10:

Baldwin	Gillette	Pelzer	Sjulin
Cromwell	Leo	Schadt	Smith
Evans	Parker		

The motion was lost.

Senator Mowry moved that the bill be read a third 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:

Bekman	Edwards	Hill	Mowry
Benson	Elthon	Hopkins	Schadt
Berg	Faul	Husted	Shaw
Byers	Forsling	Kirketeg	Stewart
Corwin	Guernsey	Levis	Talbott
Dewey	Hart	Lundy	Vrba
Donohue	Harvey	Martin	Whitehill
Doran	Henningsen	Mighell	Zeigler

Nays, 1:

Moore

Absent or not voting, 17:

Augustine	Dean	Gillette	Parker
Baldwin	Ellis	Hoeven	Pelzer
Beardsley	Evans	Leo	Sjulin
Breen	Geske	Miller	Smith
Cromwell			

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

Senator Mowry 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 334 RESUMED

On motion of Senator Edwards, consideration of Senate File 334, a bill for an act to amend Chapter four hundred two (402) Code of 1935, by amending section eighty-seven hundred eighty-one (8781) relating to benefits provided in certificates of membership issued by fraternal beneficiary associations, by adding thereto provisions for endowment and annuity benefits; to repeal sections eighty-seven hundred eighty-five (8785), eighty-seven hundred eighty-six (8786), eighty-seven hundred eighty-seven (8787), eighty-seven hundred eighty-eight (8788), eighty-seven hundred eighty-nine (8789) and eighty-eight hundred twenty-one (8821), and to combine the provisions of the repealed sections in new sections providing for membership requirements and beneficiaries and to enact substitutes therefor, which provide for and limit entry age, medical examination, social membership and beneficiaries; to repeal sections eighty-eight hundred forty-three (8843), eighty-eight hundred forty-six (8846) and eighty-eight hundred forty-seven (8847) relating to the segregation of funds from juvenile certificates, was resumed.

By unanimous consent, Senator Faul withdrew his amendments found on pages 735 and 736 of the Journal.

By unanimous consent, Senator Mowry withdrew his amendment, found on page 771 of the Journal.

Senator Faul offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Sections eighty-seven hundred eighty-five (8785), eighty-seven hundred eighty-six (8786), eighty-seven hundred eighty-seven (8787), eighty-seven hundred eighty-eight (8788), eighty-seven hundred eighty-nine (8789), and eighty-eight hundred twenty-one (8821), Code, 1935, are hereby repealed and the following enacted in lieu thereof:

'Qualifications for Membership. Any fraternal beneficiary society or association authorized to do business as such in this state may admit to beneficial membership any person not less than fifteen (15) and not more than sixty-five (65) years of age at nearest birthday, who has been examined by a legally qualified physician, and whose examination has been supervised and approved in accordance with the laws of the society, or who has made declaration of insurability acceptable to the society, and any person so admitted prior to attaining the full age of twenty-one (21) years shall be bound by the terms of his or her application and certificate, and by all the laws, rules, and regulations of the society, and shall be entitled to all the rights and privileges of membership therein, as fully and to the same extent as though he or she were not a minor at the time of applying for such beneficial membership; provided, that any beneficial member of a society who shall apply for additional benefits more than six months after becoming a beneficial member shall pass an additional medical examination or make an additional declaration of insurability, as required by the society, provided, however, that a declaration of insurability may be accepted only in cases, (a) of an applicant under forty-five (45) years of age and for insurance not to exceed two thousand dollars (\$2,000.00), and, (b) of insurance on the lives of children under fifteen (15) years of age. Nothing herein contained shall prevent such society from accepting general or social members to whom no certificates of insurance in any form shall be issued and who shall have no voice or vote in the management of the insurance affairs of the society, nor from issuing juvenile certificates on the lives of children under the age of fifteen (15) years.

Beneficiaries. No beneficiary shall have or obtain any vested interest in the proceeds of any certificate until such certificate has become due and payable in conformity with the provisions of the insurance contract. The insured member shall have the right at all times to change the beneficiary or beneficiaries in accordance with the constitution, by-laws, rules or regulations of the society. Every society may, by its constitution, by-laws, rules or regulations, limit the scope of beneficiaries.'

Sec. 2. Sections eighty-eight hundred forty-three (8843), eighty-eight hundred forty-six (8846) and eighty-eight hundred forty-seven (8847), Code, 1935, are hereby repealed."

Amend the title by striking from lines one (1), two (2), three (3),

four (4), five (5) and six (6) the following: "to amend Chapter four hundred two (402), Code of 1935, by amending section eighty-seven hundred eighty-one (8781) relating to benefits provided in certificates of membership issued by fraternal beneficiary associations, by adding thereto provisions for endowment and annuity benefits;"

Further amend the title by inserting immediately following the comma (,) after the figures "(8821)" in line ten (10), the following: "Code, 1935,"

Also amend the title by inserting immediately following the figures "(8847)" in line seventeen (17) the following: ", Code, 1935,"

The amendment was adopted.

Senator Faul moved that the bill be read a third 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	Mighell
Baldwin	Doran	Hart	Miller
Beardsley	Edwards	Harvey	Mowry
Bekman	Ellis	Hill	Schadt
Benson	Elthon	Hoeven	Shaw
Berg	Evans	Hopkins	Stewart
Breen	Faul	Husted	Talbott
Byers	Forsling	Kirketeg	Vrba
Corwin	Geske	Lundy	Whitehill
Cromwell	Gillette	Martin	Zeigler
Dean			

Nays, none.

Absent or not voting, 9:

Donohue	Levis	Parker	Sjulin
Henningsen	Moore	Pelzer	Smith
Leo			

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.

By unanimous consent, on request of Senator Faul, Senate File 334 was ordered engrossed.

By unanimous consent, on request of Senator Edwards, Senate File 334 was messaged to the House immediately.

On motion of Senator Vrba, Senate File 367, a bill for an act to amend section sixty-nine hundred forty-four (6944), Code, 1935,

providing that for a period of five (5) years from and after March 1, 1939, the first five thousand dollars (\$5,000.00) of the actual valuation of all new buildings or all new improvements to buildings shall be exempt from taxation, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking from line four the word "five" and figure "(5)" and inserting in lieu thereof the word "three" and figure "(3)".

The amendment was adopted.

Senator Bekman moved that action be deferred and the bill be allowed to retain its place on the calendar as unfinished business.

The motion prevailed.

On motion of Senator Stewart, House File 66, a bill for an act to repeal sections four hundred twenty-nine (429) and three hundred forty-six (346) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to signal lamps and signal devices, was taken up and considered.

Senator Elthon offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting the following:

Section 1. Section three hundred forty-six (346) of Chapter one hundred thirty-four (134) of the Acts of the 47th General Assembly is hereby repealed and the following enacted in lieu thereof:

"The signals herein required may be given either by means of the hand and arm or other proper signal or signal device of a type approved by the department, provided, however, that no motor vehicle complying with the laws of the state of Iowa shall be required to display an electrically operated directional signal lamp."

Sec. 2. Section four hundred twenty-nine (429) of Chapter one hundred thirty-four (134) of the Acts of the 47th General Assembly is hereby repealed and the following enacted in lieu thereof:

"Every motor vehicle shall be equipped with a signal lamp or signal device which is so constructed and located on the vehicle as to give a signal of intention to stop, which shall be red or yellow in color, which signal shall be plainly visible and understandable in normal sunlight and at night from a distance of one hundred (100) feet to the rear but shall not project a glaring or dazzling light."

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Oelwein Daily Register, a newspaper published at Oelwein, Iowa, and in the Muscatine Journal, a newspaper published at Muscatine, 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, 39:

Augustine	Dewey	Hart	Mowry
Baldwin	Donohue	Harvey	Pelzer
Beardsley	Edwards	Henningsen	Schadt
Bekman	Ellis	Hill	Shaw
Benson	Elthon	Hoeven	Stewart
Berg	Faul	Hopkins	Talbott
Byers	Forsling	Kirketeg	Vrba
Corwin	Geske	Martin	Whitehill
Cromwell	Gillette	Mighell	Zeigler
Dean	Guernsey	Miller	

Nays, none.

Absent or not voting, 11:

Breen	Husted	Lundy	Sjulin
Doran	Leo	Moore	Smith
Evans	Levis	Parker	

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

Senator Elthon offered the following amendment to the title and moved its adoption:

Amend by striking the title and inserting in lieu thereof the following: "An Act to amend Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, by repealing section three hundred forty-six (346) of said Chapter, and by repealing section four hundred twenty-nine (429) of said Chapter and enacting substitutes therefor."

The amendment was adopted and the title as amended 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.

President pro tem Hoeven took the chair at 3:25.

By unanimous consent, on request of Senator Doran, action on Senate File 363 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Hill, Senate File 31, a bill for an act to prohibit the inclusion of a chattel mortgage or chattel mortgage

clause in any real estate mortgage or other instrument affecting real property, 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 all of sections one (1) and two (2) and insert in lieu thereof the following:

"Section 1. No chattel mortgage upon crops shall be valid when included in or made a part of any real estate mortgage or deed of trust or any instrument encumbering or affecting real property.

"Sec. 2. This act shall not affect any mortgage in existence on the effective date of this act."

Senator Hill offered the following amendment and moved its adoption:

Amend by striking section four (4).

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, 40:

Augustine	Dewey	Harvey	Miller
Baldwin	Donohue	Henningsen	Moore
Beardsley	Doran	Hill	Mowry
Bekman	Edwards	Hoeven	Pelzer
Berg	Ellis	Hopkins	Schadt
Breen	Elthon	Husted	Shaw
Byers	Geske	Levis	Stewart
Corwin	Gillette	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill

Nays, none.

Absent or not voting, 10:

Benson	Forsling	Parker	Smith
Evans	Kirketeg	Sjulin	Zeigler
Faul	Leo		

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 Hill, Senate File 31 was messaged to the House immediately.

On motion of Senator Vrba, Senate File 279, 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 having a population of 15,000 or over, and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, exercising the power of eminent domain, 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, was taken up and considered.

Senator Faul offered the following amendments and moved their adoption:

Amend Senate File 279 as follows:

1. Amend by striking the period (.) in line sixty-one (61), section one (1), and adding thereto the following: "and shall in all cases be limited to persons or families having an income not in excess of eight hundred fifty dollars (\$850.00)."

2. Amend by inserting after the period (.) in line seventeen (17), section seven (7), the following: "It shall approve each project and shall have power to limit the size and number of projects."

3. Amend by inserting after the period (.) in line forty-three (43), section seven (7), the following: "No property shall be acquired in excess of the amount reasonably necessary to construct or operate a housing project and the sale, exchange, transfer or disposition of any property so acquired shall be subject to all the limitations of this act."

4. Amend by inserting after the word "income", line five (5), section nine (9), the following: "as defined in section two (2), subsection (j)".

5. Amend by striking the word "may" in line seven (7), section twenty (20) and inserting in lieu thereof the word "shall".

By unanimous consent, on request of Senator Faul, the words and figures "eight hundred fifty dollars (\$850.00)" in the last line of the first amendment were stricken and the words and figures "one thousand dollars (\$1,000.00)" inserted in lieu thereof.

The first amendment was adopted.

On motion of Senator Doran, further action was deferred and the bill allowed to retain its place on the calendar as unfinished business.

President Hickenlooper took the chair at 4:20.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 114.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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, House File 114.

SENATE CONCURRENT RESOLUTION 17

(Author's note: One half of Iowa's farm population are tenants. Their tenures are generally brief and uncertain. An area equal to eleven counties of the state is now owned by corporations; large operators equipped with tractorized machinery are rapidly replacing tenants of family sized farms and the March 1st trek from farm to farm is becoming a trek from farm to cities and towns.

As tractors replace horses and mules, petroleum products replace the farmers' produce formerly fed, less labor is required with consequent increasing unemployment and mounting crop surplusses. Thousands of Iowa people equipped by training and inclination to farm are annually being retired to swell unemployment and increase relief rolls.

Relief alone seems to be an expanding industry and the national debt has recently attained an all time high of forty billion dollars or more than three hundred dollars for each man, woman and child in the United States.

After a century of progress with her independent farmers and business men Iowa now sees a large portion of her inhabitants, through no fault of their own, subsisting on state and national relief. Much of this can be traced to inability of her farmers to own or rent land.

The small land owner has been aided by homestead tax relief. The tenancy question remains largely unsolved.

Many facts have already been gathered but the data is incomplete and the question requires further intensive study with especial reference to means of restoring farm ownership to actual farmers and assuring land for rental to deserving tenants who cannot acquire land by ownership.)

Be It Resolved by the Senate of the State of Iowa, the House Concurring: That the Governor be and he is requested to appoint a committee of fifteen, which shall include at least one resident of each of the congressional districts of Iowa, to study further the tenancy problem and

supplement the information with respect thereto now available. That such committee be authorized to call upon the agencies of the State including the state institutions of learning for facts and suggestions as to possible solutions for the tenancy problem and that the studies of such committee be especially directed toward means of enabling tenants to acquire land, means of checking commercial farming to an extent that will permit deserving tenants an opportunity to obtain family sized farms, and some plan which will tend to eliminate the short term lease and encourage longer term leases and make more stable tenure of farm land, and that such committee be requested to report its findings and recommendations to the Governor prior to the reassembling of the legislature.

SPECIAL AGRICULTURAL RELIEF COMMITTEE.

REPORTS OF COMMITTEE

Senator Doran submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 433, a bill for an act to make an appropriation for first producing oil well in Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *Chairman*.

(Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 645, a bill for an act to make an appropriation for the expenses incurred in the election contests of Peter Bendixen vs. Howard P. Eckerman; J. Ray Pilcher vs. T. H. Brodersen; and Raymond S. Hill vs. Mrs. Frank M. Elliott, begs leave to report it has had the same under consideration and returns the bill without recommendation.

L. H. DORAN, *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: Senate Files 459, 491, 489, 442, 492, and 467; House File 628; Senate Files 381, 389, 468, 469, 470, 471, and 472; House Files 256, 340, 395, 425, 477, 566, 642, 45, 57, 136, 166, 233, 246, and 247; House Joint Resolution 5; House File 614; Senate Files 223, 158, 146, and 373.

E. P. DONOHUE, *Chairman*.

FORMULA IN EXPLANATION OF CONCURRENT RESOLUTION 7

Senate Journal Page 296

By Shaw and Forsling

6,000,000,000 bushels—corn equivalent annual food production U. S.

1,200,000,000 bushels—20% annual surplus food production.

720,000,000—surplus cost per bushel @ 60 cents per bushel.

1,200,000,000 bushels—corn equivalent—3 billion gals. motor fuel.

22,000,000,000 gals.—annual production motor fuel in U. S.

Program on above basis requires retention of about 12% present production of motor fuel in U. S.

Cost present method production of motor fuel from grain @ 60 cents per bushel is 22½ cents per gallon.

Recovery 3,000,000,000 gallons motor fuel @ 6%—\$180,000,000 (also 30-35% of feed value residue).

Net cost of subsidy—less than \$480,000,000.

Surplus absorbed 20% of corn equivalent 1,200,000 bushels.

Mixture of 10% fuel from grain with 90% petroleum.

L. B. FORSLING.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 203 by striking all after the word "following" in line three (3) thereof, and by substituting therefor the following:

"In the case of farm tenants, except mere croppers, occupying and cultivating an acreage of forty acres or more, the tenancy shall continue for the following crop year unless written notice for termination is given by either party to the other not later than November first, whereupon the tenancy shall terminate March first following; provided further, the tenancy shall not continue because of absence of notice in case there be default in the performance of the existing rental agreement."

Special Agricultural Relief Committee,

CHARLES B. HOEVEN, *Chairman*.

MR. PRESIDENT: Amend subdivision b of section seven (7) of Senate File 279 by adding thereto the following: "Provided, however, that the authority shall not let a contract for the construction of any dwelling under the provisions of this act at a cost in excess of the sum of \$2,500.00."

E. P. DONOHUE.

MR. PRESIDENT: Amend Senate File 298 as follows:

Strike all after enacting clause and substitute the following:

Section 1. That section eleven thousand nine hundred eighteen (11918) is hereby repealed and the following enacted in lieu thereof:

"Section 11918. Exempt personal property.

1. When deceased leaves a spouse, all personal property which in decedent's hands as the head of a family would be exempt from execution, after being inventoried and appraised, shall be set apart to surviving spouse as property of surviving spouse, and be exempt in hands of surviving spouse as in the hands of the decedent.

2. In addition to the exemption above provided for, the surviving spouse shall have exempt, out of any cash on hand or out of any funds on deposit in any bank and/or trust company in open account and/or savings account and/or other credit, an amount not exceeding three hundred dollars (\$300.00), which amount shall be the property of surviving spouse, and such surviving spouse shall be entitled to take control of and/or with-

draw such sum without necessity of having administration on said deceased's estate; if surviving spouse wishes to take control of and/or withdraw such sum surviving spouse shall make an affidavit and deliver it to such bank and/or trust company showing said relationship and that said spouse is not asking withdrawal of exceeding three hundred dollars (\$300.00) from any or all such accounts of deceased including any cash on hand of decedent taken possession of by surviving spouse."

Further amend section nine thousand two hundred sixty-seven (9267), of the Code, 1935, by adding at the end of said section the following:

Any deposit made or account carried as herein provided shall, upon the death of one of said persons, be presumed to be an absolute and/or completed gift to the survivor, and when said amount does not exceed five thousand dollars (\$5,000) the same shall in all respects be exempt from gift, estate, or inheritance tax.

O. J. KIRKETEG.

L. H. DORAN.

MR. PRESIDENT: Amend Senate File 367 by striking all of lines four (4), five (5), six (6) and seven (7) of section one (1) and inserting in lieu thereof the following: "For a period of three (3) years from and after March 1, 1939 the first five thousand dollars (\$5000.00) of actual valuation of all structures erected on land which, prior to March 1, 1939, was not improved."

E. P. DONOHUE.

MR. PRESIDENT: Amend Senate File 449 by striking all after the enacting clause and substituting therefor the following:

"Section 1. The conservation commission is hereby given jurisdiction over the state-owned meandered lakes and streams, other state waters, streams draining therein, and also lands tributary and adjacent thereto when the written consent of the owner thereof has been secured, for the improvement thereof by deepening and/or filling; widening and/or contracting; construction and protection of banks, spillways and discharge structures; the control of erosion on lands tributary and adjacent thereto; and providing structures and other works conducive to regulation of stream flow and/or the betterment of state waters for recreational and other conservation purposes and uses. Any land created under the provisions of this act in areas now under the jurisdiction of the state will remain thereunder unless otherwise disposed of.

Sec. 2. In addition to other funds available to the conservation commission, there is hereby appropriated out of the funds in the state treasury not otherwise appropriated, for the purpose of carrying out the provisions of this act, the sum of twenty-five hundred dollars (\$2,500.00) annually for each year of the biennium beginning July 1, 1939, and ending June 30, 1941."

A. CLAIRE DEWEY.

MR. PRESIDENT: Amend Senate File 452 as follows:

1. By striking all after the enacting clause and substituting therefor the following:

Section 1. Section seven (7), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By striking from line twelve (12) the word and figure "five (5)"

and inserting in lieu thereof the words and figures "three and one-half (3½)";

(2) By striking lines twenty-nine (29) and thirty (30) and inserting in lieu thereof the following: "(d) All boats in class VII shall have a white light on deck forward of the mast. Such light shall be so constructed as to show all around the horizon."

Sec. 2. Section eight (8), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by adding thereto the following:

"(d) It shall be unlawful for Class I, II, III, and IV boats to operate on West Okoboji lake within the following named zones, which zones shall be marked by the conservation commission with buoys not more than six hundred (600) feet apart to separate from the main portion of West Okoboji lake such zones, to wit:

"1. That portion of West Okoboji known as Browns Bay and lying south of a direct line connecting the Lime Kiln Point and Pocahontas Point.

"2. That portion of West Okoboji known as Emersons Bay, and the area adjacent thereto and lying west of a line drawn from a point three hundred (300) feet east of Gull Point, due south and intersecting the north boundary of zone one.

"3. That portion of West Okoboji lying to the westward of a line drawn from a point three hundred (300) feet east of Gull Point northwest to the southwest corner of Babcock's property on the north shore of Millers Bay.

"4. That portion of West Okoboji lying eastward of a line drawn due south from Manhattan Point and intersecting the northeast boundary of zone three.

"5. That portion of West Okoboji lying to the north of a line drawn due west from Pikes Point to the west shore.

"6. That portion of West Okoboji lying to the eastward of a line drawn from Colcords Point southward to a point three hundred (300) feet due southwest of Dixons Point.

"Except that all boats in said classes may operate in such zones at a maximum speed of five (5) miles per hour for the purpose of receiving or discharging passengers at landings."

Sec. 3. Section eleven (11), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by adding thereto the following:

"(c) All privately owned row-boats used on or kept at the artificial lakes under the jurisdiction of the commission shall be seaworthy for the waters where they are kept or used. They shall not be loaded to the extent that more than one-third of the height of the freeboard is submerged. All such boats shall be removed from state property whenever ordered by the commission, and, in any event, shall be removed from such property not later than December first (1st) of each year."

Sec. 4. Section seventeen (17), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by inserting in line three (3), after the word "therefor", the following: " , provided such craft comply with the provisions of this chapter relating to lights and operation".

Sec. 5. Section thirty (30), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking all of line nine (9) after "main", and all of lines ten (10), and eleven (11), and the first word "area" of line twelve (12) and inserting in lieu thereof the following: "such as to assure the maintenance of an adequate supply of such species. The commission is hereby designated the sole agency to determine the facts as to whether such biological balance does or does not exist."

Sec. 6. Section thirty-two (32), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking the word "Hungarian" from lines ten (10) and eleven (11).

Sec. 7. Section thirty-eight (38), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by adding thereto the following paragraph:

"Nothing in the above shall prohibit licensed game breeders from securing native or exotic birds or animals from outside the state and bringing them into the state and they shall not be required to have a permit as provided above when such birds or animals are not released to the wild but are held on the game breeder's premises as breeding stock."

Sec. 8. Section thirty-nine (39), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By striking from line (10) the figure "5";

(2) By striking from line twelve (12) the words and figures "August 1-March 1" and inserting in lieu thereof the words and figures "September 15-January 15";

(3) By inserting in line twenty (20) after the word "Muscatine" the following: ", Wayne, Decatur, Clarke";

(4) By striking from line twenty-four (24) the figure "12" and inserting in lieu thereof the figure "9";

(5) By striking from line twenty-five (25) the figure "14" and inserting in lieu thereof the figure "18";

(6) By striking from line fifteen (15) the figure "1" and inserting in lieu thereof the figure "15";

(7) By striking from line sixteen (16) the figure "1" and inserting in lieu thereof the figure "15";

(8) By striking from line seventeen (17) the words "except Lee county"; and

(9) By striking from lines eighteen (18) and nineteen (19) the words and figures "November 15-December 15".

Sec. 9. Section forty-six (46), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking therefrom the last two (2) words: "or rabbits".

Sec. 10. Section forty-seven (47), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking therefrom lines three (3) and four (4) and inserting in lieu thereof the following:

"A pistol or revolver shooting blank cartridges may be used while training bird dogs during closed season. It shall be unlawful to train any foxhound, raccoon hound or trailing dog on any fur-bearing animal be-

tween sunset and sunrise for thirty (30) days just prior to the open season on raccoon."

Sec. 11. Section fifty-three (53), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by adding thereto subdivisions as follows:

"Bait Dealers

"(a) It shall be unlawful for any person to sell minnows, frogs, and clams, for fish bait until the tanks, boxes or crates used for holding bait have been inspected and approved by the director or his duly appointed representative and until said person has applied for and has been issued a bait dealer's license. The cost of said license shall be five dollars (\$5.00).

"Such license shall authorize the licensee to take from the lakes and streams in the state that are not closed to the taking of minnows, frogs and clams, sufficient minnows, frogs and clams to carry on and supply his customers with bait for hook and line fishing.

"Such licensees shall comply with all state laws pertaining to possession, taking, selling of bait handled by them and any licensee upon conviction for violating any state conservation laws, shall forfeit his license if demanded by the director.

"Minnow and bait boxes and tanks shall be open to inspection by the director and conservation officers at all times.

"Holders of a bait dealer's license, when obtaining bait from lakes and streams, shall take only such sized bait as can be used and shall return all small minnows and frogs to the water immediately with as little loss as possible.

"They shall have tanks and bait boxes of sufficient size, with proper aeration to keep the bait alive and prevent heavy loss."

"Private Fish Hatchery

"(b) It shall be unlawful for any person to operate a private fish hatchery or engage in the business of propagating fish native to the state of Iowa in private waters until such person has applied for and has been issued a private fish hatchery license as provided by state law. Such license shall be renewed each year.

"The term 'private fish hatchery' covering private fish hatcheries shall include all private ponds, with or without buildings, used for the purpose of propagating or holding fish for commercial purposes.

"No license shall be issued to operate private fish hatcheries on privately owned or nonmeandered lakes and streams or ponds that may become stocked with fish from public waters by overflow or natural migration.

"Holders of private fish hatchery licenses may, in said hatchery, possess, propagate, buy, sell, deal in and transport the fish produced from breeding stock lawfully acquired, but all fish sold for food purposes must comply with the state law regarding size limits.

"They may sell fish for stocking purposes within or without the state, but no fish shall be sold for stocking purposes within the state that are not native to the state and to the waters where stocked.

"Each operator of a private fish hatchery shall make an annual report of the number, kinds and sizes of the fish propagated and to whom sold

during the license year on forms supplied by the commission. Failure to make such report shall be grounds for refusal to renew the license under which the hatchery operates.

"Operators of private fish hatcheries shall secure their breeding stock from licensed private fish hatcheries in the state or from lawful sources outside the state and it shall be unlawful for such hatcheries to secure stock in any other way.

"Private fish hatchery operators who hold and feed carp, buffalo and other fish lawfully taken by commercial fishermen, may hold, feed and sell such fish under private fish hatchery licenses."

Sec. 12. Section fifty-six (56), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By striking from line eighteen (18) the word "April" and inserting in lieu thereof the word "May";

(2) By striking from line twenty (20) the figure "1" and inserting in lieu thereof the figure "30";

(3) By striking from line twenty-nine (29) the figure "12" and inserting in lieu thereof the figure "10";

(4) By striking from line thirty-seven (37) the figure "25" and inserting in lieu thereof the figure "15", and by striking the figure "50" and inserting in lieu thereof the figure "25";

(5) By inserting in line forty-eight (48) after the word "limits" the words "and a continuous open season";

(6) By inserting in line sixty (60) after the word "crappies": "calico bass";

(7) By striking from line seventy-eight (78) the figure "15" and inserting in lieu thereof the figure "12";

(8) By adding to Table A the following:

"Frogs May 12-November 30	Four (4) dozen	Eight (8) dozen	6 inches
	(Bait dealers excepted)	(Bait dealers excepted)	(Applies to bait dealers only)";

(9) By striking from lines ninety-nine (99) and one hundred (100) the words and figures "June 15 to November 30" and inserting in lieu thereof the words and figures "June 1 to March 1 next";

(10) By striking from lines one hundred two (102) and one hundred three (103) the words and figures "May 15 to November 30" and inserting in lieu thereof the word "continuous";

(11) By striking from lines one hundred five (105) and one hundred six (106) the words and figures "May 15 to November 30" and inserting in lieu thereof the word "continuous";

(12) By striking from lines one hundred nine (109) and one hundred ten (110) the words and figures "May 15 to November 30" and inserting in lieu thereof the words and figures "May 1 to March 1 next";

(13) By striking from lines one hundred eleven (111) and one hundred twelve (112) the words and figures "May 15 to November 30" and inserting in lieu thereof the word "continuous"; and

(14) By adding to said section a paragraph as follows:

"It shall be unlawful for any person at any time to have in possession more than thirty (30) fish of all kinds in the aggregate, except that this aggregate possession limit shall not apply to the fish named in this section on which there is no daily catch limit, or to the director and his duly authorized representatives when carrying out duties imposed by state law, or commercial fishermen, or wholesale fish markets, when operating under proper license and dealing in commercial fish."

Sec. 13. Section sixty-two (62), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, is amended by striking all of line three (3) and inserting in lieu thereof the following: "five (5) throw lines or trot lines and such lines shall not have in the aggregate more than".

Sec. 14. Section sixty-five (65), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, is amended by striking all of line ten (10) and inserting in lieu thereof: "and in Cedar and Iowa rivers, in Muscatine and Louisa counties."

Sec. 15. Section sixty-nine (69), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, is amended:

(1) By striking from line six (6) the words "boat liveries" and inserting in lieu thereof the words "licensed bait dealers"; and

(2) By adding to said section the following:

"Minnows

"'Minnows' shall be defined as chubs, shiners, suckers, dace, stone-rollers, mud-minnows, redborse, blunt-nose, fat-head, or other small fish commonly used for fish bait that have only one dorsal fin.

"'Commercial purposes' shall be construed to mean selling, giving, or furnishing to others.

"It shall be unlawful for any person:

"1. To take or attempt to take minnows for commercial purposes from any of the waters of the state, or transport the same without first procuring a bait dealer's license therefor as provided by state law; provided, however, that no license other than a license to fish in the waters of this state shall be required of persons taking minnows for their individual use for bait.

"2. To seine, take, attempt to take, transport or carry away any minnows from the waters of any stream inhabited or stocked with trout, except that chubs, suckers and redborse may be taken from trout streams with pole and line during open trout season, and chubs may be taken with pole and line only, at any time, from streams not stocked with trout.

"3. To transport in any manner or for any purpose outside this state any minnows, dead or alive, taken in the state except that the director may transport for the purposes set out by state law.

"4. To use minnows except for bait in hook and line fishing.

"The commission shall have the power to designate the lakes and streams and parts of same from which minnows shall not be taken when investigation shows that the minnow population should be protected for the best management of the lake or stream and if such investigation shows that lakes or streams or any portion of them should be closed to taking minnows for such length of time as deemed advisable by the commission. Then in that case the director is hereby authorized to post such

lakes and streams or portions of them with notices or signs which clearly state that the lake or stream or portion so posted is closed to the taking of minnows and it shall be unlawful for any person to take in any manner, minnows from such posted streams.

"Minnow traps not exceeding twenty-four (24) inches in length may be used wherever the taking of minnows is allowed."

Sec. 16. Section seventy-three (73), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking all after the word "unlawful" in line one (1) and inserting in lieu thereof the following: "to take, attempt to take, or kill in any manner whatsoever, or to sell, or have in possession, or to transport in any manner, any species of frogs in the state except as follows:

"Frogs may be taken from May 12th to the following November 30th.

"Frogs may be taken by holders of a fishing license only and they may be used for bait or food purposes, but no person shall take more than four dozen frogs in any one day or have in possession at any one time more than eight dozen frogs. Licensed bait dealers authorized by law to sell bait may have in their possession to supply the bait needs of their customers, not more than twenty (20) dozen frogs, not more than six (6) inches in length from tip of nose to tip of toes.

"No person shall use any device, net, barrier or fence of any kind which prevents frogs from having free access to and egress from the water.

"Transportation out of the state in any manner or for any purposes, of frogs taken in Iowa, is prohibited.

"Nothing in this act shall be construed to prevent the purchase, sale or possession of frogs or any portion of the carcasses of frogs that have been legally taken and shipped in from without the state."

Sec. 17. Section seventy-seven (77), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, is amended by inserting in line two (2), after the word "ship": ", transport,".

Sec. 18. Section seventy-nine (79), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by inserting in line two (2) after the word "skunk": ", mink,".

Sec. 19. Section eighty-one (81), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By inserting in line four (4) after the word "animal" the words "or fur-bearing animals";

(2) By adding thereto the following:

"It shall be unlawful for any person, except as otherwise provided, to use any chemicals, explosives, smoking devices, mechanical ferrets, wire, tool, instrument, or water to remove fur-bearing animals from their dens.

"A license tag for each trap for which a license fee has been paid, stamped with the year of issuance, shall be furnished by the commission without additional charge. All licensed traps, when in use, shall have said tag attached to trap or chain and conservation officers shall have authority to confiscate any trap when found in use without such tag attached. Tags shall be renewed annually."

Sec. 20. Section ninety-six (96), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By inserting in line two (2), after the first word "nets" the words: "gill nets";

(2) By inserting in line seventeen (17), after the period (.) the following: "Tags must at all times be attached to fishing tackle while in use and conservation officers shall have authority to confiscate any net or seine when found in use without such tag attached. Tags shall be renewed annually.";

(3) By adding after subsection "(b)" the following subsections:

"(c) It shall be unlawful for any person to fish or use any wooden fish basket or trap of any kind in the boundary or inland waters of the state.

"(d) It shall be unlawful for fish peddlers, wholesale fish markets, jobbing houses or other places for the wholesale or retail marketing of fish to have in possession catfish under the legal thirteen (13) inch commercial size limit provided in Iowa laws.";

(4) By relettering subsection "(c)": "(e)"; and

(5) By inserting in line thirty-four (34), after the word "beginning" the following:

"; that part of the Mississippi River in Dubuque county, Iowa, known as 'Zollicoffers Lake' in Sections ten (10), eleven (11), fourteen (14), fifteen (15) and twenty-three (23), Township ninety (90) North, Range two (2) West; that part of the Mississippi River in Allamakee county, Iowa, known as 'Big Lake' in Sections four (4), five (5), eight (8), nine (9), sixteen (16) and seventeen (17), Township ninety-nine (99) North, Range three (3) West; that part of Cassville Slough, also known as 'Twelve Mile Slough', below government lock and dam No. 10 in Clayton county, Iowa; that part of the Mississippi River in Allamakee county known as 'Mud Hen Lake' located in Sections one (1) and two (2), Township ninety-six (96) North, Range three (3) West; that part of the Mississippi River known as the 'Breaks and Coolegar Shute', located in Sections twenty (20), twenty-nine (29), and thirty-two (32), Township seventy-four (74) North, Range two (2), West of the fifth (5th) P. M., Louisa county, Iowa; that part of the Mississippi River known as 'Gun Lake' located in Sections thirty-four (34) and thirty-five (35), Township ninety-seven (97) North, Range three (3) West of the fifth (5th) P. M., Allamakee county, Iowa."

Sec. 21. Section ninety-seven (97), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by inserting in line five (5) after the word "measure" the following: ", or to fish with or use a gill net having a mesh of less than three and three-quarters (3¾) inches square or bar measure".

Sec. 22. Section ninety-eight (98), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By inserting in line two (2), after the first word "nets": "gill nets,";

(2) By adding after the period (.) in line three (3) the following: "Provided a trot line license is procured for the sum of one dollar (\$1.00) ;

the holder of said license may use a trot line, with no more than one hundred (100) hooks, in the waters of the Mississippi and Missouri rivers. A tag as provided in section ninety-six (96), subsection 'b', shall be attached thereto."

Sec. 23. Section one hundred two (102), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking from line five (5) the words and figures "eight and one-half (8½)" and inserting in lieu thereof the word and figure "nine (9)".

Sec. 24. Section one hundred fifteen (115), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by inserting in line three (3) after the word "excessive" the following: "will be made by the state conservation director or his representative and".

Sec. 25. Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by inserting immediately after section one hundred thirty-five-a (135-a) a new section as follows:

"Words and phrases as used in Chapters eighty-five (85), eighty-five-D one (85-D1), eighty-five-G one (85-G1), eighty-six (86), eighty-six-E one (86-E1), eighty-seven (87), and eighty-seven-E one (87-E1), Code, 1935, and Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, and such other Chapters as relate to the subject matter of these chapters shall be construed as follows:

" 'Closed season': That period of time during which hunting, fishing, trapping or taking is prohibited.

" 'Open season': That period of time during which hunting, fishing, trapping or taking is permitted.

" 'Measurement of fish': Length from end of nose to longest tip of tail.

" 'Person': Person shall mean any person, firm, partnership or corporation.

" 'Sell and sale': Selling, bartering, exchanging, offering or exposing for sale.

" 'Possession': Both active and constructive possession and any control of things referred to.

" 'Transport and transportation': All carrying or moving or causing to be carried or moved.

" 'Take or taking or attempting to take or hunt': Any pursuing, or any hunting, fishing, killing, trapping, snaring, netting, searching for or shooting at, stalking or lying in wait for any game, animal, bird or fish protected by the state laws or regulations adopted by the commission whether or not such game be then subsequently captured, killed or injured.

" 'Bag limit or possession limit': The number of any kind of game, fish, bird or animal or other wildlife form permitted to be taken or held in a specified time.

" 'Contraband': The term 'contraband' as used in the laws pertaining to the work of the commission shall mean anything, the possession of which was illegally procured, or the possession of which is unlawful.

" 'Alien': Alien shall not be construed to mean any person who has applied for naturalization papers.

“‘Director’: The term ‘director’ shall mean the regularly appointed director of the state conservation commission and wherever such director is authorized or required to do an act, unless otherwise provided, it shall be construed as authorizing performance by a regular assistant or duly authorized agent of such director.”

2. By striking the title and substituting therefor the following:

An act to amend sections seven (7), eight (8), eleven (11), seventeen (17), thirty (30), thirty-two (32), thirty-eight (38), thirty-nine (39), forty-six (46), forty-seven (47), fifty-three (53), fifty-six (56), sixty-two (62), sixty-five (65), sixty-nine (69), seventy-three (73), seventy-seven (77), seventy-nine (79), eighty-one (81), ninety-six (96), ninety-seven (97), ninety-eight (98), one hundred two (102), and one hundred fifteen (115), of Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, relating to the powers, duties and jurisdiction of the state conservation commission with respect to the conservation, protection and preservation of the wildlife and parks, grounds and waters of the state.

A. CLAIRE DEWEY.

MR. PRESIDENT: Amend Senate File 453 as follows:

1. By striking all after the enacting clause and substituting therefor the following:

Section 1. Section seventeen hundred four (1704), Code, 1935, is amended:

(1) By inserting “, crayfish” after the word “clams” in line two (2);

(2) By inserting the words “land and” after the word “other” in line four (4);

(3) By inserting “, and all other wildlife” after the word “eggs” in line seven (7).

Sec. 2. Section seventeen hundred five (1705), Code, 1935, is amended:

(1) By inserting “, crayfish” after the word “clams” in line three (3);

(2) By inserting “, or other wildlife” after the word “eggs” in line four (4).

Sec. 3. Section seventeen hundred fourteen (1714), Code, 1935, is amended by inserting after the word “shipment” in line nine (9) the following: “, or illegally transported in the state or to a point beyond the border thereof”.

Sec. 4. Section seventeen hundred forty-one (1741), Code, 1935, is amended as follows:

(1) By inserting in line ten (10), after the word “no”, the word “permanent”;

(2) By inserting in line twelve (12), after the word “fishway”, the following: “, except by written approval of the state conservation commission”;

(3) By inserting after the word “operated” in line fifteen (15) thereof, the following words: “except by written approval of the state conservation commission”.

Sec. 5. Section seventeen hundred forty-two (1742), Code, 1935, is amended by striking all of said section after the word “level” in line four (4), and inserting in lieu thereof: “without having received written approval from the state conservation director.”

Sec. 6. Section seventeen hundred forty-five (1745), Code, 1935, is amended by adding after the period (.) in line twelve (12): "Undesirable or injurious fish shall mean any species that in the judgment of the commission exist in improper proportions to other aquatic life."

Sec. 7. Section seventeen hundred sixty-two (1762), Code, 1935, is repealed, and the following enacted as a substitute therefor: "Any person licensed by the authorities of Illinois, Minnesota, Missouri, Wisconsin, Nebraska, and South Dakota, to take fish, game, mussels or fur-bearing animals from or in the waters forming the boundary between such states and Iowa, may take them from that portion of said waters lying within the territorial jurisdiction of this state, without having procured a license therefor from the state conservation director of this state, in the same manner that persons holding Iowa licenses may do, if the laws of Illinois, Minnesota, Missouri, Wisconsin, Nebraska, and South Dakota, respectively, extend a similar privilege to persons so licensed under the laws of Iowa, but this section shall not apply to commercial fishermen on the Mississippi river."

Sec. 8. Section seventeen hundred seventy-eight (1778), Code, 1935, is amended by inserting in line eight (8) after the word "shooting" the following: ", except that it shall be lawful to hold field meets or trials and retriever meets or trials where dogs are permitted to work in exhibition or contest whereby the skill of dogs is demonstrated by retrieving dead or wounded game birds or animals which have been propagated by licensed game breeders within the state or secured from lawful sources outside the state and lawfully brought into the state.

"All such birds must be released on the day of the trials on premises where the trials are held.

"Such birds or animals released may be shot by official guns during trials at any time during daylight hours from the first (1st) day of September to the thirty-first (31st) day of December next following after having secured a permit as herein provided.

"Such permits may be issued by the director upon proper application and the payment of a fee of two dollars (\$2.00) for each trial held. A representative of the commission shall attend all such trials and enforce the laws and regulations governing same.

"Such permit shall authorize the holders thereof to kill eighty per cent (80%) of the birds or animals released by the permittees on the day of the trials.

"The person or persons designated by the committee in charge to do the shooting for such trials shall be known as the official guns, and no other person shall be permitted to kill or attempt to kill any of the birds or animals released for such trials. Birds or animals so released may be killed during the above period, without regard to sex or numbers.

"Before any birds or animals are released under this section, they must each have attached a tag that has been attached by the game breeder from whom the birds or animals were secured or if secured from without the state the tags shall be attached by a representative of the conservation commission at a cost of not more than ten (10) cents for each tag.

"Every effort shall be made to shoot released birds or animals only but

in case a wild bird or animal is accidentally killed it must be tagged by a representative of the commission before removal from the premises, all tags to remain attached to birds or animals until prepared for consumption.

"It is unlawful for any person to hold, conduct, or to participate in a field or retriever trial before the permit required by this section has been secured or for any person to possess or remove from the trial grounds any birds or animals which have not been tagged as herein required.

"Participants in such a recognized field or retriever trial shall not be required to have a hunting license while participating in such trial.

"Any person who shall violate any provision of this section, shall upon conviction be punished as provided in section seventeen hundred eighty-nine (1789), Code, 1935, as amended by section twenty-six (26) of Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly."

Sec. 9. Section seventeen hundred eighty-nine (1789), Code, 1935, as amended by section twenty-six (26) of Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, is amended:

(1) By inserting ", or attempt to take" after the word "take" in line one (1);

(2) By inserting: ", hunt for, fish for" after the word "destroy" in line two (2);

(3) By inserting: "frogs, crayfish," after the word "any" in line three (3);

(4) By striking the last "or" in line four (4);

(5) By inserting: ", or other forms of wildlife" after the word "animals" in line five (5);

(6) By striking the word "this" in line five (5) and the word "Chapter" in line six (6) and substituting therefor the words "state laws relating to fish, game and wild animal life";

(7) By striking the words "this Chapter" in line eleven (11) and substituting therefor the words "state laws relating to fish, game and wild animal life".

2. By striking the title and substituting therefor the following:

An Act to repeal section seventeen hundred sixty-two (1762), and enact a substitute therefor, and to amend sections seventeen hundred four (1704), seventeen hundred five (1705), seventeen hundred fourteen (1714), seventeen hundred forty-one (1741), seventeen hundred forty-two (1742), seventeen hundred forty-five (1745), seventeen hundred seventy-eight (1778), and seventeen hundred eighty-nine (1789), as amended by section twenty-six (26), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, all of the Code, 1935, and all relating to the propagation and protection of fish, game, wild birds, and animals, and related subjects.

A. CLAIRE DEWEY.

MR. PRESIDENT: Amend Senate File 479, by striking from line 8, section 47, the figures "3,500.00" and inserting in lieu thereof the figures "3,850.00".

R. V. LEO.

MR. PRESIDENT: Amend Senate File 479 by inserting in section two

(2) between line thirty (30) and thirty-one (31), under the heading "(5) Horticultural Society" the following:

"Office supplies1,500.00".

ORA E. HUSTED.

MR. PRESIDENT: Amend House File 44 by striking all of section one (1) following the colon (:) in line four (4) and inserting in lieu thereof the following:

"If the said active service is under martial law or is aid to civil authorities, enlisted men shall receive an additional sum of one dollar (\$1.00) per day; provided, however, that no officer or enlisted man who is an employee of the state and receives compensation from the state as such employee during said active service shall receive the compensation herein provided."

E. P. DONOHUE.

MR. PRESIDENT: 1. Amend House File 155 by inserting after the word "shall" in line fifteen (15), section one (1), the word "not"; also by striking all of subsection four (4) after the word "exchange" in line sixteen (16), section one (1) and inserting a period in lieu thereof.

2. Amend House File 155 by striking from line twenty-three (23) section one (1) the word "structure" and inserting in lieu thereof the word "place"; also by striking all of subsection six (6) after the word "act" in line twenty-six (26) and inserting a period in lieu thereof.

3. Amend House File 155 by striking lines forty-one (41) to forty-five (45) inclusive of section one (1) and inserting in lieu thereof the following: "(7). 'Itinerant merchant' shall mean any person who transports personal property in this state by use of a motor vehicle for the purpose of selling such property at wholesale or retail sale, except as otherwise provided."

4. Amend House File 155 by striking from lines forty-eight (48) and forty-nine (49), section one (1) the phrase "owned by him, whether operated by him or his agent" and inserting in lieu thereof, "by hire or otherwise".

5. Amend House File 155 by adding a new subsection to the end of section one (1) as follows: "(6). A person transporting and carrying out of the state for resale out of the state, property purchased or obtained within this state."

6. Amend House File 155 by inserting a period after the word "business" in line fifty-eight (58) of section one (1) and by striking the remainder of line fifty-eight (58) and all of lines fifty-nine (59) to sixty-four (64) inclusive.

7. Amend House File 155 by striking the words and figures "twenty-five (25)" in line seventy (70) of section one (1) and inserting in lieu thereof the word and figures "fifty (50)".

8. Amend House File 155 by adding a new section prior to Section nine (9) as follows: "Sec. 9. It shall be a misdemeanor for any merchant, itinerant or otherwise in the sale of any merchandise, or product, to misrepresent the source, condition, quality, weight or measure of any such merchandise."

Further amend by renumbering the remaining sections.

E. P. CORWIN.

MR. PRESIDENT: Amend House File 155 as passed by the House as follows:

Amend by inserting after the word "property" in line fifty-four (54) of section one (1) the following: ", either by himself or his agent,".

GEORGE M. FAUL.

MR. PRESIDENT: Amend House File 641 by striking all of section 3.

PAUL P. STEWART.

Senator Berg moved that the Senate adjourn until 9:00 a. m. Wednesday.

Senator Faul offered as a substitute that the Senate adjourn until 8:00 a. m. Wednesday.

The substitute motion was lost.

The motion prevailed, and the Senate adjourned until 9:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 12, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. John F. Rex, pastor of the Methodist Episcopal Church of Guthrie Center.

The Journal of April 11th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Smith indefinitely, on request of Senator Doran.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Baldwin, from citizens of Dubuque county, favoring the elimination of Class "C" beer permits.

By Senator Baldwin, from citizens of Dubuque county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Byers, from citizens of Linn county, favoring the elimination of Class "C" beer permits.

By Senator Dean, from farmers, merchants and truckers of Cerro Gordo county, favoring enactment of House File 601.

By Senator Henningsen, from citizens of Clinton county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Vrba, from citizens of Winneshiek county, favoring the elimination of Class "C" beer permits.

HOUSE AMENDMENTS CONSIDERED

Senator Lundy called up for consideration Senate File 37, amended by the House, and moved that the Senate concur in the following amendment:

Amend by adding to section one (1) the following paragraph:

"The provisions of this Act shall not be applicable to any county having an assessed valuation of twenty-two million dollars (\$22,000,000.00) or more."

The motion prevailed and the Senate concurred in the House amendment.

THIRD READING OF BILLS

Senator Lundy moved that Senate File 37, a bill for an act to amend section seven thousand one hundred seventy-one (7171), Code, 1935, relative to annual levies, be read a third time now, as amended, 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	Mowry
Baldwin	Ellis	Hopkins	Schadt
Bekman	Elthon	Husted	Shaw
Benson	Evans	Kirketeg	Stewart
Breen	Faul	Leo	Talbott
Cromwell	Gillette	Levis	Vrba
Dean	Guernsey	Lundy	Whitehill
Dewey	Harvey	Mighell	Zeigler
Doran	Hill	Miller	

Nays, none.

Absent or not voting, 15:

Beardsley	Donohue	Henningesen	Pelzer
Berg	Forsling	Martin	Sjulin
Byers	Geske	Moore	Smith
Corwin	Hart	Parker	

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.

CONSIDERATION OF SENATE FILE 367 RESUMED

On motion of Senator Vrba, consideration of Senate File 367, a bill for an act to amend section sixty-nine hundred forty-four (6944), Code, 1935, providing that for a period of five (5) years from and after March 1, 1939, the first five thousand dollars (\$5,000.00) of the actual valuation of all new buildings or all

new improvements to buildings shall be exempt from taxation, was resumed.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking all of lines four (4), five (5), six (6) and seven (7) of section one (1) and inserting in lieu thereof the following: "For a period of three (3) years from and after March 1, 1939, the first five thousand dollars (\$5000.00) of actual valuation of all structures erected on land which, prior to March 1, 1939, was not improved."

By unanimous consent, on request of Senator Donohue, action on Senate File 367 was temporarily deferred.

CONSIDERATION OF SENATE FILE 279 RESUMED

On motion of Senator Vrba consideration of Senate File 279, 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 having a population of 15,000 or over, and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, exercising the power of eminent domain, 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, was resumed.

Senator Donohue offered the following amendment and moved its adoption:

Amend subdivision b of section seven (7) by adding thereto the following: "Provided, however, that the authority shall not let a contract for the construction of any dwelling under the provisions of this act at a cost in excess of the sum of \$2,500.00."

By unanimous consent, on request of Senators Donohue and Breen, the figures "\$2,500.00" in the last line of the amendment were changed to "\$2,750.00".

The amendment was adopted.

Senator Hoeven offered the following amendment and moved its adoption:

Amend by striking from line eleven (11) of section three (3) the word "shall" and inserting in lieu thereof the word "may".

Further amend by striking from line thirteen (13) of section three (3) the words "twenty-five" and inserting in lieu thereof the words "one hundred".

The amendment was adopted.

By unanimous consent, on request of Senator Faul, his amendment adopted yesterday was changed by striking the word and figure "one (1)" in line three (3) and inserting in lieu thereof the word and figure "two (2)".

Senator Faul offered the following amendment and moved its adoption:

Amend by inserting after the word "an" and before the word "income" in the Faul amendment to subsection (j), section two (2), which was previously adopted, the word "annual".

The amendment was adopted.

Consideration of amendments 2, 3, 4, and 5 by Senator Faul was resumed.

2. Amend by inserting after the period (.) in line seventeen (17), section seven (7), the following: "It shall approve each project and shall have power to limit the size and number of projects."

3. Amend by inserting after the period (.) in line forty-three (43), section seven (7), the following: "No property shall be acquired in excess of the amount reasonably necessary to construct or operate a housing project and the sale, exchange, transfer or disposition of any property so acquired shall be subject to all the limitations of this act."

4. Amend by inserting after the word "income", line five (5), section nine (9), the following: "as defined in section two (2), subsection (j)".

5. Amend by striking the word "may" in line seven (7), section twenty (20) and inserting in lieu thereof the word "shall".

Senator Bekman offered the following amendment to amendment 3 and moved its adoption:

Amend by adding at the end of the amendment the following:

"One slum unit shall be destroyed for each new unit constructed."

By unanimous consent, on request of Senator Bekman, the word "destroyed" was changed to "razed".

The amendment to amendment 3 was adopted.

The amendments as amended were adopted.

Senator Mowry offered the following amendment and moved its adoption:

Amend section two (2) by striking from line ten (10) the figures "15,000" and inserting in lieu thereof the figures "10,000".

The amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

After Section 20, add a new section to be known as Section 21: "Housing Bonds Legal Investments and Security. Notwithstanding any restrictions on investments contained in any laws of this State, the State and all public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds or other obligations issued by a housing authority pursuant to the Housing Authorities Law of this State, or issued by any public housing authority or agency in the United States, when such bonds or other obligations are secured by a pledge of annual contributions to be paid by the United States Government or any agency thereof, and such bonds and other obligations shall be authorized security for all public deposits; it being the purpose of this Act to authorize any persons, firms, corporations, associations, political subdivisions, bodies and officers, public or private, to use any funds owned or controlled by them, including (but not limited to) sinking, insurance, investment, retirement compensation, pension and trust funds, and funds held on deposit, for the purchase of any such bonds or other obligations; provided, however, that nothing contained in this Act shall be construed as relieving any person, firm or corporation from any duty of exercising reasonable care in selecting securities."

Renumber subsequent sections accordingly.

The amendment was adopted.

Senator Bekman offered the following amendments and moved their adoption:

Amend as follows:

1. Strike the word "may" in line seven (7) of section 20, and insert in lieu thereof the word "shall".
2. Also amend section 20 by striking all of the sentence after the word "project" in line eleven (11).
3. Amend section 19 by adding at the end thereof the following: "as now provided in the U. S. Housing Authority Act of 1937".

By unanimous consent, on request of Senator Bekman, amendment one was withdrawn.

The amendments were lost.

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, 37:

Augustine	Donohue	Henningsen	Martin
Baldwin	Edwards	Hill	Mighell
Beardsley	Ellis	Hoeven	Miller
Bekman	Elthon	Hopkins	Moore
Benson	Faul	Husted	Mowry
Berg	Forsling	Kirketeg	Schadt
Breen	Geske	Leo	Stewart
Byers	Gillette	Levis	Vrba
Corwin	Guernsey	Lundy	Whitehill
Dean			

Nays, 2:

Pelzer	Zeigler
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Absent or not voting, 11:

Cromwell	Evans	Parker	Smith
Dewey	Hart	Shaw	Talbott
Doran	Harvey	Sjulin	

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

Senator Breen offered the following amendment to the title and moved its adoption:

Amend by striking all of the title and inserting in lieu thereof the following:

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 having a population of ten thousand (10,000) or over, and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, exercising the power of eminent domain, 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; to confer remedies on obligees of housing authorities; and to provide that bonds and other obligations issued by any public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States Government, shall be security for public de-

posits, and legal investments for the state and public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries.

The amendment was adopted and the title as amended 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.

EXTRA COPIES

By unanimous consent, on request of Senator Vrba, 500 copies of Senate File 279 as passed by the Senate were ordered printed.

By unanimous consent, on request of Senator Vrba, Senate File 279 was messaged to the House immediately.

By unanimous consent, on request of Senator Doran, action on Senate File 479 was deferred and the bill allowed to retain its place as a special order on the calendar.

REPORT OF INVESTIGATION

The time having arrived for the special order of business, Senator Parker made a report on the investigation, by members of the committee on board of control, of the institutions under the supervision of the board of control.

Senator Byers took the chair at 10:50.

Senator Donohue moved the adoption of the following resolution:

SENATE RESOLUTION 18

RESOLUTION FOR REMOVAL OF MEMBERS OF BOARD OF CONTROL

Whereas, The Senate committee on board of control has made investigation of the various state institutions under the supervision of the board of control, and,

Whereas, The said committee has made a report to the Senate regard-

ing certain conditions which have prevailed in the various state institutions under the supervision of the board of control, and,

Whereas, From the report and evidence submitted therewith it is apparent that the members of the board of control have been grossly negligent in the performance of their duties and have been guilty of malfeasance and nonfeasance in office, and,

Whereas, It is the opinion of the Senate that it is to the best interests of the people of Iowa and to the best interests of the wards of the state who are inmates of the various institutions under the board of control that there be an immediate change in the administration of the said state institutions and the best manner in which this can be accomplished is by the immediate removal of the present members of said board; now, therefore,

Be It Resolved by the Senate of the Forty-eighth General Assembly of Iowa, That it recommend to the Honorable George A. Wilson, Governor of the state of Iowa, that Harry C. White, E. H. Felton and Frank Stevens, present members of the board of control, be by him removed immediately as members of said board.

E. P. DONOHUE.

GEO. L. PARKER.

CHAS. B. HOEVEN.

CARL O. SJULIN.

L. B. FORSLING.

LEO ELTHON.

O. H. HENNINGSEN.

By unanimous consent, on request of Senator Beardsley, permission was granted that the reply by the members of the board of control be read before any action on the resolution.

By unanimous consent, on request of Senator Breen, the statement of other members of the committee on board of control was ordered read before the reading of the resolution.

MR. PRESIDENT AND MEMBERS OF THE SENATE:

We, the undersigned members of the Senate board of control committee of the 48th General Assembly, respectfully state that the report filed with the Senate under Senate Resolution 8, wherein an examination of five of the institutions operating under the board of control, namely, Iowa Soldiers' Orphans' Home, State Juvenile Home, Independence State Hospital, Cherokee State Hospital, Institution for Feeble-minded Children, was made by the sub-committee of the Senate board of control committee and is not the report of the entire board of control committee of the Senate.

This statement is made to correct a misunderstanding wherein said report is referred to as a "committee report" in certain news dispatches, and other reference made to the same.

Signed this 12th day of April, 1939.

EDWARD BREEN.

PAUL P. STEWART.

H. D. MILLER.

HUGH W. LUNDY.

WINFRED MIGHELL.

By unanimous consent, on request of Senator Hoeven, permis-

sion was granted to make a reply to the statement of the other members of the committee on board of control.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 493, by committee on appropriations, a bill for an act to make an appropriation to the executive council of the State of Iowa for the purpose of assisting the Rainbow Division Veterans Drum Corps Department of Iowa and the Rainbow Division Veterans Ladies Drill Team Department of Iowa in representing the Iowa Rainbow Division Veterans at their National Convention in Oklahoma City, Oklahoma, and the World's Fair at New York.

Read first and second times and placed on the calendar.

CONSIDERATION OF SENATE RESOLUTION 18 RESUMED

The resolution was read for the information of the Senate.

Senator Donohue moved the adoption of the resolution.

Senators Doran, Shaw, Beardsley, Geske, Breen, and Lundy offered the following resolution as a substitute for Senate Resolution 18:

We move as a substitute for the resolution offered by Senator Donohue, and others, that the report filed by the chairman of the committee on the board of control, and which is not signed by all the members of the committee, together with all affidavits, exhibits, transcript and other papers, photos, etc., thereto attached be referred to the Governor of this state without recommendation by reason of the provisions of section 3278, Code, 1935, and Chapter 166 of said Code.

The reply by the board of control was read.

Senator Hill took the chair at 2:55.

Senator Lundy raised the point of order that consideration of Senate Resolution 18 was not in order under Rule 44.

The chair held that the point of order was not well taken be-

cause objection had not been made at the time the resolution was offered.

Senator Beardsley raised the point of order that unanimous consent had not been granted to consider the resolution.

The chair held the point not well taken because objection had not been made to consideration of the resolution when the motion was made for its adoption.

Senator Breen raised the point of order that the substitute resolution was not eligible for consideration, under Rule 44.

Senator Forsling moved the adoption of the substitute resolution.

Senator Breen moved that the Senate adjourn until 9:00 a. m. Thursday.

Senator Faul offered as a substitute that the Senate adjourn until 8:00 p. m.

Senator Hopkins offered as a substitute for the pending motions that the Senate adjourn until 9:30 a. m. Thursday.

The substitute motion by Senator Hopkins was lost.

Roll call was requested on the substitute motion by Senator Faul.

On the question "Shall the Senate adjourn until 8:00 p. m.?" the vote was:

Ayes, 13:

Baldwin	Evans	Husted	Mowry
Bekman	Faul	Leo	Sjulin
Edwards	Harvey	Martin	Talbott
Elthon			

Nays, 35:

Augustine	Dewey	Hill	Parker
Beardsley	Doran	Hoeven	Pelzer
Benson	Ellis	Hopkins	Schadt
Berg	Forsling	Kirketeg	Shaw
Breen	Geske	Levis	Stewart
Byers	Gillette	Lundy	Vrba
Corwin	Guernsey	Mighell	Whitehill
Cromwell	Hart	Miller	Zeigler
Dean	Henningsen	Moore	

Absent or not voting, 2:

Donohue	Smith
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The substitute motion was lost.

Roll call was requested on the motion by Senator Breen.

On the question "Shall the Senate adjourn until 9:00 a. m. Thursday?" the vote was:

Ayes, 17:

Augustine	Doran	Guernsey	Miller
Beardsley	Ellis	Hopkins	Moore
Benson	Geske	Lundy	Stewart
Breen	Gillette	Mighell	Vrba
Dean			

Nays, 30:

Berg	Evans	Husted	Pelzer
Byers	Faul	Kirketeg	Schadt
Corwin	Forsling	Leo	Shaw
Cromwell	Hart	Levis	Sjulin
Dewey	Harvey	Martin	Talbott
Donohue	Henningsen	Mowry	Whitehill
Edwards	Hill	Parker	Zeigler
Elthon	Hoeven		

Absent or not voting, 3:

Baldwin	Bekman	Smith
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The motion was lost.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 202, 218, 289, 330, 331, 366, 397, 403, 419, 477, 407, and 457, and House Files 78, 119, 296, 317, 442, 603 and 623.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 202, 218, 289, 330, 331, 366, 397, 403, 419, 477, 407, and 457, and House Files 78, 119, 296, 317, 442, 603, and 623.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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, 1939, sent to the governor for his approval, Senate Files 202, 218, 289, 330, 331, 366, 397, 403, 419, 477, 407, and 457.

RALPH E. BENSON, *Chairman.*

Passed on file.

CALL OF THE SENATE .

We, the undersigned, members of the Senate, request a call of the Senate on Senate Resolution 18.

E. P. DONOHUE.

CHAS. B. HOEVEN.

STANLEY L. HART.

SANFORD ZEIGLER, JR.

O. J. KIRKETEG.

JOHN E. TALBOTT.

CARL O. SJULIN.

ORA E. HUSTED.

GEORGE FAUL.

H. V. LEVIS.

R. V. LEO.

A. CLAIRE DEWEY.

E. P. CORWIN.

E. K. BEKMAN.

RESIGNATION

MR. PRESIDENT: I hereby tender my resignation as elevator attendant effective April 15, 1939.

Respectfully,

JOE CHOCHOLKA.

The resignation was accepted.

AMENDMENTS FILED

MR. PRESIDENT: Amend Section 1 of Doran and Kirketeg amendment to Senate File 298 by inserting after the words and figures "eleven thousand nine hundred eighteen (11918)" the following: "of the Code of 1935", and inserting before the word "enacted" the word "is."

O. J. KIRKETEG.

MR. PRESIDENT: As a substitute for the amendment by Senator Donohue to Senate File 367, found on page 1074 of the Senate Journal, amend as follows: Strike all of lines 4, 5, 6 and 7 of Section 1 and insert in lieu thereof the following:

"23. For a period of three (3) years from and after March 1, 1939, the first three thousand dollars (\$3,000.00) of assessed value of the following, in addition to and prior to deduction of all other exemptions now granted:

(a) Buildings and structures erected on land which was not prior thereto improved.

(b) Improvements or additions to existing buildings and structures.

(c) The increased assessed value between any existing structures or buildings (which are destroyed or rendered unfit for use by fire or other causes and are demolished for purpose of erecting new structures or buildings on said land), and the new buildings or structures erected thereon".

E. K. BEKMAN.

MR. PRESIDENT: Amend section three (3) of Senate File 450 as follows:

1. Insert after the figures "1935," in line two (2) the following, "as amended by Chapter ninety-nine (99), Acts of the 47th General Assembly,".

2. Strike all of lines four (4), five (5), six (6), and the words "any license" at the beginning of line seven (7). L. S. GILLETTE.

MR. PRESIDENT: Amend Senate File 459 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one (1) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended as follows: By striking in line one hundred sixteen (116) and one hundred seventeen (117) the words "motor vehicles under the secretary of state" and inserting in lieu thereof the words "public safety";

By striking from line one hundred nineteen (119) thereof the words "secretary of state" and inserting in lieu thereof the words "department of public safety".

Sec. 2. Section two (2) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking from lines one (1) and two (2) thereof the words "office of secretary of state" and inserting in lieu thereof the words "department of public safety".

Sec. 3. Sections three (3), eight (8), nine (9), ten (10), sixteen (16), and one hundred seven (107) of Chapter 134, Acts of the Forty-seventh General Assembly, are hereby repealed.

Sec. 4. Section eleven (11) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking the word "aforesaid" in line one (1) thereof.

Sec. 5. Section thirteen (13) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended as follows:

By striking from line one (1) thereof the words "Neither the commissioner nor any" and inserting in lieu thereof the word "no";

By striking from line six (6) thereof the words "the commissioner or".

Sec. 6. Section nineteen (19) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking from line one (1) thereof the words "secretary of state" and inserting in lieu thereof the word "commissioner".

Sec. 7. Section one hundred twenty-seven (127) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking the words "motor vehicle" in line two (2) thereof.

Sec. 8. Section one hundred fifty-five (155) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking from line eight (8) thereof the words "motor vehicle".

Sec. 9. Section one hundred fifty-eight (158) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking from lines six (6) and seven (7) thereof the words "motor vehicle".

Sec. 10. Section one hundred eighty-two (182) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking from line four (4) thereof the words "treasurer of state" and inserting in lieu thereof the words "tax commission".

Sec. 11. Section one hundred eighty-four (184) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended as follows:

By striking from line five (5) thereof the words "treasurer of state" and inserting in lieu thereof the words "tax commission";

By inserting a period (.) after the word "report" in line six (6) thereof and striking the balance of said section.

Sec. 12. Section one hundred eighty-five (185) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking from line two (2) thereof the words "treasurer of state" and inserting in lieu thereof the words "tax commission".

Sec. 13. Section one hundred eighty-six (186) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended as follows:

By striking from line one (1) thereof the words "treasurer of state" and inserting in lieu thereof the words "tax commission";

By inserting a period following the word "herein" in line two (2) thereof and striking the balance of said section.

Sec. 14. Section one hundred ninety-one (191) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking all after the period (.) in line fourteen (14) thereof.

Sec. 15. Section two hundred nineteen (219) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by inserting a period (.) after the word "department" in line twelve (12) thereof and striking the balance of said section.

Sec. 16. Section five hundred thirteen (513) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking from lines eight (8) and nine (9) thereof the words "the motor vehicle department" and inserting in lieu thereof the words "public safety".

Sec. 17. Section five hundred fifteen (515) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking from line nine (9) thereof the words "the motor vehicle department" and inserting in lieu thereof the words "public safety".

Sec. 18. Section five hundred seventeen (517) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking from line nine (9) thereof the words "the motor vehicle department" and inserting in lieu thereof the words "public safety".

Sec. 19. Section five hundred twenty-eight (528) of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking from line four (4) thereof the words "motor vehicles" and inserting in lieu thereof the words "public safety".

Sec. 20. Section five hundred twenty-nine (529), of Chapter 134, Acts of the Forty-seventh General Assembly, is hereby amended by striking from line four (4) thereof the words "motor vehicles" and inserting in lieu thereof the words "public safety".

Sec. 21. Section one (1) of Chapter one hundred thirty-five (135), Acts of the Forty-seventh General Assembly, is hereby amended by striking from lines two (2), three (3), four (4), seven (7), thirteen (13), fourteen (14), nineteen (19), and in lines nine (9) and ten (10) thereof the words "secretary of state" and inserting in lieu thereof the words "commissioner of public safety".

Sec. 22. Section two (2) of Chapter 135, Acts of the Forty-seventh General Assembly, is hereby amended by striking from line six (6) thereof the words "secretary of state" and inserting in lieu thereof the words "department of public safety".

Sec. 23. Section twelve (12) of Chapter 135, Acts of the Forty-seventh General Assembly, is hereby amended as follows:

By striking from lines three (3) and four (4) thereof the words "into the state treasury" and inserting in lieu thereof the following: "to the tax commission";

By inserting a period (.) after the word "monthly" in line four (4) thereof and striking the remainder of said line and lines five (5), six (6), seven (7), eight (8), nine (9), ten (10), and eleven (11) thereof.

Sec. 24. In addition to the duties delegated under Senate File 379, there is hereby delegated to the commissioner of public safety the duty of administering the department of motor vehicles.

Sec. 25. All moneys collected by the department of motor vehicles shall be reported and remitted monthly to the commission.

Sec. 26. This act being deemed of immediate importance shall be in full force and effect after its publication in the Anthon Herald, a newspaper published at Anthon, Iowa, and the Nashua Reporter, a newspaper published at Nashua, Iowa.

E. P. DONOHUE
L. B. FORSLING.

MR. PRESIDENT: Amend Senate File 479, section fifty-nine (59) by inserting a new division at the end of line thirty-one (31) to read as follows:

“(4) Secondary Road Work

Inspection and testing of materials for secondary road work, made at request of the counties; for salaries.....	\$16,500.00
For inspection of materials for secondary road work by agencies employed by the State Highway Commission.....	22,000.00

Total for inspection and testing of materials for secondary road work made at request of the counties.....\$38,500.00”.

Also amend said section fifty-nine (59) of Senate File 479 by striking from lines four (4) and five (5) of said section the words and figures "four million eight hundred sixty-four thousand seven hundred seventy-two dollars (\$4,864,772.00)" and inserting in lieu thereof the words and figures "four million nine hundred three thousand two hundred seventy-two dollars (\$4,903,272.00)".

Further amend said section fifty-nine (59) of Senate File 479 by striking from line thirty-five (35) of said section the figures "\$4,864,772.00" and inserting in lieu thereof the figures "\$4,903,272.00".

L. H. DORAN.

MR. PRESIDENT: Amend House File 601 as follows:

"Following the word 'person', in line nine (9), section thirteen (13),

page twenty-one (21), insert a comma (,) and the words 'other than an employee of said motor carrier,'".

EDWARD VRBA.

On motion of Senator Byers, the Senate adjourned until 9:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 13, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. A. D. Steffenson, pastor of the Methodist Episcopal church of Bedford.

The Journal of April 12th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file :

By Senator Dean, from farmers, merchants and truckers of Cerro Gordo county, favoring enactment of House File 601.

By Senator Hart, from citizens of Lee county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By Senator Miller, from citizens of Jones county, favoring the elimination of Class "C" beer permits.

By Senator Vrba, from citizens of Howard county, favoring the elimination of Class "C" beer permits.

By Senator Zeigler, from citizens of Jefferson county, opposing the provisions of House File 400 pertaining to federal tax stamps.

By unanimous consent, on request of Senator Hopkins, Charles Whetstone of Casey, champion essay writer of the board of safety control, sponsored by the county superintendents of the state, was presented to the Senate.

By unanimous consent, Senator Byers presented to the Senate Prof. Cooper and his class in government and journalism, of Cornell College, Mt. Vernon.

REPLY

MR. PRESIDENT AND MEMBERS OF THE SENATE: In reply to the statement of certain members of the Board of Control Committee found on page 1095 of the Journal of the Senate, we, the undersigned members of

said committee, respectfully state that the report filed with the Senate under Senate Resolution 18, was in our opinion the report of the entire Committee of the Board of Control.

The minutes of the Committee meeting with reference to this matter are as follows:

"All minutes of testimony, exhibits and papers now in the possession of the Committee are being filed with the clerk of the Senate in Executive Session, and this report and recommendations are herewith referred to the Senate for such consideration and action as it may deem advisable."

The "report" referred to in the minutes was the sub-committee report and the "recommendations", attached to the report were recommendations as to proposed legislation. We feel that the minutes of the meeting as stated, speak for themselves.

Signed this 13th day of April, 1939.

CHAS. B. HOEVEN.

LEO ELTHON.

B. C. WHITEHILL.

STANLEY L. HART.

CARL O. SJULIN.

GEO. L. PARKER.

CONSIDERATION OF SENATE RESOLUTION 18 RESUMED

Consideration of Senate Resolution 18 was resumed.

Senator Faul took the chair at 10:10.

President Hickenlooper took the chair at 11:25.

Senator Byers moved the previous question on the substitute resolution and Senate Resolution 18.

The motion prevailed.

Senator Breen moved that the Senate recess until 1:30.

Senator Evans moved as a substitute that the Senate remain in session until all who have requests to speak on file have had opportunity to speak.

The substitute motion was lost.

The motion prevailed, and the Senate recessed until 1:30.

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper 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 passed the following bill in which the concurrence of the Senate is asked:

House File 286, a bill for an act relating to the investment of funds of trustees, executors, administrators or guardians.

Also: That the House has concurred in Senate amendments to and passed House File 462, a bill for an act to make an appropriation to the national guard for certain construction work.

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 instituting changes of accounting systems in certain departments of state.

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 to legalize certain tax sales.

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

Senate File 377, a bill for an act to legalize the corporate acts of the Portland Cooperative Company, Portland, Iowa.

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

Senate File 414, a bill for an act to legalize the corporate acts and proceedings of the Farmers Mutual Insurance Association of Corning, Iowa.

Also: That the House has receded from its amendment adding section 5, the publication clause, to, and has passed Senate File 424, a bill for an act providing that legal work of the state be under the direction of the attorney general.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 286, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1935, as amended, to permit a trustee, executor, administrator, or guardian as such to invest funds coming into his hands in a savings account or time certificate of deposit of a banking institution located in this state when such money is deposited in a bank insuring its deposits with Federal Deposit Insurance Corporation and in no amount over amount covered by insurance, and when approved by the court.

Read first and second times and referred to sifting committee.

COPIES OF SENATE FILE 186

By unanimous consent, on request of Senator Gillette, 500 copies of Senate File 186 as passed were ordered printed.

CONSIDERATION OF SENATE RESOLUTION 18 RESUMED

Senator Hart took the chair at 3:11.

Senator Baldwin asked unanimous consent to have his remarks printed in the Journal.

Objection was made.

Senator Baldwin moved that his remarks be printed in the Journal.

The motion prevailed.

President Hickenlooper took the chair at 3:45.

Senator Beardsley rose to the point of personal privilege that insinuating remarks had been made about the friendship of certain Senators with board of control members.

Senator Geske raised the point of order that he had a request to speak.

The chair held the request was to speak on the resolution.

Senator Stewart raised the point of order that he had a request to speak.

The chair held he had exercised his privilege.

Senator Dewey moved that Rule 12 be suspended and each sponsor of the substitute motion be allowed ten minutes to close.

Senator Evans moved that the Senate adjourn until 9:00 a. m. Friday.

The motion was lost.

Roll call was requested on the motion by Senator Dewey.

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

Ayes, 20:

Augustine	Dean	Geske	Miller
Baldwin	Dewey	Guernsey	Moore
Beardsley	Doran	Hopkins	Shaw
Benson	Ellis	Lundy	Stewart
Breen	Faul	Mighell	Vrba

Nays, 27:

Bekman	Elthon	Hoeven	Pelzer
Berg	Evans	Husted	Schadt
Byers	Forsling	Kirketeg	Sjulin
Corwin	Hart	Levis	Talbott
Cromwell	Harvey	Martin	Whitehill
Donohue	Henningsen	Mowry	Zeigler
Edwards	Hill	Parker	

Absent or not voting, 3:

Gillette	Leo	Smith
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The motion was lost.

By unanimous consent, on request of Senator Bekman, Senator Doran was allowed an additional five minutes to close his discussion.

Roll call revealed that all members were present except Senator Smith, who had previously been excused indefinitely.

Roll call was requested on the substitute resolution.

On the question "Shall the substitute resolution be adopted?" the vote was:

Ayes, 17:

Augustine	Ellis	Hopkins	Moore
Beardsley	Geske	Lundy	Shaw
Breen	Gillette	Mighell	Stewart
Dean	Guernsey	Miller	Vrba
Doran			

Nays, 32:

Baldwin	Donohue	Henningsen	Mowry
Bekman	Edwards	Hill	Parker
Benson	Elthon	Hoeven	Pelzer
Berg	Evans	Husted	Schadt
Byers	Faul	Kirketeg	Sjulin
Corwin	Forsling	Leo	Talbott
Cromwell	Hart	Levis	Whitehill
Dewey	Harvey	Martin	Zeigler

Excused, 1:

Smith

The substitute resolution was lost.

Senator Hopkins moved that the Senate adjourn until 9:00 a. m. Friday.

The motion was lost.

Senator Talbott moved that the proponents and opponents of

the resolution each be allowed a total of fifteen minutes for discussion.

Senator Geske offered as a substitute that each be allotted a total of thirty minutes for discussion.

The substitute motion was lost.

The motion prevailed, and the debate was limited to fifteen minutes for each side.

By unanimous consent, on request of Senator Beardsley, Senators Breen and Geske were allotted the time of those opposed to the resolution under consideration.

By unanimous consent, on request of Senator Donohue, Senators Forsling, Donohue, and Hoeven were allotted the time of those favoring the resolution under consideration.

Senator Doran rose to a point of personal privilege.

Senator Breen rose to a point of personal privilege.

Roll call was requested on the resolution.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 30:

Baldwin	Edwards	Hill	Mowry
Bekman	Elthon	Hoeven	Parker
Berg	Evans	Husted	Pelzer
Byers	Faul	Kirketeg	Schadt
Corwin	Forsling	Leo	Sjulin
Cromwell	Hart	Levis	Talbott
Dewey	Harvey	Martin	Zeigler
Donohue	Henningsen		

Nays, 19:

Augustine	Doran	Hopkins	Shaw
Beardsley	Ellis	Lundy	Stewart
Benson	Geske	Mighell	Vrba
Breen	Gillette	Miller	Whitehill
Dean	Guernsey	Moore	

Excused, 1:

Smith

The resolution was adopted.

Senator Forsling 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.

EXPLANATION OF VOTE

MR. PRESIDENT: I offer the following as my reasons for voting "No" on Senate Resolution 18 and its substitute:

As much as I want to promote corrective action for our state institutions under the board of control, I voted "No" because I will not shift the responsibility of a Senate investigation upon the Governor of the State of Iowa. Neither will I vote for a recommendation to dismiss board members on charges of "malfeasance and nonfeasance in office" on evidence so far produced. I believe the Senate has better means of action as provided by section 1114, 1935 Code of Iowa, which permits the executive council of Iowa to investigate and discharge irresponsible members of the board of control.

RALPH E. BENSON.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 94, 435 and 462.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 94, 435 and 462.

AMENDMENTS FILED

MR. PRESIDENT: Amend House File 59, section one (1), subsection one (1), lines twenty (20), twenty-one (21), twenty-two (22) and twenty-three (23) by striking all after the word "syphilis". E. K. BEKMAN.

MR. PRESIDENT: Amend Senate File two hundred (200) by striking all after the word "follows" in line four (4) thereof, and substituting therefor the following:

"A landlord shall have a lien for his rent upon: (a) all crops grown upon the leased premises, (b) the increase from live stock used and kept upon the leased premises during the term of the lease, and (c) all other personal property of the tenant kept and used on the leased premises during the term which is not exempt from execution and which is not exempted by section two (2) of this act; provided, however, that to make said lien effective against innocent purchasers for value there must be filed with the county recorder of the county in which the rented land is situated a written lease or copy thereof, or in the event that there be no

written lease, then a general statement verified by the owner or his agent showing the rent reserved, and stating that said owner claims a lien for such rent.

"Sec. 2. All personal property owned, kept or used on the premises leased after July 4, 1939, by a tenant primarily engaging the premises in an agricultural pursuit shall be exempt from a landlord's lien for rent therefor except as provided in subsections (a) and (b) of section one (1) hereof, anything in any contract, lease or rental agreement providing additional security for any rent reserved for the leased premises, to the contrary notwithstanding."

SPECIAL AGRICULTURAL RELIEF COMMITTEE,
CHARLES B. HOEVEN, *Chairman*.

MR. PRESIDENT: Amend House File 436 by adding the following:

"Sec. 2. Section four thousand five hundred and five (4505), Code, 1935, is hereby amended by adding after the word "fund" in line eleven (11) the words 'or temporary school fund'." ORA E. HUSTED.

MR. PRESIDENT: 1. Amend the amendment to Senate File 479 filed by J. Berg on April 10, 1939, as printed on pages 1036 and 1037 of the Journal by inserting between lines 27 and 28 thereof another paragraph as follows:

"Further amend Senate File 479 by inserting between lines 10 and 11 of section 48 the following:

" 'For salary of assistant attorney general to perform the legal work of the state tax commission as provided for by Senate File 424 of the Acts of the 48th General Assembly.....\$4000.00

" 'For salary of stenographer for assistant attorney general provided for by Senate File 424 of the Acts of the 48th General Assembly\$1380.00'

"Also strike the figure in line 14 of said section and insert in lieu thereof the following: '\$58,210.00' ".

2. Further amend said amendment by striking from line 31 thereof the words and figures "six hundred thousand one hundred twenty dollars (\$600,120.00)" and inserting in lieu thereof the words and figures "six hundred five thousand five hundred dollars (\$605,500.00)".

3. Further amend said amendment by striking from the last line thereof the figures "\$600,120.00" and inserting in lieu thereof the figures "\$605,500.00".

HUGH G. GUERNSEY.

Senator Bekman moved that the Senate adjourn until 9:00 a. m. Friday.

Senator Lundy offered as a substitute that the Senate adjourn until 10:00 a. m. Friday.

The substitute motion prevailed, and the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 14, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. R. L. Blaisdell pastor of the First Presbyterian church of Wilton Junction.

The Journal of April 13th was corrected and approved.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Augustine, from 430 members and friends of Townsend Club No. 1 of Oskaloosa, urging the adoption of a joint resolution memorializing Congress to enact the General Welfare Act of 1939.

By Senator Benson, from citizens of Carroll and Sac counties, favoring enactment of House File 601.

By Senator Dewey, from citizens of Washington county, favoring enactment of House File 431.

By Senator Doran, from truck operators of Story county, favoring enactment of House File 601.

By Senator Hill, from truck operators of Wright county, favoring enactment of House File 601.

By Senator Vrba, from citizens of Winneshiek county, favoring the elimination of Class "C" beer permits.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of House File 642, a proposed bill legalizing the proceedings of the town council of Hopkinton.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 494, by committee on tax revision, a bill for an act

to amend sections one (1), eleven (11), and fourteen (14) of Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly, and to repeal section five (5) of Chapter one hundred ninety-six (196), Acts of the Forty-seventh General Assembly and to enact a substitute therefor all relating to the sales tax.

Read first and second times and referred to sifting committee.

Senate File 495, by committee on tax revision, a bill for an act to amend sections one (1), three (3), and twenty-five (25) of Chapter one hundred ninety-eight (198), Acts of the Forty-seventh General Assembly, and to amend Chapter one hundred ninety-eight (198), Acts of the Forty-seventh General Assembly, and to repeal section twenty-six (26) of Chapter one hundred ninety-eight (198), Acts of the Forty-seventh General Assembly, and to enact a substitute therefor all relating to the use tax.

Read first and second times and referred to sifting committee.

EXPLANATION OF VOTE

We Senators whose names are subscribed hereto give as a part of our reasons for opposing the adoption of Senate Resolution 18 the following:

(1) The committee on board of control of the Senate, in its written report which is unsigned, and in its written recommendations accompanying said report, which were signed by the committee and filed with the Secretary of the Senate, make no request or recommendation for the removal of the members of the board of control.

(2) The Senate Journals of April 12th and 13th, 1939, show the date of filing of the resolution, the action taken upon the substitute resolution, and the result of final action on said Senate resolution on April 13th. Other Journals of the Senate will show the date of filing of the report by the committee.

(3) It appears from a reading of a portion of the transcript of the proceedings had before the committee on board of control that the members of the board of control were not given opportunity to be present at the investigation conducted by the committee, nor were they given opportunity to appear by counsel for the purpose of cross-examination of the witnesses appearing before the committee. It does appear that the members were at certain stages of the proceedings called before the committee of the board of control committee. The hearing conducted and the investigation made by the committee clearly shows that it was *ex parte*. The transcript of the proceedings and the written exhibits filed by the committee were not read to the Senate. Time in the closing days of this session would not permit. But, accepting the interpretation of the record as given by those urging the adoption of the resolution, it clearly shows

that the evidence, if such it may be called, consists largely of hearsay statements and other immaterial matters so far as the members of the board of control are concerned and would not be admissible in either a civil or criminal action. Debate was limited by reason of action of the Senate on this important matter; and while the action of the Senate, it clearly appears, was voluntary so far as making recommendations to the Chief Executive is concerned, and was not in accord with the provisions of section 3278 of the Code of Iowa, nevertheless when voluntary responsibility was assumed, fairness demands that any appointive administrative officer of this state, such as members of the board of control, should not be branded as malfeasants or nonfeasants by such a Senate recommendation especially when such officer or officers have not been permitted to present their side of the matter, because so to do is unfair, unjust, and will tend to discourage any one who values his reputation to accept such positions of responsibility for fear of being summarily dismissed without opportunity to be heard when accusations are made against him.

(4) The action taken by the Senate in adopting Senate Resolution 18 is violative of, inconsistent with and contrary to all recognized principles of American justice and fair play. It not only reverses the doctrine of the presumption of innocence, which is recognized by all courts, but it changes that doctrine and, in effect, says, once a charge is made, no longer is the burden upon the person or party making the accusation but the burden shifts to the accused to prove his innocence, and this without opportunity to be present at the hearing, either in person or by counsel. By the Senate's action, we feel that a new and unheard of rule of procedure has been approved, which, in effect, says, where parties are accused of public offenses, any person so accused is presumed to be guilty until he proves himself innocent. We would be glad to go along with the recommendations of the committee which will tend to improve conditions at all of our institutions under the board of control. We heartily agree that convict labor should not be employed at such institutions. We would not, and do not, for one moment condone any wrongful acts of any patients in or employees of our state institutions. Many of the things brought to our attention by the committee are institutional problems and will be institutional problems so long as we have institutions. Many of those problems will be solved by adequate appropriations so as to employ competent help therein and to make needed improvements thereat. Notwithstanding the fact that wide publicity has been given by the radio and through the press relative to institutions under the board of control, it must be kept in mind that we were voting on a resolution, the very effect of which was to condemn three public servants who were not given an opportunity to explain their actions or to defend themselves, action that is without precedent and in our judgment was hasty, illadvised and grossly unfair.

(5) The members of the board of control should have opportunity to be heard, to present their witnesses, and to make defenses to charges that were not made directly but only indirectly by reason of the very nature of the resolution which was filed. This they have not had. When and if

such a hearing is had, and it is found that they have been guilty of malfeasance and/or nonfeasance, then they should immediately be removed. It is because of the denial to the members of the board of control of this inherent right of citizenship that we could not support the resolution under the record that was laid before us.

L. H. DORAN.

A. J. SHAW.

GEO. M. HOPKINS.

HUGH W. LUNDY.

WM. S. BEARDSLEY.

REASONS FOR VOTE ON SENATE RESOLUTION 18

On the thirteenth (13th) day of April, 1939, the Senate of the State of Iowa in unprecedented action approved by a vote of thirty (30) to nineteen (19) Senate Resolution 18.

We who voted against the resolution fought a losing battle for fundamental American principles. We fought in defense of those rights which are the hard-won heritage of every American—the right of every citizen to a trial by a fair and impartial jury; the right of every citizen to have his day in court; the right of every citizen to be heard in his own defense, to be informed of the charges against him, to be permitted counsel and the right to face his accusers and to examine them as to their statements and motives. No such rights were accorded Senator Stevens, Senator White, the Honorable Harold Felton.

The Senate, so we believe, by its action, saw fit to play the role of Judge Lynch, saw fit to rob three Americans of position and reputation without permitting them or their friends to appear before the Senate in their own defense. The merits of the case, if there was a case, were never before the Senate. The action the Senate took was without precedent and without legality. No chapter of the Code of Iowa can be cited in its defense.

It is our belief that April 13, 1939, will long be remembered as the day the Iowa Senate turned its back upon American principles, deprived American citizens of fundamental liberties and adopted alien practices now current in the slave states of Germany, Italy and Russia.

EDWARD BREEN.

HUGH G. GUERNSEY.

M. X. GESKE.

FRANK E. ELLIS.

EARL DEAN.

EDWARD VRBA.

A. E. AUGUSTINE.

W. MICHILL.

M. MOORE.

L. S. GILLETTE.

H. D. MILLER.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 12, 1939, he had approved the following:

Senate File 379, creating a department of public safety, and repealing certain sections of the Code.

By unanimous consent, Senator Shaw presented Superintendent

H. O. Peterson and the graduating class of the Linn Grove High school.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Talbott, Senate File 468, a bill for an act to amend section one thousand nine hundred thirty-one (1931), Code, 1935, relating to the penalty for a person found in a state of intoxication, a committee bill, was taken up and considered.

Senator Talbott moved that the bill be read a third 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	Parker
Bekman	Elthon	Hopkins	Pelzer
Byers	Evans	Husted	Schadt
Corwin	Geske	Kirketeg	Shaw
Cromwell	Gillette	Leo	Stewart
Dean	Guernsey	Martin	Talbott
Dewey	Harvey	Mighell	Vrba
Doran	Henningsen	Miller	Whitehill
Edwards	Hill	Mowry	

Nays, none.

Absent or not voting, 15:

Baldwin	Breen	Hart	Sjulin
Beardsley	Donohue	Levis	Smith
Benson	Faul	Lundy	Zeigler
Berg	Forsling	Moore	

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

Senator Talbott 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 Talbott, Senate File 469, a bill for an act to amend section five thousand eight hundred twenty-nine-b two (5829-b2), Code, 1935, relating to hearings prior to the adoption of a comprehensive city plan, a committee bill, was taken up and considered.

Senator Talbott moved that the bill be read a third 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	Hill	Mowry
Bekman	Elthon	Hoeven	Parker
Corwin	Evans	Hopkins	Pelzer
Cromwell	Faul	Husted	Schadt
Dean	Geske	Kirketeg	Shaw
Dewey	Gillette	Martin	Stewart
Donohue	Guernsey	Mighell	Talbott
Doran	Harvey	Miller	Vrba
Edwards	Henningsen	Moore	Whitehill

Nays, none.**Absent or not voting, 14:**

Baldwin	Breen	Leo	Sjulin
Beardsley	Byers	Levis	Smith
Benson	Forsling	Lundy	Zeigler
Berg	Hart		

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

Senator Talbott 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 Talbott, Senate File 470, a bill for an act to amend sections seven thousand six hundred forty-three (7643), seven thousand six hundred forty-six (7646), seven thousand seven hundred fourteen-f three (7714-f3), seven thousand seven hundred fourteen-f five (7714-f5), and seven thousand seven hundred twenty-one (7721), Code, 1935, relating to drainage, a committee bill, was taken up and considered.

Senator Talbott moved that the bill be read a third 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	Hill	Pelzer
Bekman	Elthon	Hoeven	Schadt
Berg	Evans	Hopkins	Shaw
Byers	Faul	Husted	Sjulin
Corwin	Geske	Kirketeg	Stewart
Cromwell	Gillette	Martin	Talbott
Dewey	Guernsey	Mighell	Vrba
Donohue	Hart	Miller	Whitehill
Doran	Harvey	Mowry	Zeigler
Edwards	Henningsen	Parker	

Nays, none.

Absent or not voting, 11:

Baldwin	Breen	Leo	Moore
Beardsley	Dean	Levis	Smith
Benson	Forsling	Lundy	

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

Senator Talbott 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 the motion of Senator Talbott, Senate File 471, a bill for an act to amend section five thousand five hundred seventy-four (5574), Code, 1935, relating to submission to the electors of a township the question of erecting a public hall, a committee bill, was taken up and considered.

Senator Talbott moved that the bill be read a third 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	Pelzer
Bekman	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Byers	Faul	Kirketeg	Sjulin
Corwin	Geske	Martin	Stewart
Cromwell	Gillette	Mighell	Talbott
Dewey	Hart	Miller	Vrba
Donohue	Harvey	Mowry	Whitehill
Doran	Henningsen	Parker	Zeigler
Edwards	Hill		

Nays, none.**Absent or not voting, 12:**

Baldwin	Breen	Guernsey	Lundy
Beardsley	Dean	Leo	Moore
Benson	Forsling	Levis	Smith

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

Senator Talbott 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 Talbott, Senate File 472, a bill for an act to amend section one thousand nine hundred twenty-one-f ninety-four (1921-f94), Code, 1935, relating to enforcement of the Iowa liquor control act, was taken up and considered.

Senator Talbott moved that the bill be read a third 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	Edwards	Hill	Parker
Bekman	Ellis	Hoeven	Pelzer
Benson	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Byers	Faul	Kirketeg	Sjulin
Corwin	Geske	Martin	Stewart
Cromwell	Gillette	Mighell	Talbott
Dean	Guernsey	Miller	Vrba
Dewey	Hart	Moore	Whitehill
Donohue	Harvey	Mowry	Zeigler
Doran	Henningsen		

Nays, none.

Absent or not voting, 8:

Baldwin	Breen	Leo	Lundy
Beardsley	Forsling	Levis	Smith

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

Senator Talbott 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, Senate File 381, a bill for an act to amend section five thousand seven hundred sixty-seven (5767), Code, 1935, relating to the levy of a tax by cities and towns to pay for certain property and equipment on the installment plan, a committee bill, 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, 42:

Augustine	Ellis	Hoeven	Parker
Bekman	Elthon	Hopkins	Pelzer
Benson	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Corwin	Geske	Levis	Sjulin
Cromwell	Gillette	Martin	Stewart
Dean	Guernsey	Mighell	Talbott
Dewey	Hart	Miller	Vrba
Donohue	Harvey	Moore	Whitehill
Doran	Henningsen	Mowry	Zeigler
Edwards	Hill		

Nays, none.

Absent or not voting, 8:

Baldwin	Breen	Forsling	Lundy
Beardsley	Byers	Leo	Smith

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.

On motion of Senator Shaw, Senate File 389, a bill for an act to amend section ten thousand six hundred sixty-one (10661), Code, 1935, relating to the transfer of records from superior, police, and mayor's courts to the municipal court, 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, 41:

Augustine	Elthon	Hoeven	Parker
Baldwin	Evans	Hopkins	Pelzer
Bekman	Faul	Husted	Schadt
Benson	Geske	Kirketeg	Shaw
Berg	Gillette	Leo	Sjulin
Corwin	Guernsey	Levis	Stewart
Cromwell	Hart	Martin	Talbott
Dean	Harvey	Mighell	Vrba
Dewey	Henningsen	Miller	Whitehill
Doran	Hill	Mowry	Zeigler
Edwards			

Nays, none.

Absent or not voting, 9:

Beardsley	Donohue	Forsling	Moore
Breen	Ellis	Lundy	Smith
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.

CONSIDERATION OF SENATE FILE 367 RESUMED

On motion of Senator Vrba, consideration of Senate File 367, a bill for an act to amend section sixty-nine hundred forty-four (6944), Code, 1935, providing that for a period of five (5) years from and after March 1, 1939, the first five thousand dollars (\$5,000.00) of the actual valuation of all new buildings or all new improvements to buildings shall be exempt from taxation, was resumed.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking all of lines four (4), five (5), six (6) and seven (7) of section one (1) and inserting in lieu thereof the following: "For a period of three (3) years from and after March 1, 1939, the first five thousand dollars (\$5000.00) of actual valuation of all structures erected on land which, prior to March 1, 1939, was not improved."

Senator Bekman offered the following as a substitute for the amendment by Senator Donohue:

Amend as follows: Strike all of lines 4, 5, 6 and 7 of Section 1 and insert in lieu thereof the following:

"23. For a period of three (3) years from and after March 1, 1939, the first three thousand dollars (\$3,000.00) of assessed value of the following, in addition to and prior to deduction of all other exemptions now granted:

(a) Buildings and structures erected on land which was not prior thereto improved.

(b) Improvements or additions to existing buildings and structures.

(c) The increased assessed value between any existing structures or buildings (which are destroyed or rendered unfit for use by fire or other causes and are demolished for purpose of erecting new structures or buildings on said land), and the new buildings or structures erected thereon".

By unanimous consent, on request of Senator Bekman, his substitute amendment was changed by striking the words and figures "three thousand dollars (\$3,000.00) of assessed value" and inserting in lieu thereof "five thousand dollars (\$5,000.00) of actual value".

By unanimous consent, on request of Senator Bekman, his amendment was changed by striking "in addition to and prior to deduction of all other exemptions now granted".

The substitution was made, and the substitute amendment was adopted.

Senator Vrba moved that the bill be read a third 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	Edwards	Hill	Mowry
Baldwin	Ellis	Hoeven	Parker
Bekman	Elthon	Hopkins	Pelzer
Benson	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Breen	Forsling	Leo	Sjulin
Corwin	Geske	Levis	Stewart
Cromwell	Gillette	Lundy	Talbott
Dean	Guernsey	Martin	Vrba
Dewey	Hart	Mighell	Whitehill
Donohue	Harvey	Miller	Zeigler
Doran	Henningesen	Moore	

Nays, none.

Absent or not voting, 3:

Beardsley	Byers	Smith
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The bill having received a constitutional majority was declared to have passed the Senate.

Senator Vrba offered the following amendment to the title and moved its adoption:

Amend by adding the following.

"This Act to be known as the Iowa Building Tax Exemption Law."

The amendment was adopted, and the title as amended was agreed to.

Senator Vrba 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 Vrba, Senate File 367 was messaged to the House immediately.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Hart, House File 651, a bill for an act to provide for the relinquishment of jurisdiction over certain lands lying in Lee county, State of Iowa, to the State of Missouri, a companion bill, was substituted for Senate File 491, and 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.

By unanimous consent, on request of Senator Hart, the vote by which the bill passed to its third reading was reconsidered.

Senator Hart offered the following amendment and moved its adoption :

Amend section eight (8) by striking line four (4) and inserting in lieu thereof the following: "the Evening Democrat, a newspaper published in Ft. Madison, Iowa."

The amendment was adopted.

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, 48:

Augustine	Doran	Henningsen	Mowry
Baldwin	Edwards	Hill	Pelzer
Beardsley	Ellis	Hoeven	Schadt
Bekman	Elthon	Hopkins	Shaw
Benson	Evans	Husted	Sjulin
Berg	Faul	Kirketeg	Stewart
Corwin	Forsling	Leo	Talbott
Cromwell	Geske	Levis	Vrba
Dean	Guernsey	Martin	Whitehill
Dewey	Hart	Mighell	Zeigler
Donohue	Harvey	Miller	

Nays, none.

Absent or not voting, 7:

Breen	Gillette	Moore	Smith
Byers	Lundy	Parker	

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

Senator Hart 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 442, a bill for an act authorizing cities of the first class to levy, with the consent of the Comptroller, the Emergency Fund Tax, or any part thereof, authorized by section three hundred seventy-three (373), Code, 1935, for the years 1939 to 1946, both years inclusive, and anticipate the same by issuing bonds; said bonds to be issued only in the years 1939 and 1940; the proceeds of said bonds to be used only to pay the city's share of the cost of federal work relief projects

of a construction nature, excluding buildings and building repairs, a committee bill, was taken up and considered.

Senator Faul offered the following amendments and moved their adoption:

Amend as follows:

1. Amend by inserting after the word "class" in line two (2), section one (1), the following: "having a population in excess of one hundred twenty-five thousand (125,000)".

2. Amend by striking the figures "1946" in line four (4), section one (1) and inserting in lieu thereof the figures "1942".

3. Amend by inserting at the end of section one (1) the following: "Before any such levy is made, a completely itemized statement of expenditures contemplated by such city shall be submitted to the state comptroller for his approval, and no such levy shall be made unless so approved by him."

4. Amend the title by striking the figures "1946" in line five (5) and inserting in lieu thereof the figures "1942".

The amendments were adopted.

Senator Faul moved that the bill be read a third 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	Donohue	Harvey	Mowry
Baldwin	Doran	Hopkins	Parker
Bekman	Edwards	Husted	Schadt
Benson	Ellis	Kirketeg	Shaw
Berg	Elthon	Leo	Sjulin
Byers	Faul	Levis	Talbott
Corwin	Geske	Martin	Vrba
Cromwell	Gillette	Mighell	Whitehill
Dean	Guernsey	Miller	Ziegler
Dewey	Hart		

Nays, none.

Absent or not voting, 12:

Beardsley	Forsling	Hoeven	Pelzer
Breen	Henningsen	Lundy	Smith
Evans	Hill	Moore	Stewart

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

Senator Faul 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 Faul, Senate File 442 was messaged to the House immediately.

On motion of Senator Berg, Senate File 492, a bill for an act to authorize a city or town and the state highway commission to enter into agreement with respect to any project for the paving of a portion of the primary road extension within such city or town, 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, 40:

Augustine	Donohue	Henningsen	Mowry
Baldwin	Doran	Hill	Parker
Bekman	Edwards	Hoeven	Schadt
Benson	Ellis	Hopkins	Shaw
Berg	Faul	Husted	Sjulin
Byers	Geske	Kirketeg	Stewart
Corwin	Gillette	Levis	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler

Nays, none.

Absent or not voting, 10:

Beardsley	Evans	Lundy	Pelzer
Breen	Forsling	Moore	Smith
Elthon	Leo		

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.

By unanimous consent, on request of Senator Berg, Senate File 492 was messaged to the House immediately.

On motion of Senator Donohue, Senate File 467, a bill for an act to amend section six thousand nine hundred forty-three-f eight (6943-f8), Code, 1935, as amended by section three (3) of Chapter one hundred eighty-four (184), Acts of the Forty-seventh General Assembly, to provide that the salaries, wages, and other compensation received by United States officials or employees shall be subject to state income tax, a committee bill, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend by striking from lines six (6) and seven (7) the words "Pensions received by veterans from the United States Government" and inserting in lieu thereof the following: "Pensions of all kinds received by veterans from the United States Government by reason of service in the military forces of the United States, including disability or dependency compensation paid to veterans, their widows, orphans, or parents, and the retirement pay of persons retired from the military forces of the United States under the laws of the United States".

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, 43:

Augustine	Doran	Hill	Parker
Baldwin	Edwards	Hoeven	Pelzer
Beardsley	Elthon	Hopkins	Schadt
Bekman	Evans	Kirketeg	Shaw
Benson	Faul	Leo	Sjulin
Byers	Geske	Levis	Stewart
Corwin	Gillette	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler
Donohue	Henningsen	Mowry	

Nays, none.

Absent or not voting, 7:

Berg	Ellis	Husted	Smith
Breen	Forsling	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.

By unanimous consent, on request of Senator Byers, Senate File 467 was messaged to the House immediately.

On motion of Senator Hill, Senate File 427, a bill for an act to amend sections five thousand ninety-three-f two (5093-f2), five thousand ninety-three-f four (5093-f4), five thousand ninety-three-f nine (5093-f9), and five thousand ninety-three-f twenty-

nine (5093-f29), Code, 1935, relating to the motor vehicle fuel tax, a committee bill, 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, 48:

Augustine	Doran	Henningsen	Parker
Beardsley	Edwards	Hill	Pelzer
Bekman	Ellis	Hoeven	Schadt
Benson	Elthon	Hopkins	Shaw
Berg	Evans	Kirketeg	Sjulin
Breen	Faul	Levis	Stewart
Byers	Geske	Martin	Talbott
Corwin	Gillette	Mighell	Vrba
Cromwell	Guernsey	Miller	Whitehill
Dean	Hart	Moore	Zeigler
Dewey	Harvey	Mowry	

Nays, none.

Absent or not voting, 7:

Baldwin	Forsling	Leo	Smith
Donohue	Husted	Lundy	

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

Senator Hill offered the following amendment to the title and moved its adoption:

Amend by inserting in line four immediately after the figures "(5093-f29)," the words "as amended,".

The amendment was adopted and the title as amended 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 Levis asked unanimous consent to consider House File 566.

Objection was made.

Senator Dewey took the chair at 11:40.

CONSIDERATION OF SENATE FILE 298 RESUMED

On motion of Senator Kirketeg, consideration of Senate File 298, a bill for an act to amend section eleven thousand nine

hundred eighty-six (11986) of the Code, 1935, relating to personal property of deceased persons and providing that a sum not exceeding three hundred dollars (\$300.00) of any amount on deposit in any bank and/or trust company and/or in any United States Post Office in an open account, and/or savings account, and/or other credit, shall be the property of the surviving spouse who may take control of not exceeding three hundred dollars (\$300.00) of such amount, and/or withdraw same without necessity of administration on deceased estate; and providing further, that all statutes contrary are to be inoperative so far as they affect these provisions, was resumed.

Senators Kirketeg and Doran offered the following amendment and moved its adoption:

Amend as follows:

Strike all after enacting clause and substitute the following:

Section 1. That section eleven thousand nine hundred eighteen (11918) is hereby repealed and the following enacted in lieu thereof:

"Section 11918. Exempt personal property.

1. When deceased leaves a spouse, all personal property which in decedent's hands as the head of a family would be exempt from execution, after being inventoried and appraised, shall be set apart to surviving spouse as property of surviving spouse, and be exempt in hands of surviving spouse as in the hands of the decedent.

2. In addition to the exemption above provided for, the surviving spouse shall have exempt, out of any cash on hand or out of any funds on deposit in any bank and/or trust company in open account and/or savings account and/or other credit, an amount not exceeding three hundred dollars (\$300.00), which amount shall be the property of surviving spouse, and such surviving spouse shall be entitled to take control of and/or withdraw such sum without necessity of having administration on said deceased's estate; if surviving spouse wishes to take control of and/or withdraw such sum surviving spouse shall make an affidavit and deliver it to such bank and/or trust company showing said relationship and that said spouse is not asking withdrawal of exceeding three hundred dollars (\$300.00) from any or all such accounts of deceased including any cash on hand of decedent taken possession of by surviving spouse."

Further amend section nine thousand two hundred sixty-seven (9267), of the Code, 1935, by adding at the end of said section the following:

Any deposit made or account carried as herein provided shall, upon the death of one of said persons, be presumed to be an absolute and/or completed gift to the survivor, and when said amount does not exceed five thousand dollars (\$5,000) the same shall in all respects be exempt from gift, estate, or inheritance tax.

Senator Kirketeg offered the following amendment to the amendment and moved its adoption:

Amend section 1 by inserting after the words and figures "eleven thou-

sand nine hundred eighteen (11918)" the following: "Code, 1935," and inserting before the word "enacted" the word "is."

The amendment to the amendment was adopted.

By unanimous consent, on request of Senator Donohue, action was temporarily 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 amended and concurred in Senate amendments to House File 66, a bill for an act relating to mechanical signals on motor vehicles.

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

House File 122, a bill for an act relating to special mobile equipment.

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

House File 575, a bill for an act relating to bonded warehouses for agricultural products.
A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 66

Amend Senate amendment 2 by adding thereto after the word "therefor" in the last line the following: "relating to signal devices and signal lamps on motor vehicles."

By unanimous consent, Senator Augustine presented Prof. Ferguson and a class from the Barnes City High School.

By unanimous consent, Senator Dewey presented Mr. Hanson and Mr. Grell who, on behalf of the industrial arts society of Ames, presented Lieutenant Governor Hickenlooper with a gavel made from walnut obtained in 1923 from the old capitol building at Iowa City which was erected in 1840.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Forsling for the afternoon, on request of Senator Henningsen.

INTRODUCTION OF BILLS

Senate File 496, by committee on claims, a bill for an act to make appropriations to Fannie Aliber, Alta M. Hamaker, and Alice M. O'Malley.

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

Senate File 497, by committee on banks and banking, a bill for an act to amend section one (1) of Chapter two hundred eighteen (218), Acts of the Forty-seventh General Assembly, relating to the liquidation and termination of trusts created as a part of the plan of reorganization of state banks, savings banks and trust companies.

Read first and second times and referred to sifting committee.

HOUSE MESSAGES CONSIDERED

House File 122, a bill for an act to amend subsection fifteen (15) of section one (1), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to the definition of special mobile equipment; and to amend section one hundred forty-nine (149), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to the annual registration fee on certain trucks.

Read first and second times and referred to sifting committee.

House File 575, a bill for an act to amend Chapter four hundred twenty-six (426), Code, 1935, relating to bonded warehouses for agricultural products; providing for a broadening of the permissible storage commodities to include items used in the production of agricultural products; providing rules and regulations by which grain elevators may conform to the requirements of the United States government and its various departments and agencies in the storage of grain; and to provide penalties for noncompliance with and for violation of the provisions of this act.

Read first and second times and referred to sifting committee.

CONSIDERATION OF SENATE FILE 298 RESUMED

Consideration of the amendment by Senators Doran and Kirke-
teg was resumed.

By unanimous consent, on request of Senator Kirketeg, action was deferred and the bill allowed to retain its place on the calendar as unfinished business.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Bekman, Senate File 243, a bill for an act to amend Chapter 88, Acts of the Forty-seventh General Assembly, relating to World War Education Aid Fund, was taken up and considered.

Senator Benson offered the following amendment and moved its adoption:

Amend section one (1) by striking in line thirty-five (35) the following: "in a lump sum, or".

By unanimous consent, Senator Benson withdrew his amendment.

Senator Bekman moved that the bill be read a third 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	Hart	Martin
Baldwin	Doran	Harvey	Mighell
Beardsley	Edwards	Henningsen	Miller
Bekman	Ellis	Hill	Mowry
Benson	Elthon	Hoeven	Pelzer
Berg	Evans	Hopkins	Schadt
Breen	Faul	Husted	Sjulin
Corwin	Geske	Kirketeg	Talbott
Cromwell	Gillette	Leo	Whitehill
Dean	Guernsey	Levis	Zeigler
Dewey			

Nays, none.

Absent or not voting, 9:

Byers	Moore	Shaw	Stewart
Forsling	Parker	Smith	Vrba
Lundy			

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

Senator Bekman 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 Bekman, Senate File 243 was messaged to the House immediately.

Senator Hoeven asked unanimous consent to have the rules suspended and Senate Concurrent Resolution 17, Senate Files 489, 203, and 200 considered at this time.

Objection was made.

Senator Hoeven moved that the rules be suspended and Senate Concurrent Resolution 17, Senate Files 489, 203 and 200 be considered at this time.

The motion prevailed.

On motion of Senator Hoeven, Senate Concurrent Resolution 17 was taken up and considered.

SENATE CONCURRENT RESOLUTION 17

(Author's note: One half of Iowa's farm population are tenants. Their tenures are generally brief and uncertain. An area equal to eleven counties of the state is now owned by corporations; large operators equipped with tractorized machinery are rapidly replacing tenants of family sized farms and the March 1st trek from farm to farm is becoming a trek from farm to cities and towns.

As tractors replace horses and mules, petroleum products replace the farmers' produce formerly fed, less labor is required with consequent increasing unemployment and mounting crop surpluses. Thousands of Iowa people equipped by training and inclination to farm are annually being retired to swell unemployment and increase relief rolls.

Relief alone seems to be an expanding industry and the national debt has recently attained an all time high of forty billion dollars or more than three hundred dollars for each man, woman and child in the United States.

After a century of progress with her independent farmers and business men Iowa now sees a large portion of her inhabitants, through no fault of their own, subsisting on state and national relief. Much of this can be traced to inability of her farmers to own or rent land.

The small land owner has been aided by homestead tax relief. The tenancy question remains largely unsolved.

Many facts have already been gathered but the data is incomplete and the question requires further intensive study with especial reference to means of restoring farm ownership to actual farmers and assuring land for rental to deserving tenants who cannot acquire land by ownership.)

Be It Resolved by the Senate of the State of Iowa, the House Concurring: That the Governor be and he is requested to appoint a committee of fifteen, which shall include at least one resident of each of the congressional districts of Iowa, to study further the tenancy problem and

supplement the information with respect thereto now available. That such committee be authorized to call upon the agencies of the State including the state institutions of learning for facts and suggestions as to possible solutions for the tenancy problem and that the studies of such committee be especially directed toward means of enabling tenants to acquire land, means of checking commercial farming to an extent that will permit deserving tenants an opportunity to obtain family sized farms, and some plan which will tend to eliminate the short term lease and encourage longer term leases and make more stable tenure of farm land, and that such committee be requested to report its findings and recommendations to the Governor prior to the reassembling of the legislature.

By unanimous consent, on request of Senator Hoeven, action was deferred until the return of Senator Shaw to the Senate chamber.

THIRD READING OF BILLS

On motion of Senator Hoeven, Senate File 489, a bill for an act to amend Chapter five hundred twenty-five (525), 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 for other incidental and related matters, was taken up and considered.

Senator Kirketeg took the chair at 2:15.

Senator Augustine offered the following amendment and moved its adoption:

Amend by striking from line eleven (11) the word "wholly" and inserting in lieu thereof the word "mainly".

Further amend by striking from line eleven (11) the word "solely".

The amendment was adopted.

Senator Mighell offered the following amendment and moved its adoption:

Amend by striking from line 24 the words "may in its discretion" and inserting in lieu thereof the word "shall".

Roll call was requested.

Senator Stewart moved the previous question on the amendment and the main bill.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 12:

Augustine	Breen	Gillette	Moore
Baldwin	Dean	Guernsey	Vrba
Bekman	Ellis	Mighell	Whitehill

Nays, 30:

Beardsley	Elthon	Hoeven	Martin
Berg	Evans	Hopkins	Mowry
Byers	Faul	Husted	Pelzer
Corwin	Geske	Kirketeg	Schadt
Cromwell	Hart	Leo	Sjulin
Dewey	Harvey	Levis	Stewart
Donohue	Henningsen	Lundy	Talbott
Edwards	Hill		

Absent or not voting, 8:

Benson	Forsling	Parker	Smith
Doran	Miller	Shaw	Zeigler

The amendment was lost.

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	Donohue	Hill	Mowry
Baldwin	Doran	Hoeven	Parker
Beardsley	Edwards	Hopkins	Pelzer
Bekman	Ellis	Husted	Schadt
Benson	Elthon	Kirketeg	Shaw
Berg	Faul	Leo	Sjulin
Breen	Geske	Levis	Stewart
Corwin	Gillette	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Harvey	Miller	Whitehill
Dewey	Henningsen	Moore	

Nays, none.

Absent or not voting, 7:

Byers	Forsling	Mighell	Zeigler
Evans	Hart	Smith	

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 MOTION TO RECONSIDER
SENATE FILE 203

On motion of Senator Hoeven, the motion to reconsider the vote by which Senate File 203 failed to pass the Senate, filed by Senator Augustine, and found on page 452 of the Journal, was taken up and considered.

On the motion to reconsider the vote by which Senate File 203 failed to pass the Senate, the vote was:

Ayes, 40:

Augustine	Dewey	Harvey	Parker
Baldwin	Donohue	Henningsen	Pelzer
Beardsley	Doran	Hill	Schadt
Bekman	Edwards	Hoeven	Shaw
Berg	Ellis	Hopkins	Sjulin
Breen	Elthon	Kirketeg	Stewart
Byers	Faul	Leo	Talbott
Corwin	Gillette	Levis	Vrba
Cromwell	Guernsey	Mighell	Whitehill
Dean	Hart	Mowry	Zeigler

Nays, none.

Absent or not voting, 10:

Benson	Geske	Martin	Moore
Evans	Husted	Miller	Smith
Forsling	Lundy		

The motion prevailed.

Senator Hoeven moved to reconsider the vote by which Senate File 203 passed to its third reading.

The motion prevailed.

The following amendment by the special agricultural relief committee was taken up for consideration:

Amend Senate File 203 by striking all after the word "following" in line three (3) thereof, and by substituting therefor the following:

"In the case of farm tenants, except mere croppers, occupying and cultivating an acreage of forty acres or more, the tenancy shall continue for the following crop year unless written notice for termination is given by either party to the other not later than November first, whereupon the tenancy shall terminate March first following; provided further, the tenancy shall not continue because of absence of notice in case there be default in the performance of the existing rental agreement."

Senator Doran offered the following amendment to the amendment by the committee:

Amend the amendment by inserting after the word "year" in line three (3) the following:

“upon the same terms and conditions as the original lease”.

The amendment to the amendment was adopted.

Senator Hoeven moved the adoption of the amendment as amended.

The amendment as amended was adopted.

Senator Hoeven moved that Senate File 203, a bill for an act to amend section ten thousand one hundred sixty-one (10161), Code, 1935, relating to the termination of agricultural leases, be read a third 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	Hopkins	Parker
Beardsley	Ellis	Husted	Pelzer
Bekman	Elthon	Levis	Schadt
Benson	Gillette	Lundy	Shaw
Berg	Guernsey	Mighell	Sjulin
Breen	Harvey	Miller	Stewart
Cromwell	Henningsen	Moore	Talbott
Dean	Hill	Mowry	Whitehill
Donohue	Hoeven		

Nays, 1:

Byers

Absent or not voting, 15:

Baldwin	Evans	Hart	Smith
Corwin	Faul	Kirketeg	Vrba
Dewey	Forsling	Leo	Zeigler
Doran	Geske	Martin	

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 Hoeven, Senate Files 489 and 203 were messaged to the House immediately.

By unanimous consent, Senator Benson presented Mr. Philip C. Ebling of Dayton, Ohio, President of the United States Junior Chamber of Commerce.

By unanimous consent, Senator Cromwell presented Mr. Byron

Jeffrey, candidate for the presidency of the State Junior Chamber of Commerce.

MOTION TO TAKE FROM THE TABLE SENATE FILE 200

Senator Hoeven moved to take Senate File 200 from the table.

On the question "Shall Senate File 200 be taken from the table?" the vote was:

Ayes, 40:

Augustine	Doran	Hill	Mowry
Beardsley	Edwards	Hoeven	Parker
Bekman	Ellis	Hopkins	Pelzer
Benson	Elthon	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Breen	Gillette	Leo	Sjulin
Corwin	Guernsey	Lundy	Stewart
Cromwell	Hart	Mighell	Talbott
Dean	Harvey	Miller	Vrba
Dewey	Henningsen	Moore	Whitehill

Nays, none.

Absent or not voting, 10:

Baldwin	Evans	Levis	Smith
Byers	Forsling	Martin	Zeigler
Donohue	Geske		

The motion prevailed.

By unanimous consent, action on the amendments by Senators Mighell and Dean was temporarily deferred.

President Hickenlooper took the chair at 3:17.

The following amendment by the special committee on agricultural relief was taken up for consideration:

Amend by striking all after the word "follows" in line four (4) thereof, and substituting therefor the following:

"A landlord shall have a lien for his rent upon: (a) all crops grown upon the leased premises, (b) the increase from livestock used and kept upon the leased premises during the term of the lease, and (c) all other personal property of the tenant kept and used on the leased premises during the term which is not exempt from execution and which is not exempted by section two (2) of this act; provided, however, that to make said lien effective against innocent purchasers for value there must be filed with the county recorder of the county in which the rented land is situated a written lease or copy thereof; or in the event that there be no written lease, then a general statement verified by the owner or his agent showing the rent reserved, and stating that said owner claims a lien for such rent.

"Sec. 2. All personal property owned, kept or used on the premises leased after July 4, 1939, by a tenant primarily engaging the premises in an agricultural pursuit shall be exempt from a landlord's lien for rent therefor except as provided in subsections (a) and (b) of section one (1) hereof, anything in any contract, lease or rental agreement providing additional security for any rent reserved for the leased premises, to the contrary notwithstanding."

Senator Donohue offered as a substitute amendment for all pending amendments to Senate File 200 the following:

Senate File 200 is hereby amended by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section Ten Thousand Two Hundred Sixty-one (10261) of the Code of Iowa of 1935 is hereby amended by adding thereto the following: 'Provided, however, that in cases of farm leases involving the rental of farm lands leasing lands of forty (40) acres or more, where the tenant has defaulted in the payment of his rent and suit has been commenced aided by attachment for the enforcement of the landlord's lien, the defendant may file as a defense that the default or inability to pay is caused wholly or brought about by reason of drought, flood, hail, storms or other climatic conditions or infestation of pests affecting the land in controversy. When such a defense has been filed, the issue as to the cause for the default shall be triable as an equitable action. Upon the hearing, if the judge finds that the default or inability to pay is wholly due to drought, flood, hail, storm or other climatic conditions or infestation of pests affecting the land in controversy, the judge may enter a decree pursuant thereto with his finding of fact. Where a decree has been entered finding that the inability to pay was wholly brought about by any of the conditions named in this act, the landlord's lien shall be confined to one-half ($\frac{1}{2}$) of the crops grown and raised upon the premises and to all increase in live stock and hogs raised upon the premises during the term of the lease.

Sec. 2. The provisions of this act shall not apply to any farm leases executed prior to July 4, 1939."

Senator Byers took the chair at 3:31.

Senator Gillette moved the previous question on the amendment under consideration and the main bill.

President Hickenlooper took the chair at 4:11.

Roll call was requested on the substitute by Senator Donohue.

Rule 8 was invoked.

On the question "Shall the substitute amendment by Senator Donohue be adopted?" the vote was:

Ayes, 18:

Augustine	Donohue	Hopkins	Moore
Bekman	Doran	Kirketeg	Parker
Byers	Faul	Leo	Talbott
Corwin	Hart	Levis	Zeigler
Cromwell	Harvey		

Nays, 24:

Beardsley	Ellis	Hoeven	Schadt
Benson	Elthon	Husted	Shaw
Berg	Gillette	Mighell	Sjulin
Breen	Guernsey	Miller	Stewart
Dean	Henningsen	Mowry	Vrba
Dewey	Hill	Pelzer	Whitehill

Absent or not voting, 8:

Baldwin	Evans	Geske	Martin
Edwards	Forsling	Lundy	Smith

The substitute amendment was lost.

Senator Hoeven moved the adoption of the committee amendment.

Roll call was requested.

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend by striking from line six (6) the semi-colon following the word "Act" and inserting a period (.) in lieu thereof and by striking the remainder of section one (1) following the period (.).

The amendment to the amendment was adopted.

Senator Breen moved that the Senate adjourn until 10:00 a. m. Monday.

Senator Husted offered as a substitute that the Senate adjourn until 10:00 a. m. Saturday.

The substitution was made.

The substitute motion was lost.

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend section two (2) of the amendment filed by the Special Agricultural Relief Committee to Senate File 200 by striking the comma (,) following the word "hereof" in line five (5) and inserting in lieu thereof a period (.) and also by striking the remainder of said section.

Further action was deferred.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 37, 125, 377 and 414.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 37, 125, 377 and 414.

BILLS SENT TO THE GOVERNOR

Senator Benson 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, 1939, sent to the governor for his approval, Senate Files 37, 125, 377 and 414.

RALPH E. BENSON, *Chairman*

Passed on file.

SENATE RESOLUTION 19

Whereas, The Senate of the Forty-eighth (48th) General Assembly is about to consider the general appropriations bill and

Whereas, It is common knowledge that the chief executive of this state, the Honorable George A. Wilson, has called in Republican leaders in the House and in the absence of the press, despite the much-publicized open-door policy and with the greatest attempt at secrecy, demanded slashing deductions in the House appropriations bill all along the line, and

Whereas, Chapter Seven-E1 (7-E1) of the Code of Iowa, 1935, requires the governor-elect and in office during the current session of each succeeding legislature to submit publicly to the legislature in the form of a printed report his views on the budget for the coming biennium, and

Whereas, We have before us no budget report submitted by Governor George A. Wilson or State Comptroller, C. Fred Porter, and

Whereas, The specific provisions of Sections Eighty-four-e3 (84-e3), Eighty-four-e14 (84-e14), Eighty-four-e15 (84-e15) and Eighty-four-e20 (84-e20) have been ignored, and

Whereas, Despite the much-publicized open-door policy, neither the public nor the members of this General Assembly know or have any way

of knowing what are the governor's views and those of his comptroller upon this subject, and

Whereas, The Governor has wholly failed to comply with the law, and

Whereas, This report should have been submitted not later than February 15, 1939, now therefore,

Be It Resolved by the Senate of the State of Iowa: That the President of the Senate appoint a committee of one (1) to wait upon the Governor and ask him forthwith to submit the budget report required of him by law to the members of the House and Senate.

EDWARD BREEN.

A. E. AUGUSTINE.

AMENDMENTS FILED

MR. PRESIDENT: Amend House File 151 as follows:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. For the purposes of this act 'baby chicks' shall mean all domestic fowls six (6) weeks of age or under; and 'hatchery' shall mean a place of business where baby chicks are hatched for sale and substations and branches thereof operated in connection therewith.

Sec. 2. All baby chicks sold or delivered to a purchaser in the state shall be placed in a box, crate, coop, or other satisfactory container for delivery. Each such box, crate, coop, or other container shall be plainly labeled with a statement or certificate of a size and form prescribed by the Secretary of Agriculture setting forth the following information:

(1) The breed, grade, name as advertised, whether pullets, cockerels or unsexed, and number of baby chicks.

(2) Date hatched.

(3) Tests made on the parent stock for pullorum disease, fowl typhoid and tuberculosis.

(4) Name and address of person, partnership, firm or corporation making the immediate sale.

Sec. 3. Every person, partnership, firm or corporation engaged in the business of buying, selling, hatching or handling baby chicks for sale shall obtain a license from the department of agriculture for any establishment at which such business is conducted.

Sec. 4. Application for said license shall be made to the department of agriculture on forms provided by it.

Sec. 5. Upon payment of a license fee of ten dollars (\$10.00), the department of agriculture shall issue a license to the applicant to conduct such business at the place specified in the application; which fee shall cover cost of inspection hereinafter provided for. All such licenses shall expire on July 15th of each calendar year.

Sec. 6. All places of business licensed under this chapter shall be subject to inspection by the department of agriculture to determine if:

(1) The baby chicks offered or exposed for sale are in a healthy condition.

(2) The premises provide ample facilities for the proper care and handling of baby chicks.

(3) Sanitary measures are such as will properly suppress and prevent the spread of contagious and infectious diseases of baby chicks.

Sec. 7. In case of any violation of this act or in case of an adverse report by the inspector, the secretary of agriculture is authorized to maintain proceedings against any such licensee, in the District Court of the county where said business is operated, to cancel his license and enjoin further conduct of such business at such place of business; but no temporary injunction or restraining order shall issue on less than five (5) days notice to the defendant. Such proceedings, however, shall not prevent the issuance of a new license to such former licensee upon a showing to the department of agriculture of his compliance, or his ability and willingness to comply, with the provisions of this act.

Sec. 8. The violation of any provision of this act shall be punished by a fine not to exceed one hundred dollars (\$100.00) or by imprisonment in the county jail not to exceed thirty (30) days."

E. K. BEKMAN.

MR. PRESIDENT: Amend House File 155, by striking the word "thirty" in line five (5), subsection b, section four (4), and inserting in lieu thereof the word "ten".

GEORGE M. FAUL.

MR. PRESIDENT: Amend House File 614 by adding after line 28 of Section 3, the following:

6. It shall be unlawful for any person, firm, association or corporation licensed under this act who knowingly, or in the exercise of reasonable care, should have known, to permit, allow or make available to any person under eighteen (18) years of age the playing, operation, manipulation or use of any pin ball or marble devices licensed hereunder.

7. Any person, firm, association, or corporation violating the provisions of paragraph six (6) of this section shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed one hundred dollars (\$100), or by imprisonment in the county jail not to exceed thirty (30) days.

G. R. HILL.

MR. PRESIDENT: Amend the amendment to Senate File 298 filed by Senators Kirketeg and Doran, appearing on pages 1073 and 1074 of the Senate Journal, as follows:

Strike all after the comma in line three (3) of that part of the amendment which seeks to amend section nine thousand two hundred sixty-seven (9267), Code, 1935, and insert in lieu thereof the following:

"and such gift up to the amount of one thousand dollars (\$1,000.00) shall, in all respects, be exempt from gift, estate or inheritance tax."

H. V. LEVIS.

MR. PRESIDENT: Amend Senate File 323 by striking all of section three (3) thereof.

E. K. BEKMAN.

GEO. M. FAUL.

MR. PRESIDENT: Amend Senate File 450 as follows:

1. By inserting in line ten (10) of the title after "1935," the following:

"as amended by section one hundred nine (109), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly,".

2. By striking from line eight (8), of section one (1), the character "c" from ".15c".

3. By inserting in "Sec. 3":

a. line two (2), after "1935,"; "as amended by section one hundred nine (109), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly,";

b. line three (3), after "ing" the word "thereto".

4. By writing in line four (4) of "Sec. 4." "no female" with a capital "N" ("No female").

5. By striking from "Sec. 6.":

a. line three (3) the word and figure "fourteen (14)" and inserting in lieu thereof the word and figure "thirteen (13)";

b. line sixteen (16), the word and figure "nineteen (19)" and inserting in lieu thereof the word and figure "eighteen (18)".

6. By striking from "Sec. 7.", line two (2), the period (.) after the word "repealed" and inserting in lieu thereof the following: "and the following is enacted as a substitute therefor:".

7. Strike line one (1) of "Sec. 8."

A. CLAIRE DEWEY.

MR. PRESIDENT: Amend the amendment filed by Senator Dewey to Senate File 452 (found on pages 1074 to 1083 of the April 11th Senate Journal) by inserting at the end of "Sec. 8." the following:

"(10) By adding at the end of said section the words and figures:

Kind of Animal	Open Season	Bag Limit	Possession Limit
DOVES (mourning)	September 1- September 30	10	10'.

STANLEY L. HART.

Senator Breen asked unanimous consent to have a telegram from Glenn Haynes inserted in the Senate Journal.

Objection was made.

Senator Breen moved that a telegram from Glenn Haynes be inserted in the Journal.

The motion was lost.

Senator Doran moved that the Senate adjourn until 9:30 a. m. Monday.

Senator Donohue offered as a substitute that the Senate adjourn until 10:00 a. m. Saturday.

The substitute motion prevailed, and the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 15, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. R. J. MacDanel, pastor of the Presbyterian church of Carroll.

The Journal of April 14th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Bekman for the day, on request of Senator Faul; Senator Moore for the day, on request of Senator Corwin; Senator Martin for the day, on request of Senator Corwin; Senator Shaw for the day, on account of illness, on request of Senator Dewey; Senator Evans for the day, on request of Senator Parker; Senator Guernsey for the day, on request of Senator Kirkeg; Senator Gillette for the day, on request of Senator Mighell; Senator Geake for the day, on request of Senator Corwin; Senator Doran for the day, on request of Senator Berg.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hoeven, from truckers of Osceola county, favoring enactment of House File 601.

By Senator Hopkins, from truckers of Guthrie county, favoring enactment of House File 601.

By Senator Hopkins, from citizens of Dallas county, favoring the adoption of a joint resolution memorializing Congress to enact the General Welfare Act.

INTRODUCTION OF BILLS

Senate File 498, by committee on consolidation and co-ordination, a bill for an act to amend Senate File three hundred seventy-nine (379), Acts of the 48th General Assembly, relating to the department of public safety of the State of Iowa, transferring the supervision of registration of motor vehicles and the enforcement

of motor vehicle law to said department, and providing that the funds heretofore appropriated be made available to the department of public safety on the effective date of this act.

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Vrba, 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 651.

EDWARD H. VRBA, *Acting Chairman Senate Committee.*

ALBERT STEINBERG, *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, House File 651.

By unanimous consent, Senator Augustine presented Senator Williams of Black Foot, Idaho, a member of the Idaho legislature.

HOUSE AMENDMENT CONSIDERED

Senator Elthon called up for consideration House File 66 and moved that the Senate concur in the following House amendment to Senate amendment :

Amend Senate amendment 2 by adding thereto after the word "therefor" in the last line the following: ", relating to signal devices and signal lamps on motor vehicles."

The motion prevailed and the Senate concurred in the House amendment to Senate amendment.

THIRD READING OF BILLS

Senator Elthon moved that House File 66, a bill for an act to amend Chapter one hundred thirty-four (134), Acts of the Forty seventh General Assembly, by repealing section three hundred forty-six (346) of said Chapter, and by repealing section four hundred twenty-nine (429) of said Chapter and enacting substitutes therefor, relating to signal devices and signal lamps on motor ve-

hicles, be read a third 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	Ellis	Hoeven	Mowry
Baldwin	Elthon	Hopkins	Parker
Benson	Faul	Husted	Pelzer
Corwin	Forsling	Kirketeg	Schadt
Dean	Hart	Leo	Stewart
Dewey	Harvey	Lundy	Vrba
Donohue	Henningsen	Mighell	Whitehill
Edwards	Hill	Miller	Zeigler

Nays, none.

Absent or not voting, 18:

Beardsley	Cromwell	Guernsey	Shaw
Bekman	Doran	Levis	Sjulin
Berg	Evans	Martin	Smith
Breen	Geske	Moore	Talbott
Byers	Gillette		

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

Senator Forsling called up for consideration Senate File 424, the House having receded from the amendment in which the Senate refused to concur.

Senator Forsling moved that Senate File 424, a bill for an act providing that legal work of the state shall be under the direction of the attorney general, be read a third 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	Ellis	Hoeven	Parker
Benson	Elthon	Hopkins	Pelzer
Berg	Faul	Husted	Schadt
Corwin	Forsling	Kirketeg	Stewart
Dean	Hart	Leo	Vrba
Dewey	Harvey	Mighell	Whitehill
Donohue	Henningsen	Miller	Zeigler
Edwards	Hill	Mowry	

Nays, none.

Absent or not voting, 19:

Baldwin	Cromwell	Guernsey	Shaw
Beardsley	Doran	Levis	Sjulin
Bekman	Evans	Lundy	Smith
Breen	Geske	Martin	Talbott
Byers	Gillette	Moore	

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

Senator Forsling 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 Hoeven, action on Senate File 200 was deferred until Monday and the bill allowed to retain its place on the calendar as unfinished business.

By unanimous consent, on request of Senator Donohue, House File 641 and Senate File 448 were placed on the calendar.

By unanimous consent, on request of Senator Forsling, House File 246, a bill for an act to amend section forty-six hundred twenty-six (4626), Code, 1935, relating to the duties of the state highway commission in connection with removal or alteration of lights or light-reflecting devices adjacent to grade railway crossings, primary road intersections, or on or adjacent to primary roads, was taken up and considered.

Senator Forsling moved that the bill be read a third 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	Miller
Baldwin	Ellis	Hoeven	Mowry
Benson	Elthon	Hopkins	Parker
Berg	Faul	Husted	Pelzer
Corwin	Forsling	Kirketeg	Schadt
Cromwell	Hart	Leo	Vrba
Dean	Harvey	Lundy	Whitehill
Dewey	Henningesen	Mighell	Zeigler
Donohue			

Nays, none.

Absent or not voting, 17:

Beardsley	Evans	Levis	Sjulin
Bekman	Geske	Martin	Smith
Breen	Gillette	Moore	Stewart
Byers	Guernsey	Shaw	Talbot
Doran			

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

Senator Forsling 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 Forsling, House File 247, a bill for an act to amend Chapter three hundred sixty-eight (368) of the Code, 1935, relating to authority of the Iowa state commerce commission to order removal or alteration of lights used for illuminating purposes which interfere with observation of railroad signals, was taken up and considered.

Senator Forsling moved that the bill be read a third 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	Ellis	Hoeven	Parker
Benson	Elthon	Hopkins	Pelzer
Corwin	Faul	Husted	Schadt
Cromwell	Forsling	Kirketeg	Stewart
Dean	Hart	Leo	Vrba
Dewey	Harvey	Mighell	Whitehill
Donohue	Henningsen	Miller	Zeigler
Edwards	Hill	Mowry	

Nays, none.

Absent or not voting, 19:

Baldwin	Byers	Guernsey	Shaw
Beardsley	Doran	Levis	Sjulin
Bekman	Evans	Lundy	Smith
Berg	Geske	Martin	Talbott
Breen	Gillette	Moore	

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

Senator Forsling 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 following bills on the calendar were considered:

Senate Files 112, 303 and 448.

House Files 391, 436, 256, 340, 395, 425, 477, 566, 636, 642, 45, 136, 641, 166, 602 and 44.

On motion of Senator Vrba, Senate File 303, a bill for an act to amend Section four thousand four hundred seventy-three (4473),

Code, 1935, relating to the interest rate which may be charged a purchaser of school lands, was taken up and considered.

Senator Vrba moved that the bill be read a third 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	Ellis	Hoeven	Parker
Baldwin	Elthon	Hopkins	Pelzer
Berg	Faul	Husted	Schadt
Corwin	Forsling	Kirketeg	Stewart
Cromwell	Hart	Leo	Talbott
Dean	Harvey	Mighell	Vrba
Dewey	Henningsen	Miller	Whitehill
Donohue	Hill	Mowry	Zeigler
Edwards			

Nays, none.

Absent or not voting, 17:

Beardsley	Doran	Guernsey	Moore
Bekman	Evans	Levis	Shaw
Benson	Geske	Lundy	Sjulin
Breen	Gillette	Martin	Smith
Byers			

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

Senator Vrba 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 436, a bill for an act to amend section forty-five hundred three (4503), Code, 1935, to provide additional time for sale of lands acquired under permanent school fund, was taken up and considered.

Senator Husted offered the following amendment and moved its adoption:

Amend by adding the following:

"Sec. 2. Section four thousand five hundred five (4505), Code, 1935, is hereby amended by adding after the word "fund" in line eleven (11) the words "or temporary school fund"."

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, 35:

Augustine	Donohue	Hill	Parker
Baldwin	Edwards	Hoeven	Pelzer
Benson	Ellis	Hopkins	Schadt
Berg	Elthon	Husted	Stewart
Byers	Faul	Kirketeg	Talbott
Corwin	Forsling	Leo	Vrba
Cromwell	Hart	Mighell	Whitehill
Dean	Harvey	Miller	Zeigler
Dewey	Henningesen	Mowry	

Nays, none.**Absent or not voting, 15:**

Beardsley	Evans	Levis	Shaw
Bekman	Geske	Lundy	Sjulin
Breen	Gillette	Martin	Smith
Doran	Guernsey	Moore	

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

Senator Donohue offered the following amendment to the title and moved its adoption :

Amend by striking the period (.) after the word "fund" and inserting in lieu thereof a comma (,) and by adding to the title the following: "and to amend section forty-five hundred five (4505) of the Code of Iowa of 1935 with reference to loss on sale of school lands."

The amendment was adopted, and the title as amended was agreed to.

On motion of Senator Faul, House File 391, a bill for an act to amend section six thousand fifty-one-c one (6051-c1), Code, 1935, relating to paving, repaving, constructing, reconstructing, resurfacing, repairing, or maintaining streets or thoroughfares over which street railways or passenger carriers operate trackless-trolley passenger busses or self-propelled motor-driven passenger busses over fixed routes wholly within cities under the commission form of government having a population of one hundred twenty-five thousand or over; imposing license fees or taxes therefor on said street railways or passenger carriers so operated; providing for the payment of such license fees or taxes for the paving; repaving, constructing, reconstructing, resurfacing, repairing, or maintaining the streets and roadways over which any such street railways or passenger carriers shall operate such trackless-trolley passenger busses or self-propelled motor-driven passenger busses and for the reconstruction, repair, servicing, and maintenance of sewers and catch basins serving said streets and roadway; pro-

viding that the license fees or taxes so imposed shall be in lieu of all other taxes or license fees, general, special or local, except motor vehicle fuel license fees and motor vehicle license fees on self-propelled motor-driven passenger busses levied by the state, to which such motor driven passenger busses or trackless-trolley passenger busses may be subject, and shall also be in lieu of all special assessment taxes for the paving, repaving, constructing, reconstructing, resurfacing, repairing, or maintaining the streets and roadways over which said busses are operated or for the construction, reconstruction, repair, or maintenance of sewers serving said streets and roadways; and repealing all laws or parts of laws in conflict herewith, was taken up and considered.

Senator Faul moved that the bill be read a third 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	Hoeven	Parker
Baldwin	Edwards	Hopkins	Pelzer
Benson	Ellis	Husted	Schadt
Berg	Faul	Kirketeg	Stewart
Byers	Forsling	Leo	Talbott
Corwin	Hart	Lundy	Vrba
Cromwell	Harvey	Mighell	Whitehill
Dean	Henningsen	Miller	Zeigler
Dewey	Hill	Mowry	

Nays, none.

Absent or not voting, 15:

Beardsley	Elthon	Guernsey	Shaw
Bekman	Evans	Levis	Sjulin
Breen	Geske	Martin	Smith
Doran	Gillette	Moore	

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

Senator Faul 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.

LEAVE OF ABSENCE

Senator Cromwell was excused for the remainder of the day, on request of Senator Hart.

On motion of Senator Hill, Senate File 112, a bill for an act to

designate the rights and remedies of the owner and holder of security on real estate and to prohibit the commencement of any proceeding for the satisfaction of the debt secured thereby prior to the foreclosure of the security on the real estate, was taken up and considered.

Senator Hill offered the following amendment and moved its adoption:

Amend by striking all of section one (1) after the comma (,) in line four (4) and inserting in lieu thereof "shall file any note or other evidence of indebtedness as a claim against any estate, where the mortgage has not previously exhausted the security for the payment thereof, shall, within ten (10) days after the filing thereof, serve written notice on the administrator or executor of said estate in the same manner provided for the service of an original notice, which notice shall describe the claim and state the amount thereof. The said claim shall come on for hearing at the succeeding term of court after the filing thereof, and the executor or administrator or persons interested in said estate may offer evidence of the value of the security held by the claimant and in the event the value thereof is determined by the court to be in an amount equal to or in excess of the full amount of said claim the court shall enter an order discharging the estate or any personal property therein from any liability for the payment of such claim or any part thereof."

The amendment was adopted.

By unanimous consent, on request of Senator Hill, the word "effect" in section two (2) was changed to the word "affect".

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:

Baldwin	Elthon	Hopkins	Parker
Berg	Faul	Husted	Pelzer
Byers	Forsling	Kirketeg	Schadt
Corwin	Hart	Leo	Stewart
Dean	Harvey	Lundy	Talbott
Dewey	Henningsen	Mighell	Vrba
Donohue	Hill	Miller	Whitehill
Edwards	Hoeven	Mowry	Zeigler
Ellis			

Nays, none.

Absent or not voting, 17:

Augustine	Cromwell	Gillette	Moore
Beardsley	Doran	Guernsey	Shaw
Bekman	Evans	Levis	Sjulin
Benson	Geske	Martin	Smith
Breen			

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

Senator Hill offered the following amendment to the title and moved its adoption:

Amend by striking all after the words "real estate" in line two (2) and substituting in lieu thereof the following: "in the filing of claims against estates and to prescribe the procedure with reference thereto."

The amendment was adopted and the title as amended 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 Whitehill, House File 256, a bill for an act to amend section three hundred ninety-nine (399), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, and to repeal section three hundred ninety-eight (398) of said Chapter and to enact a substitute therefor, all relating to construction and equipment of school busses, was taken up and considered.

By unanimous consent, on written request of Senator Gillette, the amendments filed by him, found on page 831 of the Journal, were withdrawn.

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, 32:

Augustine	Donohue	Hill	Parker
Baldwin	Edwards	Hopkins	Pelzer
Berg	Ellis	Husted	Schadt
Breen	Elthon	Kirketeg	Stewart
Byers	Faul	Leo	Talbott
Corwin	Hart	Mighell	Vrba
Dean	Harvey	Miller	Whitehill
Dewey	Henningsen	Mowry	Zeigler

Nays, none.

Absent or not voting, 18:

Beardsley	Evans	Hoeven	Moore
Bekman	Forsling	Levis	Shaw
Benson	Geske	Lundy	Sjulin
Cromwell	Gillette	Martin	Smith
Doran	Guernsey		

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 Donohue, House File 340, a bill for an act to amend section fifty (50) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to registration plates for motor vehicles, 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	Ellis	Hoeven	Mowry
Baldwin	Elthon	Hopkins	Parker
Berg	Faul	Husted	Pelzer
Breen	Forsling	Kirketeg	Schadt
Corwin	Hart	Leo	Stewart
Dean	Harvey	Lundy	Talbott
Dewey	Henningsen	Mighell	Vrba
Donohue	Hill	Miller	Zeigler
Edwards			

Nays, none.

Absent or not voting, 17:

Beardsley	Doran	Guernsey	Shaw
Bekman	Evans	Levis	Sjulin
Benson	Geske	Martin	Smith
Byers	Gillette	Moore	Whitehill
Cromwell			

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 Elthon, House File 425, a bill for an act to legalize the action of the county treasurer of Worth County, Iowa, in making payment from the general fund of said county of the sum of twenty-eight hundred twenty-five and 75/100 dollars (\$2825.75) for the purpose of retiring certain bonds and coupons issued by and against drainage district number 40 of Worth County, Iowa, 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, 31:

Augustine	Ellis	Hoeven	Parker
Berg	Elthon	Hopkins	Pelzer
Breen	Faul	Husted	Schadt
Byers	Forsling	Kirketeg	Stewart
Corwin	Hart	Leo	Talbott
Dewey	Harvey	Mighell	Vrba
Donohue	Henningsen	Miller	Zeigler
Edwards	Hill	Mowry	

Nays, none.

Absent or not voting, 19:

Baldwin	Dean	Guernsey	Shaw
Beardsley	Doran	Levis	Sjulin
Bekman	Evans	Lundy	Smith
Benson	Geske	Martin	Whitehill
Cromwell	Gillette	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.

On motion of Senator Donohue, House File 395, a bill for an act providing for the payment by fiduciaries of personal taxes to the county providing for the compromising of taxes by the county treasurer with the consent of the board of supervisors and providing for a certificate of payment of taxes to fiduciaries by the county treasurer, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by adding to section two (2) the following:

Provided, however, where an estate is insolvent, the board of supervisors may, by proper order certified to the court, cancel all unpaid personal property taxes.

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, 33:

Augustine	Ellis	Hoeven	Parker
Baldwin	Elthon	Hopkins	Pelzer
Berg	Faul	Husted	Schadt
Byers	Forsling	Kirketeg	Stewart
Corwin	Hart	Leo	Talbott
Dean	Harvey	Mighell	Vrba
Dewey	Henningsen	Miller	Whitehill
Donohue	Hill	Mowry	Zeigler
Edwards			

Nays, none.

Absent or not voting, 17:

Beardsley	Doran	Guernsey	Moore
Bekman	Evans	Levis	Shaw
Benson	Geske	Lundy	Sjulin
Breen	Gillette	Martin	Smith
Cromwell			

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

On motion of Senator Harvey, House File 477, a bill for an act to legalize payment of \$283.50 by the board of supervisors of Monona county to the three official newspapers of Monona county for election results published by said newspapers in November, 1936, as ordered by county auditor and as published from copy furnished by said county auditor, was taken up and considered.

Senator Harvey moved that the bill be read a third 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	Hoeven	Parker
Baldwin	Ellis	Hopkins	Pelzer
Berg	Elthon	Husted	Schadt
Breen	Faul	Kirketeg	Stewart
Byers	Hart	Leo	Talbott
Corwin	Harvey	Mighell	Vrba
Dewey	Henningsen	Miller	Whitehill
Donohue	Hill	Mowry	Zeigler

Nays, none.

Absent or not voting, 18:

Beardsley	Doran	Guernsey	Moore
Bekman	Evans	Levis	Shaw
Benson	Forsling	Lundy	Sjulin
Cromwell	Geske	Martin	Smith
Dean	Gillette		

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 566, a bill for an act to validate all funds deposited by school corporations in banks which were not approved by the board of school directors, and to provide for the payment of such funds now on deposit in closed banks from the state sinking fund, was taken up and considered.

By unanimous consent, on request of Senator Donohue, action was deferred and the bill allowed to retain its place on the calendar as unfinished business.

On motion of Senator Donohue, House File 642, a bill for an act to legalize a special election held in the town of Hopkinton, Iowa, on the twenty-third day of February, 1939, on the proposition of authorizing said town to construct a municipal building and contract indebtedness and issue bonds for such purpose, and levy a tax annually upon the taxable property in said town for the payment of such bonds and the interest thereon, and to legalize indebtedness incurred and taxes levied pursuant thereto, and the proceedings providing for the issuance and sale of said bonds, and to declare bonds issued pursuant to said election to be valid and enforceable obligations of said town, 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, 81:

Augustine	Ellis	Hopkins	Parker
Baldwin	Elthon	Husted	Pelzer
Berg	Faul	Kirketeg	Schadt
Breen	Hart	Leo	Talbott
Corwin	Harvey	Lundy	Vrba
Dewey	Henningsen	Mighell	Whitehill
Donohue	Hill	Miller	Zeigler
Edwards	Hoeven	Mowry	

Nays, none.

Absent or not voting, 19:

Beardsley	Dean	Gillette	Shaw
Bekman	Doran	Guernsey	Sjulin
Benson	Evans	Levis	Smith
Byers	Forsling	Martin	Stewart
Cromwell	Geske	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 Faul, House File 45, a bill for an act to

amend the military code, Chapter twenty-eight-F' one (28-F1), Code, 1935, by providing for the transfer of civil or criminal cases on file in any court of record within a county where a military district has been established under martial law, to any court of record outside the military district; and to provide for the establishment of a military court or commission within a military district, and to prescribe the powers and duties of such military court or commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul moved that the bill be read a third 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	Mowry
Baldwin	Elthon	Hopkins	Pelzer
Berg	Faul	Husted	Schadt
Breen	Forsling	Kirketeg	Stewart
Corwin	Hart	Leo	Talbott
Dean	Harvey	Lundy	Vrba
Dewey	Henningsen	Mighell	Whitehill
Donohue	Hill	Miller	Zeigler
Edwards			

Nays, none.

Absent or not voting, 17:

Beardsley	Doran	Guernsey	Parker
Bekman	Evans	Levis	Shaw
Benson	Geske	Martin	Sjulin
Byers	Gillette	Moore	Smith
Cromwell			

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

Senator Faul 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 Hart, House File 636, a bill for an act to legalize proceedings of the board of trustees of Green Bay Levee and Drainage District Number 2, in Lee county, Iowa, with respect to reconstructing and improving the drainage and levee works in said district, the levy of a supplemental and additional assessment to pay the cost thereof, and the issuance of bonds by said board in anticipation of the collection of said assessment, 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, 32:

Augustine	Edwards	Hill	Miller
Baldwin	Ellis	Hoeven	Mowry
Berg	Elthon	Hopkins	Pelzer
Breen	Faul	Husted	Schadt
Corwin	Forsling	Kirketeg	Stewart
Dean	Hart	Leo	Talbott
Dewey	Harvey	Lundy	Vrba
Donohue	Henningsen	Mighell	Zeigler

Nays, none.

Absent or not voting, 18:

Beardsley	Doran	Levis	Shaw
Bekman	Evans	Martin	Sjulin
Benson	Geske	Moore	Smith
Byers	Gillette	Parker	Whitehill
Cromwell	Guernsey		

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

Senator Hart 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, House File 136, a bill for an act to amend section eighty-seven hundred seventy-six (8776), Code, 1935, relating to the exemption from execution of the proceeds of certain insurance policies, 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	Edwards	Hoeven	Mowry
Baldwin	Ellis	Hopkins	Pelzer
Berg	Elthon	Husted	Schadt
Breen	Faul	Kirketeg	Stewart
Corwin	Forsling	Leo	Talbott
Dean	Harvey	Lundy	Vrba
Dewey	Henningsen	Mighell	Zeigler
Donohue	Hill	Miller	

Nays, none.

Absent or not voting, 19:

Beardsley	Doran	Hart	Shaw
Bekman	Evans	Levis	Sjulin
Benson	Geske	Martin	Smith
Byers	Gillette	Moore	Whitehill
Cromwell	Guernsey	Parker	

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 motion of Senator Stewart, House File 641, a bill for an act to legalize the reincorporation of the Ladies Professorship Association of Fayette, Fayette county, Iowa, its articles of incorporation, the election of officers, and executive committee under said articles of incorporation, and of the acts and proceedings to effect said reincorporation, and the title of property belonging to said corporation as herein incorporated and assumed by said articles of reincorporation, was taken up and considered.

Senator Stewart offered the following amendment and moved its adoption:

Amend House File 641 by striking all of section 3.

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, 33:

Augustine	Ellis	Hopkins	Parker
Baldwin	Elthon	Husted	Pelzer
Berg	Faul	Kirketeg	Schadt
Byers	Forsling	Leo	Stewart
Corwin	Harvey	Lundy	Talbott
Dean	Henningsen	Mighell	Vrba
Dewey	Hill	Miller	Whitehill
Donohue	Hoeven	Mowry	Zeigler
Edwards			

Nays, none.

Absent or not voting, 17:

Beardsley	Doran	Guernsey	Moore
Bekman	Evans	Hart	Shaw
Benson	Geske	Levis	Sjulin
Breen	Gillette	Martin	Smith
Cromwell			

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.

By unanimous consent, on request of Senator Stewart, House File 641 was messaged to the House immediately.

On motion of Senator Dewey, Senate File 448, a bill for an act assenting to the provisions of the act of congress entitled, "An act to provide that the United States shall aid the states in wild-life restoration projects, and for other purposes," approved September 2, 1937, was taken up and considered.

By unanimous consent, Senator Dewey withdrew the amendment filed by him, found on page 831 of the Journal, and offered the following amendment in lieu thereof and moved its adoption:

Amend section two (2) by striking the last three (3) lines and inserting the following: "publication in The Evening Journal, a newspaper published at Washington, Iowa, and the Mount Pleasant Daily News, a newspaper published at Mount Pleasant, Iowa."

The amendment was adopted.

By unanimous consent, on request of Senator Dewey, action was deferred and the bill allowed to retain its place on the calendar as unfinished business.

On motion of Senator Faul, House File 166, a bill for an act to amend section one hundred sixty (160) of Chapter one hundred thirty-four (134), Acts of Forty-seventh General Assembly, so as to provide that motor vehicles registered under said Chapter shall not be subject to a personal property tax except when in storage as unregistered motor vehicle during preceding registration year, was taken up and considered.

Senator Faul moved that the bill be read a third 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
Baldwin
Berg

Breen
Byers
Corwin

Dean
Dewey
Donohue

Edwards
Ellis
Elthon

Faul	Hoeven	Mighell	Stewart
Forsling	Hopkins	Miller	Talbott
Hart	Husted	Mowry	Vrba
Harvey	Kirketeg	Parker	Whitehill
Henningsen	Leo	Pelzer	Zeigler
Hill	Lundy	Schadt	

Nays, none.

Absent or not voting, 15:

Beardsley	Cromwell	Gillette	Moore
Bekman	Doran	Guernsey	Shaw
Benson	Evans	Levis	Sjulin
	Geske	Martin	Smith

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

Senator Faul 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, House File 602, a bill for an act to amend section four thousand four hundred eighty-seven (4487), Code, 1935, to authorize investment of permanent school fund moneys in bonds of the State of Iowa or any political subdivision thereof at prevailing interest rates and acceptance by State Comptroller of interest thereon as whole amount of interest due on funds so invested, a committee bill, 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, 34:

Augustine	Ellis	Hopkins	Parker
Baldwin	Elthon	Husted	Pelzer
Berg	Faul	Kirketeg	Schadt
Byers	Forsling	Leo	Stewart
Corwin	Hart	Lundy	Talbott
Dean	Harvey	Mighell	Vrba
Dewey	Henningsen	Miller	Whitehill
Donohue	Hill	Mowry	Zeigler
Edwards	Hoeven		

Nays, none.

Absent or not voting, 16:

Beardsley	Cromwell	Gillette	Moore
Bekman	Doran	Guernsey	Shaw
Benson	Evans	Levis	Sjulin
Breen	Geske	Martin	Smith

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 motion of Senator Whitehill, House File 44, a bill for an act to amend section four hundred sixty-seven-f twenty-one (467-f21), Code, 1935, relative to compensation of officers and enlisted men while in active service of the state, and compensation to their dependents for death as a result of illness or disease contracted in line of duty while in such active service, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking all of section one (1) following the colon (:) in line four (4) and inserting in lieu thereof the following:

"If the said active service is under martial law or is aid to civil authorities, enlisted men shall receive an additional sum of one dollar (\$1.00) per day; provided, however, that no officer or enlisted man who is an employee of the state and receives compensation from the state as such employee during said active service shall receive the compensation herein provided."

The amendment was adopted.

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, 33:

Augustine	Edwards	Hoeven	Mowry
Baldwin	Ellis	Hopkins	Parker
Berg	Elthon	Husted	Pelzer
Breen	Faul	Kirketeg	Schadt
Byers	Forsling	Leo	Stewart
Corwin	Hart	Lundy	Vrba
Dean	Harvey	Mighell	Whitehill
Dewey	Hill	Miller	Zeigler
Donohue			

Nays, none.

Absent or not voting, 17:

Beardsley	Evans	Henningsen	Shaw
Bekman	Geske	Levis	Sjulin
Benson	Gillette	Martin	Smith
Cromwell	Guernsey	Moore	Talbot
Doran			

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.

By unanimous consent, on request of Senator Whitehill, House File 44 was messaged to the House immediately.

By unanimous consent, on request of Senator Hart, House File 286, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1935, as amended, to permit a trustee, executor, administrator, or guardian as such to invest funds coming into his hands in a savings account or time certificate of deposit of a banking institution located in the state when such money is deposited in a bank insuring its deposits with Federal Deposit Insurance Corporation and in no amount over amount covered by insurance, and when approved by the court, was substituted for Senate File 460, and was taken up and considered.

Senator Hart offered the following amendment and moved its adoption:

Amend section one (1) by striking all after the word "state" in line eight (8) and inserting in lieu thereof the words "and when first approved by the court."

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend by adding thereto the following:

"Provided, however, no investment shall be made in excess of the sum of two thousand dollars (\$2,000.00)."

By unanimous consent, the amendment was withdrawn.

Senator Hoeven took the chair at 12:35.

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, 31:

Augustine	Corwin	Edwards	Forsling
Berg	Dean	Ellis	Hart
Breen	Dewey	Elthon	Harvey
Byers	Donohue	Faul	Hill

Hoeven	Leo	Parker	Vrba
Hopkins	Mighell	Pelzer	Whitehill
Husted	Miller	Schadt	Zeigler
Kirketeg	Mowry	Stewart	

Nays, none.

Absent or not voting, 19:

Baldwin	Doran	Henningsen	Shaw
Beardsley	Evans	Levis	Sjulin
Bekman	Geske	Lundy	Smith
Benson	Gillette	Martin	Talbott
Cromwell	Guernsey	Moore	

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

Senator Hart offered the following amendment to the title and moved its adoption:

Amend by striking all after the word "state" in line five (5) and inserting in lieu thereof the words "and when first approved by the court."

The amendment was adopted and the title as amended was agreed to.

Senator Hart 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 633, a bill for an act pertaining to the protection of fish, game, wild birds and animals.

Also: That the House has concurred in Senate amendments to and passed House File 651, a bill for an act relating to the southern boundary of the state of Iowa.

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

Senate File 438, a bill for an act relating to the audit of counties, cities and towns and school districts and providing for the payment of expense of state auditors.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 467, a bill for an act to provide that the salaries, wages, and other compensation received by United States officials or employees shall be subject to state income tax. A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 467

Amend by adding thereto the following sections:

Sec. 2. Section six thousand nine hundred forty-three-f eight (6943-f8), Code, 1935, as amended by section three (3) of Chapter one hundred eighty-four (184), Acts of the Forty-seventh General Assembly, is hereby amended by striking all of paragraph "d" of subsection two (2).

Sec. 3. The provisions of this act shall apply to all salaries received by federal officials or employees of the United States government as provided for herein from and after January 1, 1939.

Sec. 4. In event that any phrase, clause or section of this act is found to be unconstitutional for any reason, such unconstitutionality shall not have the effect of invalidating those other portions of this act which may be found to be constitutional but those other portions which are found to be constitutional shall remain in full force and effect.

Sec. 5. This act being deemed of immediate importance shall be in full force and effect after its publication in the Eagle Grove Eagle, a newspaper published in Eagle Grove, Iowa, and in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa.

HOUSE MESSAGES CONSIDERED

House File 633, a bill for an act to amend section seventeen hundred three-e two (1703-e2), Code, 1935, relating to licensing of boats; to amend sections seventeen hundred fourteen (1714), seventeen hundred forty-one (1741), seventeen hundred forty-two (1742), seventeen hundred eighty-five (1785), and seventeen hundred eighty-nine (1789), Code, 1935, and to repeal section seventeen hundred sixty-two (1762), Code, 1935, and to enact a substitute therefor, relating to fish and game; to amend section seventeen hundred ninety-four-e fifteen (1794-e15), Code, 1935, relating to fishing licenses; to amend chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, relating to fish and game and fur-bearing animals; and relating to game breeder's license.

Read first and second times and referred to sifting committee.

APPOINTMENT OF PAGE

President Hickenlooper announced the appointment of Wilbur Knopp as page, effective April 15, 1939.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the amendment by Senator Donohue to Senate File 200, found on page 1138 of the Journal, was lost.

F. C. SCHADT.

Remarks by Senator Baldwin requested to be printed in the Journal by him, as of April 13th, were as follows:

MR. PRESIDENT: Anything I might wish to say here today probably will fall on deaf ears. Insofar as I am concerned, my vote today, I doubt very much, will be needed by the present administration. I heard yesterday and today the Senator from Webster and various other Senators eloquently and dramatically make presentations on this floor. Others spoke on this and that. To my notion a great many of those remarks concern a matter which is properly to come before the Senate on the appropriation bill and can be taken care of at that time. The question is now whether we, after a subcommittee of the board of control committee (and the committee has voted to this body a report) are going to turn it over to the Governor. This is a senatorial report and we might just as well face the music now as next week or two weeks from now. I think, personally, there is a wee bit of cupidity on the motion to substitute because if the Governor would investigate, as he will have to, we probably will be gone from here at the time he completes his investigation.

And I say again this case has been too dramatically and eloquently presented. My mother was here through yesterday and today. She's just a bit sick about the whole thing and so am I. She's gone home today like Ed's (Breen) son did. He remarked about his son yesterday.

Our family's Democracy is congealed—we are Democrats from the word "go"! And always will be! Democracy is a matter which has engaged our family's private and public life since the day my grandfather wrote his bosom companion of the 60's, President Grant, "I do not accept political favors from political traitors." He sat over there in the seat now occupied by the Senator from Wright, 46 years ago today. I think and firmly believe that if he were here today he would make the same speech I am making.

I chose today, probably alone, to abide by my ancestry—I'm a Democrat and I believe in Democracy. But I've never obeyed the "crack" of the party whip when I thought the advisors were ill-advising me. If we of our family go into political obscurity today because of my speech, it is because our Democracy is not one of "carpet-bagging". It is because of an issue—an issue which is not the political "carpet-bagger's" idea of a party of political convenience.

I was elected to political office in the first instance because of my Granddad's and my Dad's great fervor for truth and their lifetime conviction to any reasonable theory of thought. We, of our family, the Fagans and Baldwins, do not have to answer for our stewardships as members of the Democratic party. Some have strayed but we are constant and are not dilatory in our procedure. And I refer to the political "carpet-baggers" who have, in many instances, made the Democratic party a party of political conveniences.

I have opposed, and insistently so, the Senator from Chickasaw, many times, as the record shows. I do not like or approve of his political faith. I think, and honestly so, that many times he is facetious, ca-

precious, and naive; but today, gentlemen, he's got something. I didn't study the report of the committee, to be very frank about it, all these investigations are alike. I was asleep in the executive session and when part of it was read somebody punched me awake because of a reference. But I did do this: I read the answer to that report that was sent by the members of the Board of Control. The least that can be said of the argument here today is there is definite—and I will not say malfeasance—nonfeasance in office. That is evident from the answers to the investigation made by the Senate subcommittee. If this board didn't know what was going on—and it is in that report—why didn't it? Would you as a stockholder of a \$60,000,000.00 or \$50,000,000.00 corporation continue hiring somebody indefinitely if you inquired what was going on and they said they didn't know? No—neither would I. The least offender under this senatorial indictment is Harry White. He couldn't have been responsible for everything. It is common knowledge that the other members attempted to “get” Harry White two years ago. You all were here. That hasn't been brought out. At that time, I among others, defended Harry White on the floor of this Legislature. I plead and bled for him—on a hot afternoon. He should have been on his guard and so should the rest of them. Evidently they weren't. That was two years ago when this thing started—not at the beginning of this session! His job was a big one. He couldn't handle it alone. The others have aided in his defeat today, I believe, and theirs too. How can I condone their inaction. I will not attempt to go too far into this report—it's too long—but I just want to cite you something under the individual comments in the Board of Control's report about this person named Ross: “When information came to us as to the kind of a man he was, we made some investigation.” What is “some” investigation? Going down a little further, “. . . we did find that he appeared to have close connections with some prominent public officials . . . We were unable to learn, etc. . . .” I am not saying they did wrong but I will say this, they could find out.

Now we have the case, and I think a good one, of the use of state cars and it says here: “A resolution approved by former Governor Herring, March 31, 1936, authorizing expenses for any trip not to exceed \$25.00, etc.”; and it was a good idea of Herring's to do that because \$25.00 would take them anywhere within the State of Iowa. But this trip to Mexico. They (the Board) didn't know about that! Let me read you something. This is their answer: “The immigration authorities at Omaha were contacted previous to this trip, and while they indicated the matter might be taken care of by them, they thought there might be several weeks' delay.” Delay from what? — The time the vacation trip was set for?

This report is full of this “I do not know”—not malfeasance, but nonfeasance. That's important. Now then, I agree with you that this has not been going on just in the last six years. This has been going on for a long time, gentlemen. I think we should do something about it. We are going to attempt to in the appropriation bill. But, you

can't do it (as Senator Berg said this morning) with three men at cross purposes—three men at cross purposes on everything!

I do say that if this administration wants to become responsible, wants to eliminate these three men, I would say they have a perfect right to do it. They will do it!

I charge the Republican party with the obligation of reform, now!

I charge the Democrats of the Senate to charge the Republicans with the responsibility which they ask.

I charge myself with the responsibility of voting for a "New Deal" in Iowa which will place in the hands of the majority party, this administration, the power to "do good", if they want to do it! That is why I am voting not to send the "without recommendation" report to the Governor—dispose of it here and get rid of it. H. C. BALDWIN.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 485 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section four thousand seven hundred fifty-five-b four (4755-b4), Code, 1935, is hereby amended by striking from line sixteen (16) the period, and inserting in lieu thereof the following: 'and also to pay all unpaid assessments levied against tracts of land owned by corporations organized under the provisions of Chapter three hundred ninety (390), Code, 1935, which are supported, in part, by appropriations of public funds and to reimburse any corporation so organized for the full amount of any assessment shown by them to have heretofore been paid in satisfaction of assessments for improvements on roads and highways which are now included in the primary road system.'"

RALPH E. BENSON.

MR. PRESIDENT: Amend House File 613 as amended by the House as follows:

1. Amend by striking all of subsection two (2) of section two (2).
2. Amend by striking the words and figure "of general circulation as defined in division (2) hereof" in lines ten (10) and eleven (11), subsection one (1), section two (2).

GEORGE M. FAUL.

H. C. BALDWIN.

On motion of Senator Hopkins, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 17, 1939.

The Senate met in regular session, President pro tem Charles B. Hoeven presiding.

Prayer was offered by Rev. E. B. Thayer, rector of the Christ Episcopal Church of Burlington.

The Journal of April 15th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shaw for the day, on request of Senator Doran; Senator Ellis for the day, on request of Senator Doran; Senator Stewart for the day, on request of Senator Zeigler.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Benson, from citizens of Carroll county, favoring the elimination of Class "C" beer permits.

By Senator Cromwell, from the Burlington Building Trades Council, favoring enactment of Senate File 158.

By Senator Cromwell, from local No. 218 of the Teamsters, Chauffeurs and Helpers Union of Burlington, favoring enactment of Senate File 158.

By Senator Cromwell, from citizens of Des Moines county, favoring enactment of House File 601.

By Senator Doran, from citizens of Lee county, requesting favorable consideration of the askings of Iowa State College for the next reunion.

By Senator Kirketeg, from truckers of Adams county, favoring enactment of House File 601.

By Senator Miller, from citizens of Jones county, favoring enactment of House File 601.

By Senator Parker, from truckers of Fairbank, favoring enactment of House File 601.

By Senator Schadt, from truckers of Williamsburg, favoring enactment of House File 601.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of House File 652, a proposed bill legalizing the proceedings of the town council of Orange City.

WALTER H. BEAM, *Secretary*.

INTRODUCTION OF BILLS

Senate File 499, by committee on board of control, a bill for an act to amend section thirty-seven hundred fifty-seven (3757), Code, 1935, relating to the employment of prisoners in state institutions.

Read first and second times and referred to sifting committee.

Senate File 500, by committee on board of control, a bill for an act to amend section thirty-two hundred eighty-six (3286), Code, 1935, relating to the books of accounts of the board of control.

Read first and second times and referred to sifting committee.

Senate File 501, by committee on board of control, a bill for an act relating to the placing of minor wards of the state under contract in private homes and providing for the punishment of the placing of such minor wards without proper contracts; and to amend section thirty-seven hundred sixteen (3716), Code, 1935.

Read first and second times and referred to sifting committee.

Senate File 502, by committee on board of control, a bill for an act relating to the duty of the board of control to formulate rules regarding the punishment of wards of the State of Iowa.

Read first and second times and referred to sifting committee.

Senate File 503, by committee on consolidation and co-ordination, a bill for an act to correct certain inaccurate references to the old age assistance commission and the superintendent of old age assistance.

Read first and second times and referred to sifting committee.

Senate File 504, by committee on consolidation and co-ordination, a bill for an act to correct certain inaccurate references in the corporation, income and sales tax.

Read first and second times and referred to sifting committee.

Senate Joint Resolution 9, by judiciary 2, a joint resolution creating a commission to investigate and recommend a program for the State of Iowa including both primary and secondary roads and to define the powers and duties of said commission and to provide for the expense of said commission.

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

Senate File 288, a bill for an act relating to the providing of homes for dependant children.

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

Senate File 305, a bill for an act relating to blind persons eligible to assistance.

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

Senate File 320, a bill for an act relating to unemployment compensation.

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 legalize the action of the board of supervisors of Floyd county.

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

House File 130, a bill for an act relating to limitation of fee to be charged or exacted by any person, firm or corporation engaged in furnishing or procuring of situations or employment.

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

Substitute for House File 200, a bill for an act to establish the 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 652, a bill for an act to legalize certain proceedings of town council of Orange City, Sioux county, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 130, a bill for an act to amend sections fifteen hundred forty-six-a one (1546-a1) and fifteen hundred forty-six (1546), Code, 1935, relating to the limitation of fee to be charged or exacted by any person, firm, or corporation engaged in the furnishing or procurement of any situation or employment, including registration and other incidentals, and the conditions under which a fee may be charged for registration.

Read first and second times and referred to sifting committee.

Substitute for House File 200, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1939, and ending June 30, 1941, 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 referred to committee on appropriations.

House File 652, a bill for an act to legalize the proceedings of the town council of the town of Orange City, Sioux county, Iowa, providing for the issuance of refunding bonds of said town in the amount of \$8,000 and the levy of taxes to pay said bonds and the interest thereon, and declaring bonds issued pursuant to said proceedings to be valid and enforceable obligations of said town.

Read first and second times and referred to sifting committee.

On motion of Senator Breen, Senate Resolution 19 was taken up for consideration.

SENATE RESOLUTION 19

Whereas, The Senate of the Forty-eighth (48th) General Assembly is about to consider the general appropriations bill and

Whereas, It is common knowledge that the chief executive of this

state, the Honorable George A. Wilson, has called in Republican leaders in the House and in the absence of the press, despite the much-publicized open-door policy and with the greatest attempt at secrecy, demanded slashing deductions in the House appropriations bill all along the line, and

Whereas, Chapter Seven-E1 (7-E1) of the Code of Iowa, 1935, requires the governor-elect and in office during the current session of each succeeding legislature to submit publicly to the legislature in the form of a printed report his views on the budget for the coming biennium, and

Whereas, We have before us no budget report submitted by Governor George A. Wilson or State Comptroller, C. Fred Porter, and

Whereas, The specific provisions of Sections Eighty-four-e3 (84-e3), Eighty-four-e14 (84-e14), Eighty-four-e15 (84-e15) and Eighty-four-e20 (84-e20) have been ignored, and

Whereas, Despite the much-publicized open-door policy, neither the public nor the members of this General Assembly know or have any way of knowing what are the governor's views and those of his comptroller upon this subject, and

Whereas, The Governor has wholly failed to comply with the law, and

Whereas, This report should have been submitted not later than February 15, 1939, now therefore,

Be It Resolved by the Senate of the State of Iowa: That the President of the Senate appoint a committee of one (1) to wait upon the Governor and ask him forthwith to submit the budget report required of him by law to the members of the House and Senate.

Senator Donohue moved that the resolution be laid on the table.

Senator Breen raised the point of order that he had not yielded the floor.

The chair held that Senator Breen had yielded the floor on the reading of the resolution.

Senator Donohue raised the point of order that the motion to lay on the table was not debatable.

The chair held the point well taken.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the resolution be laid on the table?" the vote was:

Ayes, 31:

Benson	Cromwell	Elthon	Hart
Berg	Dewey	Evans	Harvey
Byers	Donohue	Faul	Henningsen
Corwin	Edwards	Forsling	Hill

Hoeven
Hopkins
Husted
Kirketeg

Leo
Levis
Martin
Mowry

Parker
Pelzer
Schadt
Sjulin

Tabott
Whitehill
Zeigler

Nays, 13:

Augustine
Baldwin
Breen
Dean

Doran
Geske
Gillette

Guernsey
Lundy
Mighell

Miller
Moore
Vrba

Absent or not voting, 6:

Beardsley
Bekman

Ellis
Shaw

Smith

Stewart

The resolution was tabled.

EXPLANATION OF VOTE

I am against Senate Resolution 19. I voted against the motion to lay the resolution on the table because I felt that Senator Breen, who called up the resolution as one of its authors, should have been permitted to speak for the resolution.

L. H. DORAN.

MR. PRESIDENT: I wish to explain my vote of "No" to table Senate Resolution 19. While I was not in accord with the proposals under said resolution and would have voted "No" on the same, yet I felt constrained to oppose the motion to table the resolution in that I believe authors of various resolutions should have an opportunity to present the same from the floor of the Senate. This privilege or courtesy was not extended to the authors of the Senate Resolution 19, hence my vote was recorded in the negative, when the motion to table the resolution was made.

HUGH W. LUNDY.

THIRD READING OF BILLS

On motion of Senator Kirketeg, consideration of Senate File 298, a bill for an act to amend section eleven thousand nine hundred eighty-six (11986) of the Code, 1935, relating to personal property of deceased persons and providing that a sum not exceeding three hundred dollars (\$300.00) of any amount on deposit in any bank and/or trust company and/or in any United States Post Office in an open account, and/or savings account, and/or other credit, shall be the property of the surviving spouse who may take control of not exceeding three hundred dollars (\$300.00) of such amount, and/or withdraw same without necessity of administration on deceased estate; and providing further, that all statutes contrary are to be inoperative so far as they affect these provisions, was resumed.

Consideration of the following amendment by Senators Kirketeg and Doran was resumed:

Amend as follows:

Strike all after enacting clause and substitute the following:

Section 1. That section eleven thousand nine hundred eighteen (11918), Code, 1935, is hereby repealed and the following is enacted in lieu thereof:

"Section 11918. Exempt personal property.

1. When deceased leaves a spouse, all personal property which in decedent's hands as the head of a family would be exempt from execution, after being inventoried and appraised, shall be set apart to surviving spouse as property of surviving spouse, and be exempt in hands of surviving spouse as in the hands of the decedent.

2. In addition to the exemption above provided for, the surviving spouse shall have exempt, out of any cash on hand or out of any funds on deposit in any bank and/or trust company in open account and/or savings account and/or other credit, an amount not exceeding three hundred dollars (\$300.00), which amount shall be the property of surviving spouse, and such surviving spouse shall be entitled to take control of and/or withdraw such sum without necessity of having administration on said deceased's estate; if surviving spouse wishes to take control of and/or withdraw such sum surviving spouse shall make an affidavit and deliver it to such bank and/or trust company showing said relationship and that said spouse is not asking withdrawal of exceeding three hundred dollars (\$300.00) from any or all such accounts of deceased including any cash on hand of decedent taken possession of by surviving spouse."

Further amend section nine thousand two hundred sixty-seven (9267), of the Code, 1935, by adding at the end of said section the following:

Any deposit made or account carried as herein provided shall, upon the death of one of said persons, be presumed to be an absolute and/or completed gift to the survivor, and when said amount does not exceed five thousand dollars (\$5,000) the same shall in all respects be exempt from gift, estate, or inheritance tax.

By unanimous consent, on request of Senator Kirketeg, the amendment was corrected as follows:

The word "That" was struck out of line one (1); the word "Section" was struck from line three (3); and lines twenty-three (23), twenty-four (24), and twenty-five (25) were changed to read as follows:

"Sec. 2. Section nine thousand two hundred sixty-seven (9267), Code, 1935, is amended by adding at the end thereof the following:"

Senator Kirketeg offered the following amendment to the amendment and moved its adoption:

Amend as follows:

1. Insert after the comma (,) in line one (1) of sub-section two (2)

the following: "when the charges of last sickness and funeral of deceased are paid,".

2. Also further amend said sub-section two (2) by striking the period (.) and quotation mark (") at the end thereof and inserting the following: ", and that charges of last sickness and funeral of deceased are or will be paid, or amount so withdrawn will be applied pro rata on charges of last sickness and funeral of deceased; and any sum so taken control of and/or withdrawn shall be taken into consideration by court in granting any allowance for the maintenance of the widow and minor children."

The amendment to the amendment was adopted.

Senator Levis offered the following amendment to the amendment and moved its adoption:

Strike all after the comma in line three (3) of that part of the amendment which seeks to amend section nine thousand two hundred sixty-seven (9267), Code, 1935, and insert in lieu thereof the following:

"and such gift up to the amount of one thousand dollars (\$1,000.00) shall, in all respects, be exempt from gift, estate or inheritance tax."

The amendment to the amendment was adopted.

The amendment as amended 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, 37:

Augustine	Edwards	Hoeven	Mowry
Baldwin	Faul	Hopkins	Parker
Beardsley	Geske	Husted	Pelzer
Benson	Gillette	Kirketeg	Schadt
Byers	Guernsey	Leo	Sjulin
Corwin	Hart	Martin	Stewart
Cromwell	Harvey	Mighell	Talbott
Dean	Henningsen	Miller	Vrba
Dewey	Hill	Moore	Whitehill
Doran			

Nays, none.

Absent or not voting, 13:

Bekman	Ellis	Forsling	Shaw
Berg	Elthon	Levis	Smith
Breen	Evans	Lundy	Zeigler
Donohue			

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

Senator Kirketeg offered the following amendment to the title and moved its adoption:

Amend by striking all of the title and inserting in lieu thereof the following:

An act to repeal section eleven thousand nine hundred eighteen (11918), Code, 1935, and substituting for such section a new section relating to exempt personal property, providing that surviving spouse shall have as exempt property the property which was exempt in the hands of deceased spouse, also three hundred dollars (\$300.00) additional out of any cash and/or funds on deposit in banks and/or trust companies, when charges of last sickness and funeral are paid; and permitting surviving spouse to take possession of and/or control of such amount by making an affidavit to such bank and/or trust company; and amending section nine thousand two hundred sixty-seven (9267), Code, 1935, so as to provide that a deposit or account carried in the names of two (2) persons, payable to either, or the survivor, shall be presumed to be an absolute and/or completed gift to the survivor and such gift up to the amount of one thousand dollars (\$1,000.00) shall, in all respects, be exempt from gift, estate or inheritance tax.

The amendment was adopted and the title as amended was agreed to.

Senator Kirketeg 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 Kirketeg, Senate File 298 was ordered engrossed and immediately messaged to the House.

HOUSE AMENDMENTS CONSIDERED

Senator Donohue called up for consideration Senate File 467, amended by the House as follows:

Amend by adding thereto the following sections:

Sec. 2. Section six thousand nine hundred forty-three-f eight (6943-f8), Code, 1935, as amended by section three (3) of Chapter one hundred eighty-four (184), Acts of the Forty-seventh General Assembly, is hereby amended by striking all of paragraph "d" of subsection two (2).

Sec. 3. The provisions of this act shall apply to all salaries received by federal officials or employees of the United States government as provided for herein from and after January 1, 1939.

Sec. 4. In event that any phrase, clause or section of this act is found to be unconstitutional for any reason, such unconstitutionality shall not have the effect of invalidating those other portions of this act which may be found to be constitutional but those other portions which are found to be constitutional shall remain in full force and effect.

Sec. 5. This act being deemed of immediate importance shall be in full force and effect after its publication in the Eagle Grove Eagle, a

newspaper published in Eagle Grove, Iowa, and in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa.

Senator Donohue offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment by adding the following:

Amend the title to Senate File 467 by striking the period (.) following the word "tax" and adding thereto the following: "and to provide that the interest upon obligations of the United States or its possessions, agencies or instrumentalities shall be subject to state income tax."

The amendment was adopted.

On motion of Senator Donohue, the Senate concurred in the House amendments as amended.

THIRD READING OF BILLS

Senator Donohue moved that Senate File 467, a bill for an act to amend section six thousand nine hundred forty-three-f eight (6943-f8), Code, 1935, as amended by section three (3) of Chapter one hundred eighty-four (184), Acts of the Forty-seventh General Assembly, to provide that the salaries, wages, and other compensation received by United States officials or employees shall be subject to state income tax, be read a third time now, as amended, 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	Mowry
Baldwin	Edwards	Hoeven	Parker
Beardsley	Elthon	Hopkins	Pelzer
Benson	Faul	Husted	Schadt
Berg	Geske	Kirketeg	Sjulin
Byers	Gillette	Leo	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler
Donohue	Henningsen	Moore	

Nays, none.

Absent or not voting, 11:

Bekman	Ellis	Levis	Smith
Breen	Evans	Lundy	Vrba
Dean	Forsling	Shaw	

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.

By unanimous consent, on request of Senator Donohue, Senate File 467 was immediately messaged to the House.

By unanimous consent, on request of Senator Breen, action on Senate File 434 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Berg, action on Senate File 323 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Doran, action on Senate File 454 and House Files 540, 541 and 542 was deferred and the bills allowed to retain their places on the calendar.

On motion of Senator Cromwell, Senate File 481, a bill for an act to make appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with State Highway equipment, or on account of acts of commission or omission by the State Highway Commission or its employees, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend section one (1), by adding as a new line immediately following line twenty-three (23) the following:

Oliver Yaggy	Cedar Falls	\$49.50	Collision
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The amendment was adopted.

Senator Cromwell moved that the bill be read a third 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	Cromwell	Gillette	Husted
Baldwin	Dean	Guernsey	Kirketeg
Beardsley	Doran	Hart	Leo
Benson	Edwards	Harvey	Levis
Berg	Elthon	Henningsen	Martin
Breen	Evans	Hill	Mighell
Byers	Faul	Hoeven	Miller
Corwin	Geske	Hopkins	Moore

Mowry
Pelzer
Schadt

Sjulin
Stewart

Talbott
Vrba

Whitehill
Zeigler

Nays, none.

Absent or not voting, 9:

Bekman
Dewey
Donohue

Ellis
Forsling

Lundy
Parker

Shaw
Smith

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

Senator Cromwell 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 Cromwell, consideration of Senate File 485, a bill for an act to make an appropriation to Greene County Fair Association, was resumed.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section four thousand seven hundred fifty-five-b four (4755-b4), Code, 1935, is hereby amended by striking from line sixteen (16) the period, and inserting in lieu thereof the following: 'and also to pay all unpaid assessments levied against tracts of land owned by corporations organized under the provisions of Chapter three hundred ninety (390), Code, 1935, which are supported, in part, by appropriations of public funds and to reimburse any corporation so organized for the full amount of any assessment shown by them to have heretofore been paid in satisfaction of assessments for improvements on roads and highways which are now included in the primary road system.' "

The amendment was adopted.

Senator Cromwell moved that the bill be read a third 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
Baldwin
Benson
Berg
Breen
Corwin
Cromwell
Dean

Doran
Edwards
Elthon
Geske
Gillette
Guernsey
Hart
Harvey

Henningsen
Hill
Hoeven
Hopkins
Husted
Kirketeg
Martin

Miller
Moore
Pelzer
Schadt
Vrba
Whitehill
Zeigler

Nays, 1:

Leo

Absent or not voting, 19:

Beardsley	Ellis	Lundy	Sjulin
Bekman	Evans	Mighell	Smith
Byers	Faul	Mowry	Stewart
Dewey	Forsling	Parker	Talbott
Donohue	Levis	Shaw	

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

Senator Benson offered the following amendment to the title and moved its adoption:

Amend by striking all after the word "act" and inserting the following: "to amend section four thousand seven hundred fifty-five-b four (4755-b4), Code, 1935, relating to the disbursement of the primary road fund."

The amendment was adopted and the title as amended was agreed to.

Senator Cromwell 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 Benson, Senate File 485 was ordered engrossed.

On motion of Senator Kirketeg, House File 433, a bill for an act to make an appropriation for first producing oil well in Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Donohue offered the following amendment:

Amend as follows:

(1) By striking from line three (3) of section one (1) the following words and figures: "forty thousand dollars (\$40,000.00)" and inserting in lieu thereof the words and figures "twenty-five hundred dollars (\$2500.00)".

(2) Amend subsection one (1) of section one (1) by striking from line eleven (11) the words and figures "twenty-five thousand dollars (\$25,000.00)" and inserting in lieu thereof the words and figures "twenty-five hundred dollars (\$2500.00)".

(3) By striking all of subsections two (2) and three (3) of section one (1).

By unanimous consent, Senator Donohue withdrew his amendment.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking from lines two (2) and three (3) the words and figures "twenty-five thousand dollars (\$25,000.00)" and inserting in lieu thereof the words and figures "five thousand dollars (\$5000.00)".

The amendment was lost.

Senator Mighell offered the following amendment and moved its adoption:

Amend by striking the period at the end of section one (1) and adding the following:

" , on condition that all gasoline derived therefrom shall be blended with not less than ten per cent (10%) corn alcohol."

Senator Baldwin raised the point of order that the amendment was out of order because the subject was not germane.

The chair held the point was not well taken.

The amendment was lost.

Senator Kirketeg 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:

Augustine	Edwards	Harvey	Martin
Baldwin	Elthon	Henningsen	Miller
Benson	Evans	Hopkins	Moore
Corwin	Faul	Husted	Parker
Dean	Guernsey	Kirketeg	Schadt
Dewey	Hart	Levis	Sjulin
Doran			

Nays, 18:

Beardsley	Forsling	Leo	Talbott
Breen	Geske	Mighell	Vrba
Byers	Gillette	Mowry	Whitehill
Cromwell	Hill	Pelzer	Zeigler
Donohue	Hoeven		

Absent or not voting, 7:

Bekman	Ellis	Shaw	Stewart
Berg	Lundy	Smith	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

By unanimous consent, Senator Doran withdrew Senate File 363 from further consideration.

On motion of Senator Dewey, consideration of Senate File 448, a bill for an act assenting to the provisions of the act of congress entitled, "An act to provide that the United States shall aid the states in wildlife restoration projects, and for other purposes," approved September 2, 1937, was resumed.

Senator Elthon offered the following amendment and moved its adoption :

Amend by striking from line six (6) of section one (1) the following: ", empowered, and directed" and inserting in lieu thereof the following: "and empowered".

Further amend by striking from lines thirteen (13) and fourteen (14) of section one (1) all after the word "than" and inserting in lieu thereof the following: "as set out in section seventeen hundred three g-seventeen (1703-g17), and seventeen hundred three-g 19 (1703-g19), Code of 1935."

President Hickenlooper took the chair at 11:50.

The amendment was adopted.

Senator Beardsley moved the previous question, 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, 33:

Augustine	Dewey	Hart	Mighell
Baldwin	Doran	Harvey	Miller
Beardsley	Edwards	Henningsen	Moore
Benson	Elthon	Hill	Mowry
Breen	Faul	Hoeven	Parker
Corwin	Geske	Hopkins	Schadt
Cromwell	Gillette	Kirketeg	Talbott
Dean	Guernsey	Martin	Vrba
			Whitehill

Nays, 4:

Byers	Lundy	Pelzer	Zeigler
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Absent or not voting, 13:

Bekman	Evans	Leo	Sjulin
Berg	Forsling	Levis	Smith
Donohue	Husted	Shaw	Stewart
Ellis			

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.

By unanimous consent, on request of Senator Dewey, Senate File 448 was messaged to the House immediately.

EXECUTIVE SESSION

On motion of Senator Donohue, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Berg for the afternoon, on account of illness, on request of Senator Zeigler.

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 248, a bill for an act relating to dangerous and concealed weapons.

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

Senate File 404, a bill for an act relating to the registration and labeling of commercial feeds.

Also: That the House has concurred in Senate amendments to and passed House File 44, a bill for an act relative to compensation of officers and enlisted men.

Also: That the House has concurred in Senate amendments to and passed House File 286, a bill for an act to permit a trustee to invest funds when first approved by the court.

Also: That the House has concurred in Senate amendments to and passed House File 395, a bill for an act providing for the payment of personal taxes to the county.

Also: That the House has concurred in Senate amendments to and passed House File 436, a bill for an act relating to lands acquired under permanent school fund.

Also: That the House has concurred in Senate amendments to and passed House File 641, a bill for an act to legalize the reincorporation of the Ladies Professorship Association of Fayette, Iowa.

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

House Concurrent Resolution 25, providing for the appointment of a standing committee on Interstate Cooperation.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 248

Amend by adding thereto the following as section two (2):

Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Council Bluffs Nonpareil, a newspaper published at Council Bluffs, Iowa, and in the Wright County Monitor, a newspaper published at Clarion, Iowa.

HOUSE CONCURRENT RESOLUTION 25

Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring therein:

Section 1. There is hereby established a 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. 2. There is hereby established a similar 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. 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 Interstate Cooperation. This Commission shall be composed of fifteen regular members, namely:

The five members of the House Committee on Interstate Cooperation,

The five members of the Senate Committee on Interstate Cooperation, and,

The five members of the Governor's Committee on Interstate Cooperation.

The Governor, the Speaker of the House of Representatives and the President of the Senate 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 House of Representatives and the said standing committee of the Senate 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 House Council and Senate 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 a 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 com-

mission, 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 committees 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 having 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 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 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 House Cooperation Committee, the Senate 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 House of Representatives and to the Senate, 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.

THIRD READING OF BILLS

On motion of Senator Doran, House File 645, a bill for an act to make an appropriation for the expenses incurred in the election contests of Peter Bendixen vs. Howard P. Eckerman; J. Ray Pilcher vs. T. H. Brodersen; Raymond S. Hill vs. Mrs. Frank M. Elliott, with report of committee without recommendation, 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:

Augustine	Doran	Hill	Moore
Baldwin	Edwards	Hoeven	Mowry
Beardsley	Elthon	Hopkins	Parker
Benson	Evans	Husted	Pelzer
Byers	Faul	Kirketeg	Schadt
Corwin	Gillette	Leo	Sjulin
Cromwell	Guernsey	Levis	Talbott
Dean	Hart	Martin	Whitehill
Dewey	Harvey	Mighell	Zeigler
Donohue	Henningesen	Miller	

Nays, none.

Absent or not voting, 11:

Bekman	Ellis	Lundy	Stewart
Berg	Forsling	Shaw	Vrba
Breen	Geske	Smith	

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 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 Doran, Senate File 493, a bill for an act to make an appropriation to the executive council of the State of Iowa for the purpose of assisting the Rainbow Division Veterans Drum Corps Department of Iowa and the Rainbow Division Veterans Ladies Drill Team Department of Iowa in representing the Iowa Rainbow Division Veterans at their National Convention in Oklahoma City, Oklahoma, and the World's Fair at New York, 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.

Rule 8 was invoked.

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

Ayes, 34:

Augustine	Benson	Corwin	Dewey
Baldwin	Breen	Cromwell	Doran
Beardsley	Byers	Dean	Edwards

Elthon	Harvey	Leo	Parker
Faul	Hill	Martin	Schadt
Geske	Hoeven	Mighell	Sjulinn
Gillette	Hopkins	Miller	Talbott
Guernsey	Husted	Moore	Whitehill
Hart	Kirketeg		

Nays, 5:

Evans	Levis	Mowry	Zeigler
Henningsen			

Absent or not voting, 11:

Bekman	Ellis	Pelzer	Stewart
Berg	Forsling	Shaw	Vrba
Donohue	Lundy	Smith	

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 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, action on Senate File 253 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Faul, action on House File 151 was deferred and the bill allowed to retain its place on the calendar.

By unanimous consent, on request of Senator Augustine, action on Senate File 440 was deferred and the bill allowed to retain its place on the calendar.

On motion of Senator Dewey, Senate File 452, a bill for an act to amend sections seven (7), eight (8), eleven (11), seventeen (17), thirty (30), thirty-two (32), thirty-eight (38), thirty-nine (39), forty-six (46), forty-seven (47), fifty-two (52), fifty-three (53), fifty-six (56), sixty-two (62), sixty-five (65), sixty-nine (69), seventy-three (73), seventy-seven (77), seventy-nine (79), eighty-one (81), ninety-six (96), ninety-seven (97), ninety-eight (98), one hundred two (102), and one hundred fifteen (115), of Chapter ninety-nine (99), Acts of the 47th General Assembly, relating to the powers, duties and jurisdiction of the state conservation commission with respect to the use of boats on state lakes, to the maintaining of biological balance of all species of wild-life and if justified by proper findings to extend, shorten, open

or close seasons, to define game, to regulate the bringing in of birds or animals from outside the state, to provide for open seasons, bag and possession limits, for the training and use of hunting dogs, bait dealers and private fish hatcheries, for establishing laws with respect to fishing in certain areas and for the taking of minnows, to protect frogs from sale and transportation in or out of the state including protection for certain fur-bearing animals, providing for the use of nets and seines and for the legal size of certain fish, for the excessive loading of vehicles in parks, for the construction of words and phrases used in said act and providing for a penalty for the violation of said acts, a committee bill, was taken up and considered.

Senator Dewey offered the following amendment and moved its adoption:

Amend as follows:

1. By striking all after the enacting clause and substituting therefor the following:

Section 1. Section seven (7), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By striking from line twelve (12) the word and figure "five (5)" and inserting in lieu thereof the words and figures "three and one-half (3½)";

(2) By striking lines twenty-nine (29) and thirty (30) and inserting in lieu thereof the following: "(d) All boats in class VII shall have a white light on deck forward of the mast. Such light shall be so constructed as to show all around the horizon."

Sec. 2. Section eight (8), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by adding thereto the following:

"(d) It shall be unlawful for Class I, II, III, and IV boats to operate on West Okoboji lake within the following named zones, which zones shall be marked by the conservation commission with buoys not more than six hundred (600) feet apart to separate from the main portion of West Okoboji lake such zones, to wit:

"1. That portion of West Okoboji known as Browns Bay and lying south of a direct line connecting the Lime Kiln Point and Pocahontas Point.

"2. That portion of West Okoboji known as Emersons Bay, and the area adjacent thereto and lying west of a line drawn from a point three hundred (300) feet east of Gull Point, due south and intersecting the north boundary of zone one.

"3. That portion of West Okoboji lying to the westward of a line drawn from a point three hundred (300) feet east of Gull Point northwest to the southwest corner of Babcock's property on the north shore of Millers Bay.

"4. That portion of West Okoboji lying eastward of a line drawn due south from Manhattan Point and intersecting the northeast boundary of zone three.

"5. That portion of West Okoboji lying to the north of a line drawn due west from Pikes Point to the west shore.

"6. That portion of West Okoboji lying to the eastward of a line drawn from Colcords Point southward to a point three hundred (300) feet due southwest of Dixons Point.

"Except that all boats in said classes may operate in such zones at a maximum speed of five (5) miles per hour for the purpose of receiving or discharging passengers at landings."

Sec. 3. Section eleven (11), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by adding thereto the following:

"(c) All privately owned row-boats used on or kept at the artificial lakes under the jurisdiction of the commission shall be seaworthy for the waters where they are kept or used. They shall not be loaded to the extent that more than one-third of the height of the freeboard is submerged. All such boats shall be removed from state property whenever ordered by the commission, and, in any event, shall be removed from such property not later than December first (1st) of each year."

Sec. 4. Section seventeen (17), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by inserting in line three (3), after the word "therefor", the following: "provided such craft comply with the provisions of this chapter relating to lights and operation".

Sec. 5. Section thirty (30), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking all of line nine (9) after "main", and all of lines ten (10), and eleven (11), and the first word "area" of line twelve (12) and inserting in lieu thereof the following: "such as to assure the maintenance of an adequate supply of such species. The commission is hereby designated the sole agency to determine the facts as to whether such biological balance does or does not exist."

Sec. 6. Section thirty-two (32), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking the word "Hungarian" from lines ten (10) and eleven (11).

Sec. 7. Section thirty-eight (38), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by adding thereto the following paragraph:

"Nothing in the above shall prohibit licensed game breeders from securing native or exotic birds or animals from outside the state and bringing them into the state and they shall not be required to have a permit as provided above when such birds or animals are not released to the wild but are held on the game breeder's premises as breeding stock."

Sec. 8. Section thirty-nine (39), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By striking from line (10) the figure "5";

(2) By striking from line twelve (12) the words and figures "August 1-March 1" and inserting in lieu thereof the words and figures "September 15-January 15";

(3) By inserting in line twenty (20) after the word "Muscatine" the following: "Wayne, Decatur, Clarke";

(4) By striking from line twenty-four (24) the figure "12" and inserting in lieu thereof the figure "9";

(5) By striking from line twenty-five (25) the figure "14" and inserting in lieu thereof the figure "18";

(6) By striking from line fifteen (15) the figure "1" and inserting in lieu thereof the figure "15";

(7) By striking from line sixteen (16) the figure "1" and inserting in lieu thereof the figure "15";

(8) By striking from line seventeen (17) the words "except Lee county"; and

(9) By striking from lines eighteen (18) and nineteen (19) the words and figures "November 15-December 15".

Sec. 9. Section forty-six (46), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking therefrom the last two (2) words: "or rabbits".

Sec. 10. Section forty-seven (47), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking therefrom lines three (3) and four (4) and inserting in lieu thereof the following:

"A pistol or revolver shooting blank cartridges may be used while training bird dogs during closed season. It shall be unlawful to train any foxhound, raccoon hound or trailing dog on any fur-bearing animal between sunset and sunrise for thirty (30) days just prior to the open season on raccoon."

Sec. 11. Section fifty-three (53), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by adding thereto subdivisions as follows:

"Bait Dealers

"(a) It shall be unlawful for any person to sell minnows, frogs, and clams, for fish bait until the tanks, boxes or crates used for holding bait have been inspected and approved by the director or his duly appointed representative and until said person has applied for and has been issued a bait dealer's license. The cost of said license shall be five dollars (\$5.00).

"Such license shall authorize the licensee to take from the lakes and streams in the state that are not closed to the taking of minnows, frogs and clams, sufficient minnows, frogs and clams to carry on and supply his customers with bait for hook and line fishing.

"Such licensees shall comply with all state laws pertaining to possession, taking, selling of bait handled by them and any licensee upon conviction for violating any state conservation laws, shall forfeit his license if demanded by the director.

"Minnow and bait boxes and tanks shall be open to inspection by the director and conservation officers at all times.

"Holders of a bait dealer's license, when obtaining bait from lakes and streams, shall take only such sized bait as can be used and shall return all small minnows and frogs to the water immediately with as little loss as possible.

"They shall have tanks and bait boxes of sufficient size with proper aeration to keep the bait alive and prevent heavy loss."

"Private Fish Hatchery

"(b) It shall be unlawful for any person to operate a private fish hatchery or engage in the business of propagating fish native to the state of Iowa in private waters until such person has applied for and has been issued a private fish hatchery license as provided by state law. Such license shall be renewed each year.

"The term 'private fish hatchery' covering private fish hatcheries shall include all private ponds, with or without buildings, used for the purpose of propagating or holding fish for commercial purposes.

"No license shall be issued to operate private fish hatcheries on privately owned or nonmeandered lakes and streams or ponds that may become stocked with fish from public waters by overflow or natural migration.

"Holders of private fish hatchery licenses may, in said hatchery, possess, propagate, buy, sell, deal in and transport the fish produced from breeding stock lawfully acquired, but all fish sold for food purposes must comply with the state law regarding size limits.

"They may sell fish for stocking purposes within or without the state, but no fish shall be sold for stocking purposes within the state that are not native to the state and to the waters where stocked.

"Each operator of a private fish hatchery shall make an annual report of the number, kinds and sizes of the fish propagated and to whom sold during the license year on forms supplied by the commission. Failure to make such report shall be grounds for refusal to renew the license under which the hatchery operates.

"Operators of private fish hatcheries shall secure their breeding stock from licensed private fish hatcheries in the state or from lawful sources outside the state and it shall be unlawful for such hatcheries to secure stock in any other way.

"Private fish hatchery operators who hold and feed carp, buffalo and other fish lawfully taken by commercial fishermen, may hold, feed and sell such fish under private fish hatchery licenses."

Sec. 12. Section fifty-six (56), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By striking from line eighteen (18) the word "April" and inserting in lieu thereof the word "May";

(2) By striking from line twenty (20) the figure "1" and inserting in lieu thereof the figure "30";

(3) By striking from line twenty-nine (29) the figure "12" and inserting in lieu thereof the figure "10";

(4) By striking from line thirty-seven (37) the figure "25" and inserting in lieu thereof the figure "15", and by striking the figure "50" and inserting in lieu thereof the figure "25";

(5) By inserting in line forty-eight (48) after the word "limits" the words "and a continuous open season";

(6) By inserting in line sixty (60) after the word "crappies": ", calico bass";

(7) By striking from line seventy-eight (78) the figure "15" and inserting in lieu thereof the figure "12";

(8) By adding to Table A the following:

"Frogs May 12-November 30	Four (4) dozen	Eight (8) Dozen	6 inches
	(Bait dealers excepted)	(Bait dealers excepted)	(Applies to bait dealers only)";

(9) By striking from lines ninety-nine (99) and one hundred (100) the words and figures "June 15 to November 30" and inserting in lieu thereof the words and figures "June 1 to March 1 next";

(10) By striking from lines one hundred two (102) and one hundred three (103) the words and figures "May 15 to November 30" and inserting in lieu thereof the word "continuous";

(11) By striking from lines one hundred five (105) and one hundred six (106) the words and figures "May 15 to November 30" and inserting in lieu thereof the word "continuous";

(12) By striking from lines one hundred nine (109) and one hundred ten (110) the words and figures "May 15 to November 30" and inserting in lieu thereof the words and figures "May 1 to March 1 next";

(13) By striking from lines one hundred eleven (111) and one hundred twelve (112) the words and figures "May 15 to November 30" and inserting in lieu thereof the word "continuous"; and

(14) By adding to said section a paragraph as follows:

"It shall be unlawful for any person at any time to have in possession more than thirty (30) fish of all kinds in the aggregate, except that this aggregate possession limit shall not apply to the fish named in this section on which there is no daily catch limit, or to the director and his duly authorized representatives when carrying out duties imposed by state law, or commercial fishermen, or wholesale fish markets, when operating under proper license and dealing in commercial fish."

Sec. 13. Section sixty-two (62), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, is amended by striking all of line three (3) and inserting in lieu thereof the following: "five (5) throw lines or trot lines and such lines shall not have in the aggregate more than".

Sec. 14. Section sixty-five (65), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, is amended by striking all of line ten (10) and inserting in lieu thereof: "and in Cedar and Iowa rivers, in Muscatine and Louisa counties."

Sec. 15. Section sixty-nine (69), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, is amended:

(1) By striking from line six (6) the words "boat liveries" and inserting in lieu thereof the words "licensed bait dealers"; and

(2) By adding to said section the following:

"Minnows

"'Minnows' shall be defined as chubs, shiners, suckers, dace, stone-rollers, mud-minnows, redhorse, blunt-nose, fat-head, or other small fish commonly used for fish bait that have only one dorsal fin.

"'Commercial purposes' shall be construed to mean selling, giving, or furnishing to others.

"It shall be unlawful for any person:

"1. To take or attempt to take minnows for commercial purposes from any of the waters of the state, or transport the same without first procuring a bait dealer's license therefor as provided by state law; provided, however, that no license other than a license to fish in the waters of this state shall be required of persons taking minnows for their individual use for bait.

"2. To seine, take, attempt to take, transport or carry away any minnows from the waters of any stream inhabited or stocked with trout, except that chubs, suckers and redhorse may be taken from trout streams with pole and line during open trout season, and chubs may be taken with pole and line only, at any time, from streams not stocked with trout.

"3. To transport in any manner or for any purpose outside this state any minnows, dead or alive, taken in the state except that the director may transport for the purposes set out by state law.

"4. To use minnows except for bait in hook and line fishing.

"The commission shall have the power to designate the lakes and streams and parts of same from which minnows shall not be taken when investigation shows that the minnow population should be protected for the best management of the lake or stream and if such investigation shows that lakes or streams or any portion of them should be closed to taking minnows for such length of time as deemed advisable by the commission. Then in that case the director is hereby authorized to post such lakes and streams or portions of them with notices or signs which clearly state that the lake or stream or portion so posted is closed to the taking of minnows and it shall be unlawful for any person to take in any manner, minnows from such posted streams.

"Minnow traps not exceeding twenty-four (24) inches in length may be used wherever the taking of minnows is allowed."

Sec. 16. Section seventy-three (73), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking all after the word "unlawful" in line one (1) and inserting in lieu thereof the following: "to take, attempt to take, or kill in any manner whatsoever, or to sell, or have in possession, or to transport in any manner, any species of frogs in the state except as follows:

"Frogs may be taken from May 12th to the following November 30th.

"Frogs may be taken by holders of a fishing license only and they may be used for bait or food purposes, but no person shall take more than four dozen frogs in any one day or have in possession at any one time more than eight dozen frogs. Licensed bait dealers authorized by law to sell bait may have in their possession to supply the bait needs of their customers, not more than twenty (20) dozen frogs, not more than six (6) inches in length from tip of nose to tip of toes.

"No person shall use any device, net, barrier or fence of any kind which prevents frogs from having free access to and egress from the water.

"Transportation out of the state in any manner or for any purposes, of frogs taken in Iowa, is prohibited.

"Nothing in this act shall be construed to prevent the purchase, sale

or possession of frogs or any portion of the carcasses of frogs that have been legally taken and shipped in from without the state."

Sec. 17. Section seventy-seven (77), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, is amended by inserting in line two (2), after the word "ship": ", transport,".

Sec. 18. Section seventy-nine (79), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by inserting in line two (2) after the word "skunk": ", mink,".

Sec. 19. Section eighty-one (81), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By inserting in line four (4) after the word "animal" the words "or fur-bearing animals";

(2) By adding thereto the following:

"It shall be unlawful for any person, except as otherwise provided, to use any chemicals, explosives, smoking devices, mechanical ferrets, wire, tool, instrument, or water to remove fur-bearing animals from their dens.

"A license tag for each trap for which a license fee has been paid, stamped with the year of issuance, shall be furnished by the commission without additional charge. All licensed traps, when in use, shall have said tag attached to trap or chain and conservation officers shall have authority to confiscate any trap when found in use without such tag attached. Tags will be renewed annually."

Sec. 20. Section ninety-six (96), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By inserting in line two (2), after the first word "nets" the words: "gill nets";

(2) By inserting in line seventeen (17), after the period (.) the following: "Tags must at all times be attached to fishing tackle while in use and conservation officers shall have authority to confiscate any net or seine when found in use without such tag attached. Tags shall be renewed annually.";

(3) By adding after subsection "(b)" the following subsections:

"(c) It shall be unlawful for any person to fish or use any wooden fish basket or trap of any kind in the boundary or inland waters of the state.

"(d) It shall be unlawful for fish peddlers, wholesale fish markets, jobbing houses or other places for the wholesale or retail marketing of fish to have in possession catfish under the legal thirteen (13) inch commercial size limit provided in Iowa laws.";

(4) By relettering subsection "(c)": "(e)"; and

(5) By inserting in line thirty-four (34), after the word "beginning" the following:

"; that part of the Mississippi River in Dubuque county, Iowa, known as 'Zollicoffers Lake' in Sections ten (10), eleven (11), fourteen (14), fifteen (15) and twenty-three (23), Township ninety (90) North, Range two (2) West; that part of the Mississippi River in Allamakee county, Iowa, known as 'Big Lake' in Sections four (4), five (5), eight (8), nine (9), sixteen (16) and seventeen (17), Township ninety-nine (99) North,

Range three (3) West; that part of Cassville Slough, also known as 'Twelve Mile Slough', below government lock and dam No. 10 in Clayton county, Iowa; that part of the Mississippi River in Allamakee county known as 'Mud Hen Lake' located in Sections one (1) and two (2), Township ninety-six (96) North, Range three (3) West; that part of the Mississippi River known as the 'Breaks and Coolegar Shute', located in Sections twenty (20), twenty-nine (29), and thirty-two (32), Township seventy-four (74) North, Range two (2), West of the fifth (5th) P. M., Louisa county, Iowa; that part of the Mississippi River known as 'Gun Lake' located in Sections thirty-four (34) and thirty-five (35), Township ninety-seven (97) North, Range three (3) West of the fifth (5th) P. M., Allamakee county, Iowa."

Sec. 21. Section ninety-seven (97), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by inserting in line five (5) after the word "measure" the following: "or to fish with or use a gill net having a mesh of less than three and three-quarters ($3\frac{3}{4}$) inches square or bar measure".

Sec. 22. Section ninety-eight (98), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended:

(1) By inserting in line two (2), after the first word "nets": "gill nets,";

(2) By adding after the period (.) in line three (3) the following: "Provided a trot line license is procured for the sum of one dollar (\$1.00); the holder of said license may use a trot line, with no more than one hundred (100) hooks, in the waters of the Mississippi and Missouri rivers. A tag as provided in section ninety-six (96), subsection 'b', shall be attached thereto."

Sec. 23. Section one hundred two (102), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by striking from line five (5) the words and figures "eight and one-half ($8\frac{1}{2}$)" and inserting in lieu thereof the word and figure "nine (9)".

Sec. 24. Section one hundred fifteen (115), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by inserting in line three (3) after the word "excessive" the following: "will be made by the state conservation director or his representative and".

Sec. 25. Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by inserting immediately after section one hundred thirty-five-a (135-a) a new section as follows:

"Words and phrases as used in Chapters eighty-five (85), eighty-five-D one (85-D1), eighty-five-G one (85-G1), eighty-six (86), eighty-six-E one (86-E1), eighty-seven (87), and eighty-seven-E one (87-E1), Code, 1935, and Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, and such other Chapters as relate to the subject matter of these chapters shall be construed as follows:

"'Closed season': That period of time during which hunting, fishing, trapping or taking is prohibited.

"'Open season': That period of time during which hunting, fishing, trapping or taking is permitted.

“ ‘Measurement of fish’: Length from end of nose to longest tip of tail.

“ ‘Person’: Person shall mean any person, firm, partnership or corporation.

“ ‘Sell and sale’: Selling, bartering, exchanging, offering or exposing for sale.

“ ‘Possession’: Both active and constructive possession and any control of things referred to.

“ ‘Transport and transportation’: All carrying or moving or causing to be carried or moved.

“ ‘Take or taking or attempting to take or hunt’: Any pursuing, or any hunting, fishing, killing, trapping, snaring, netting, searching for or shooting at, stalking or lying in wait for any game, animal, bird or fish protected by the state laws or regulations adopted by the commission whether or not such game be then subsequently captured, killed or injured.

“ ‘Bag limit or possession limit’: The number of any kind of game, fish, bird or animal or other wildlife form permitted to be taken or held in a specified time.

“ ‘Contraband’: The term ‘contraband’ as used in the laws pertaining to the work of the commission shall mean anything, the possession of which was illegally procured, or the possession of which is unlawful.

“ ‘Alien’: Alien shall not be construed to mean any person who has applied for naturalization papers.

“ ‘Director’: The term ‘director’ shall mean the regularly appointed director of the state conservation commission and wherever such director is authorized or required to do an act, unless otherwise provided, it shall be construed as authorizing performance by a regular assistant or duly authorized agent of such director.”

2. By striking the title and substituting therefor the following:

An act to amend sections seven (7), eight (8), eleven (11), seventeen (17), thirty (30), thirty-two (32), thirty-eight (38), thirty-nine (39), forty-six (46), forty-seven (47), fifty-three (53), fifty-six (56), sixty-two (62), sixty-five (65), sixty-nine (69), seventy-three (73), seventy-seven (77), seventy-nine (79), eighty-one (81), ninety-six (96), ninety-seven (97), ninety-eight (98), one hundred two (102), and one hundred fifteen (115), of Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, relating to the powers, duties and jurisdiction of the state conservation commission with respect to the conservation, protection and preservation of the wildlife and parks, grounds and waters of the state.

Senator Whitehill took the chair at 2:34.

Senator Doran offered the following amendment:

Amend by adding to section eight (8), as subsection ten (10), the following:

“European Starlings: Open season. No bag limit. No possession limit.”

By unanimous consent, Senator Doran withdrew his amendment.

Senator Doran offered the following amendment and moved its adoption :

Amend by inserting immediately preceding the period (.) at the end of section eight (8) the following:

“(10) by adding as line sixty-two (62):

‘European Starlings Continuous None None.’”

By unanimous consent, on request of Senator Doran, his amendment was made to apply to the amendment by Senator Dewey.

The amendment was adopted.

By unanimous consent, Senator Geske presented “Louisiana Lou” of WHO, to the Senate, who entertained the Senate briefly with songs.

Senator Hart offered the following amendment to the amendment and moved its adoption :

Amend by inserting at the end of “Sec. 8.” the following:

“(10) By adding at the end of said section the words and figures:

Kind of Animal	Open Season	Bag Limit	Possession Limit
DOVES	September 1-	10	10’.”
(mourning)	September 30		

Senator Hart moved that his amendment be corrected so that the provisions would be restricted to apply only to the counties of Lee, Louisa, Des Moines, and Muscatine.

Roll call was requested.

On the question “Shall the motion prevail?” the vote was:

Ayes, 6:

Baldwin	Cromwell	Martin	Vrba
Corwin	Hart		

Nays, 35:

Augustine	Edwards	Henningsen	Moore
Beardsley	Elthon	Hill	Mowry
Benson	Evans	Hoeven	Pelzer
Breen	Faul	Hopkins	Schadt
Byers	Forsling	Husted	Sjulin
Dean	Geske	Leo	Talbott
Dewey	Gillette	Levis	Whitehill
Donohue	Guernsey	Mighell	Zeigler
Doran	Harvey	Miller	

Absent or not voting, 9:

Bekman	Kirketeg	Parker	Smith
Berg	Lundy	Shaw	Stewart
Ellis			

The motion was lost.

By unanimous consent, Senator Hart withdrew his amendment.

Senator Levis offered the following amendment to the amendment and moved its adoption:

Amend by adding as section twenty-six (26) the following:

"Section seventy-six (76), Chapter ninety-nine (99), Acts of the 47th General Assembly is hereby amended by striking from lines fourteen (14), fifteen (15) and sixteen (16) the following: "(in all counties except Lucas, Wayne)".

By unanimous consent, on request of Senator Hopkins, "Guthrie" was added in the last line immediately following the word "Wayne".

The amendment to the amendment was adopted.

Senator Hill offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking from "Sec. 8." all of subsections four (4) and five (5) and renumbering the remaining subsections.

President Hickenlooper took the chair at 3:39.

The amendment to the amendment was adopted.

Senator Gillette offered the following amendment to the amendment and moved its adoption:

Amend section one (1) by striking from line four (4), of subsection two (2) the words "show all around the horizon", and inserting in lieu thereof the following: "be visible from any direction".

The amendment to the amendment was adopted.

Senator Gillette offered the following amendment to the amendment and moved its adoption:

Amend by striking from section two (2) all of paragraph five (5) of subsection (d).

The amendment to the amendment was adopted.

Senator Gillette offered the following amendment to the amendment and moved its adoption:

Amend section two (2) by striking from paragraph six (6), the second paragraph, the word and figure "five (5)" and inserting in lieu thereof the word and figure "ten (10)".

Further amend by striking from the last two lines "receiving or discharging passengers at landings" and inserting in lieu thereof the following: "going to and from landings".

The amendment to the amendment was adopted.

Senator Gillette offered the following amendment to the amendment and moved its adoption:

Amend by striking all of section nine (9).

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Beardsley	Guernsey	Mighell	Pelzer
Byers	Hill	Miller	Sjulin
Corwin	Kirketeg	Mowry	Vrba
Dewey	Levis	Parker	Zeigler
Gillette			

Nays, 15:

Baldwin	Edwards	Hopkins	Schadt
Benson	Elthon	Husted	Talbott
Cromwell	Harvey	Leo	Whitehill
Donohue	Henningsen	Moore	

Absent or not voting, 18:

Augustine	Doran	Geske	Martin
Bekman	Ellis	Hart	Shaw
Berg	Evans	Hoeven	Smith
Breen	Faul	Lundy	Stewart
Dean	Forsling		

The amendment to the amendment was adopted.

Senator Gillette offered the following amendment to the amendment and moved its adoption:

Amend section eleven (11) by striking all of the first paragraph beginning with the word "It" and inserting in lieu thereof the following:

"Any person may be authorized to sell minnows, frogs, and clams for fish bait upon the payment of a license fee of five dollars (\$5.00) to the commission. Minnow and bait boxes and tanks shall be open to inspection by the director and conservation officers at all times. They shall have tanks and bait boxes of sufficient size, with proper aeration to keep the bait alive and prevent heavy loss."

Further amend by striking all of paragraphs four (4) and six (6) of subsection (a).

The amendment to the amendment was adopted.

Senator Gillette offered the following amendment to the amendment and moved its adoption:

Amend section twelve (12) by striking all of paragraphs three (3), four (4) and five (5), and inserting in lieu thereof the following:

"3. By striking from lines thirty-eight (38) and thirty-nine (39) the words and figures 'May 15 to November 30', and inserting the word 'continuous'."

"4. By striking all of lines forty (40) to forty-eight (48), inclusive, and inserting in lieu thereof the following: 'no catch or possession limits.'"

The amendment to the amendment was adopted.

Senator Gillette offered the following amendment to the amendment and moved its adoption:

Amend by striking from section twelve (12) the figure and word "6 inches" in line two (2) of paragraph eight (8).

The amendment to the amendment was adopted.

Senator Gillette offered the following amendment to the amendment and moved its adoption:

Amend section sixteen (16) by striking from the last two lines of the third paragraph the words " , not more than six (6) inches in length from tip of nose to tip of toes", and adding a period (.) after the word "frogs".

Further amend by adding as an additional paragraph the following: "Nothing herein shall prevent any person from using frogs on his own premises for his private use."

By unanimous consent, on request of Senator Gillette, the word "using" was stricken and the word "catching" inserted in lieu thereof.

The amendment to the amendment was adopted.

Senator Gillette offered the following amendment to the amendment and moved its adoption:

Amend section twenty by striking the words "Tags shall be renewed annually;" in the last two lines of paragraph two (2).

The amendment to the amendment was adopted.

Senator Gillette offered the following amendment to the amendment and moved its adoption:

Amend section nineteen (19) by striking the period (.) after the word "dens" and inserting in lieu thereof the following " , except foxes."

The amendment to the amendment was adopted.

Senator Baldwin moved to reconsider the vote by which the last amendment was adopted.

The motion prevailed, and the Senate reconsidered the vote.

Further action was deferred.

By unanimous consent, on request of Senator Doran, Senate File 493 was immediately messaged to the House.

EXECUTIVE SESSION

On motion of Senator Donohue, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

April 15, 1939.

DEAR FELLOW-MEMBERS OF THE SENATE:

Accept my heartfelt thanks for the beautiful roses that came to me this morning.

It was kind of you to be thinking of me.

My sincere regards to you all.

C. COLFAX SMITH,
Worrall Hospital,
Rochester, Minnesota.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 433 failed to pass the Senate.

FRANK C. BYERS.

AMENDMENTS FILED

MR. PRESIDENT: Amend House Joint Resolution 5 as follows:

Strike all before the word "at" in line ten (10) thereof.

CARL O. SJULIN.

MR. PRESIDENT: Amend House File 155 by striking the word "may" in line twenty-six (26) subsection one (1), section four (4) and inserting in lieu thereof the word "shall".

Further amend by striking the period after the word "department" in line three (3), section three (3), and inserting in lieu thereof the following: "and the department shall issue a license."

Amend the Berg amendment found in the Senate Journal of March 30th pertaining to subsection one (1), section four (4), by striking the words and figures "one thousand (1,000)" and inserting in lieu thereof the words and figures "five thousand (5,000)".

Further amend the Berg amendment found in the Senate Journal of March 30th, pertaining to line eight (8) of section four (4) by striking the words "itinerant merchant" and inserting in lieu thereof the words "any merchant itinerant or otherwise".

Further amend the Berg amendment found in the Senate Journal of March 30th pertaining to paragraph six (6), subsection (b) of section one (1) by adding after the word "articles" the words "agricultural products, live stock, agricultural lime and fertilizers".

E. P. CORWIN.

MR. PRESIDENT: Amend House File 566 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Where public bodies have heretofore deposited funds in banks without first complying with the provisions of Chapter Three Hundred fifty-two-D1 (352-D1), Code, 1935, and said banks have subsequently closed, such public bodies shall not be precluded, by their failure to so comply, from filing claims against the state sinking fund, and where such claims have been filed or are filed subsequently, such claims shall be allowed under the provisions of Chapter Three Hundred Fifty-two-A1 (352-A1), Code, 1935, the same as though there had been a complete compliance with the provisions of Chapter Three Hundred Fifty-two-D1 (352-D1), Code, 1935.

Sec. 2. Where public bodies have heretofore compromised their claims with the receivers of closed banks and no claims remain the property of such public bodies to which the treasurer of the state might be subrogated, and where claims have been filed or are filed subsequently against the state sinking fund, such claims shall be allowed under the provisions of Chapter Three Hundred Fifty-two-A-one (352-A1), Code, 1935, the same as though there had been a complete compliance with the provisions of Chapter Three Hundred Fifty-two-A1 (352-A1), Code, 1935.

O. J. KIRKETEG.

EDWARD BREEN.

MR. PRESIDENT: Amend House File 613 as amended by the House as follows:

1. Amend by striking all of subsection two (2) of section one (1).

2. Amend by striking the words and figure "of general circulation as defined in division (2) hereof" from lines ten (10) and eleven (11), section one (1).

GEORGE M. FAUL.

HOWARD C. BALDWIN.

MR. PRESIDENT: Amend Senate File 238 by striking from section one (1) line six (6) after the word "debtor" the following: ", or those of his family,".

Further amend Senate File 238 by striking from section one (1) line seven (7) commencing after the word "exceed" and down to and including the word "dollars" and inserting in lieu thereof "twenty-five (25)".

Further amend Senate File 238, section one (1), by striking all after

the word "by" in line nine (9) and inserting in lieu thereof "him for family necessities".

Further amend Senate File 238, section one (1) by inserting after the word "necessaries" in line nine (9) the following: "Provided further that when the earnings of a judgment debtor for his personal services and wages are garnished and the garnisher fails to prove and establish to the court that the debt was incurred for family necessities and the earnings of a judgment debtor for personal services and wages do not exceed the sum of twenty-five (25) dollars per week such garnisher shall be liable for a reasonable attorney fee to be assessed and fixed by the court for the judgment debtor's attorney defending in such garnishment proceedings and the court shall enter judgment against the garnisher in favor of the judgment debtor's attorney in the amount determined and fixed by the court and judgment shall be entered against the garnisher and in favor of the judgment debtor's attorney for said amount and on failure of the garnisher to pay said judgment when so entered, execution shall issue therefor."

ROSS R. MOWRY.

MR. PRESIDENT: Amend Senate File 399 by striking the words "fly sprays" in line nine (9), page one (1) and inserting in lieu thereof the word "disinfectants" and further amend by striking the period at the end of the paragraph and inserting in lieu thereof the following: "and patent and proprietary medicines or domestic remedies which are not in themselves poisonous, sold in original unbroken packages and labeled in compliance with federal and state laws."

E. P. CORWIN.

MR. PRESIDENT: Amend Senate File 450 as follows:

Amend section four (4) by striking from line five (5) the words "who is a resident of the state and". Strike the balance of the paragraph following the word "state" in line seven (7) and change the comma (,) to a period (.).

LESTER S. GILLETTE.

MR. PRESIDENT: Amend Senate File 450 by inserting after the word "age" in line six (6), section four (4), the words "and no female".

GEORGE M. FAUL.

MR. PRESIDENT: Amend the amendment filed by Senator Dewey to Senate File 452 as printed on pages 1074 to 1083 of the Senate Journal by striking therefrom subsection 2 of section 8 and by renumbering the following subsections.

HUGH G. GUERNSEY.

MR. PRESIDENT: Amend Senate File 453 by adding thereto the following section:

"Section seventeen hundred ninety-four-e sixteen (1794-e16) of the Code of Iowa of 1935, is hereby amended by adding thereto the following: 'Provided, however, no gun, fishing rod, fishing tackle or automobile shall be construed to be a public nuisance under this section.'"

E. P. DONOHUE.

MR. PRESIDENT: 1. Amend Senate File 479 by striking from lines 3 and 4 of section 3 the words and figures "one hundred one thousand seven

hundred twenty dollars (\$101,720.00)" and inserting in lieu thereof the words and figures "ninety-six thousand seven hundred twenty dollars (\$96,720.00)".

2. Further amend by striking from line 8 of section 3 the figures "23,720.00" and inserting in lieu thereof the figures "18,720.00".

3. Further amend by striking from line 19 of section 3 the figures "\$101,720.00" and inserting in lieu thereof the figures "\$96,720.00".

HUGH G. GUERNSEY.

MR. PRESIDENT: Amend the title to Senate File 498 by striking the period at the end thereof and adding the following:

"and to designate the commissioner of public safety as the process agent of nonresident motorists."

L. B. FORSLING.

On motion of Senator Mighell, the Senate adjourned until 9:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 18, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. John F. Arnold, pastor of the Methodist church of St. Charles.

The Journal of April 17th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Berg for the day, on request of Senator Zeigler; Senator Cromwell for the day, on request of Senator Evans; Senator Ellis for the day, on request of Senator Henningsen; Senator Kirketeg for the day, on request of Senator Guernsey; Senator Shaw indefinitely, because of illness, on request of Senator Baldwin.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Martin, from the Scott County United Veterans League, opposing the use of prison labor at the Iowa Soldiers' Orphans' Home.

By Senator Talbott, from citizens of Keota, favoring enactment of House File 601.

By Senator Talbott, from citizens of Grinnell, favoring enactment of House File 601.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 490, a proposed bill legalizing the action of the board of supervisors of Webster county.

WALTER H. BEAM, *Secretary.*

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 15, 1939, he had approved the following:

Senate File 202, relating to refund of taxes paid upon purchases of motor vehicle fuel.

Senate File 218, defining residence and suburban districts in cities and towns and for the purpose of regulating motor vehicle traffic therein.

Senate File 289, relating to insurance that may be written by mutual insurance associations.

Senate File 330, relating to retirement systems for policemen and firemen, applicable to special charter cities.

Senate File 331, legalizing the acts of special charter cities in operating under the provisions of Chapter 322-F1, Code, 1935, providing for retirement systems for policemen and firemen.

Senate File 366, providing 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 and not assigned by said county and on which a tax deed has not been issued to said county; providing for suspension of the running of the limitation imposed by section 7271, Code, 1935, on any tax sale certificate effected by any such agreement, and legalizing 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.

Senate File 397, relating to the disposal of personal property by the executive council.

Senate File 403, relating to officers entitled to supplies.

Senate File 407, making appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the state highway commission or its employees.

Senate File 419, making appropriation of state funds to the Iowa Industrial Commissioner for the payment of compensation benefits.

Senate File 457, amending section 4755-b20, Code, 1935, and changing the method for removal of the auditor of the state highway commission.

Senate File 477, legalizing the proceedings of the city of Chariton, relating to the water works improvement.

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 77, a bill for an act relating to bridges, viaducts and grade crossing separations.

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 levy of an annual tax for bridge purposes.

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

House File 251, a bill for an act relating to exemption of the proceeds of certain insurance policies.

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

House File 358, a bill for an act relating to the length of the school year in the public schools.

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

House File 564, a bill for an act relating to the powers, compensation and duties of officers of cities under the city manager plan.

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

House File 567, a bill for an act relating to statutes made applicable to cities under the city manager plan.

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

House File 640, a bill for an act relating to trust receipts and certain security transactions.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 101, a bill for an act relating to unemployment compensation.

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 relating to unemployment compensation and the methods of administration of such act.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 166, a bill for an act creating soil conservation districts.

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

Senate File 319, a bill for an act relating to unemployment compensation and the methods of the administration of such act.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 322, a bill for an act relating to limitations of actions.

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

Senate File 334, a bill for an act relating to the segregation of funds from juvenile certificates.

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 relating to investments of insurance companies other than life.

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

Senate File 439, a bill for an act to authorize guardians to mortgage or encumber property and to obtain certain benefits by sealing grain.

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 authorizing cities of the first class to levy the emergency fund tax.

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

Senate File 483, a bill for an act to make certain appropriations.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 322

Amend section one (1), line seven (7), by inserting after the word "months" the following: "after the exoneration or discharge of the person arrested".

HOUSE AMENDMENT TO SENATE FILE 101

Amend Senate file 101 by striking the comma "," after the word "misconduct" in line 10 of section 1 and add after the word "misconduct" the following: "in connection with his employment,".

HOUSE AMENDMENTS TO SENATE FILE 166

1. Amend section three (3) by striking all of subsection ten (10) and inserting in lieu thereof the following:

(10) "Land owner" includes any person, firm, or corporation who shall hold title to any lands lying within a district organized under the provisions of this act.

2. Amend section three (3), subsection eleven (11), line 39, by striking the word "includes" and substituting therefor the words "shall mean".

Further amend said section three (3) by striking all of lines 40 and 41 and substitute therefor the words "a land owner as defined herein."

3. Amend section four (4) by striking all of line 28 following the period after the word "proper"; also by striking all of lines 29 and 30 and the word "equipment" in line 31.

4. Amend section five (5) as follows:

(a) Strike from line 83 all of said line following the word "held" and by striking all of line 84 up to and including the word "June" and inserting in lieu thereof the following: "within a reasonable time after finding that there is need for the organization of a district."

(b) Strike from line 138 the words "of the votes", and strike all of lines 139, 140, and 141 and insert in lieu thereof the following: "of the land occupiers of the district vote in favor of the creation of such district."

(c) Strike from line 148 the following: "governmental subdivision of this state and a public", and strike from line 149 the following: "and politic,".

(d) Strike from lines 197 and 198 the following: "governmental subdivision of this state and a public", and "and politic".

5. Amend section seven (7), line 17, by substituting a comma for the period after the word "duties" and inserting the words "but not to exceed fifty (50) days to any one supervisor."

Further amend section seven (7) by striking all of lines 18, 19, and 20, and the word "compensation" in line 21.

6. Amend section eight (8) as follows:

(a) In line 19, between the words "the" and "cooperation" insert the words "consent and".

(b) In line 36, between the words "the" and "cooperation" insert the words "consent and".

(c) By inserting the following as subsection (10):

"(10) To accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, or from this state or any of its agencies, and to use or expend such moneys, services, materials, or other contributions in carrying on its operations."

(d) Renumber the remaining subsections.

(e) By inserting the following as subsection (13):

(13) After the formation of any district under the provisions of this act, all participation hereunder shall be purely voluntary, any provision herein contained on the contrary notwithstanding."

7. Amend by striking all of sections nine (9), ten (10), eleven (11), and twelve (12); and renumber remaining sections.

8. Amend section fourteen (14), line 8, by striking the word "shall" and inserting in lieu thereof the word "may".

9. Amend section sixteen (16), line 4, by inserting after the figures

"(\$5,000.00)" the following: "two thousand five hundred dollars (\$2,500.00) in each year of the next biennium beginning July 1, 1939,".

10. Further amend section sixteen (16) by striking the period at the end of subsection A thereof and adding the following:

"provided that the administrative costs of each soil conservation district hereunder shall be borne by said district and in addition thereto the administrative costs of the state soil conservation committee, including the reimbursement to the state for the initial costs thereof, shall be borne proportionately by all of the districts established under this act, the proportionate share of each thereof to be based upon the assessed value of the real estate in said districts."

11. Amend by striking from said bill the word "occupier" wherever the same appears and substitute therefor the word "owner".

12. Amend the title as follows:

(a) Strike from line 10 the words "to empower such", also all of lines 11 to 17, inclusive, and the following in line 18: "functions and powers;".

(b) Amend by inserting in line 21 after the comma following the word "purpose" the following: "and providing for the administrative costs of such districts, and providing for the reimbursement to the state by the districts of such initial and administrative costs;".

Senate Concurrent Resolution 15 was taken up and considered.

SENATE CONCURRENT RESOLUTION 15

Be It Resolved by the Senate, the House Concurring: That Crown Prince Fredrik and Crown Princess Ingrid of Denmark, who come to Des Moines on April 20th, be presented to the members of the Forty-eighth General Assembly in joint convention in the House Chamber at 4:00 p. m. April 20th.

That the President of the Senate and the Speaker of the House appoint a committee of five members of the Senate and five members of the House to receive and welcome them to the joint session of the General Assembly of Iowa.

On motion of Senator Hoeven, the resolution was adopted.

CONSIDERATION OF SENATE FILE 452 RESUMED

Consideration of the amendment by Senator Dewey, found on page 1191 of the Journal, was resumed.

The following amendment to the amendment, previously adopted, was taken up for reconsideration:

Amend section nineteen (19) by striking the period (.) after the word "dens" and inserting in lieu thereof the following: "except foxes."

President pro tem Hoeven took the chair at 9:30.

Roll call was requested on the amendment.

On the question "Shall the amendment be adopted?" the vote was :

Ayes, 15:

Augustine	Harvey	Mowry	Vrba
Dean	Hoeven	Sjulin	Whitehill
Gillette	Mighell	Stewart	Zeigler
Hart	Miller	Talbott	

Nays, 15:

Baldwin	Corwin	Geske	Leo
Beardsley	Dewey	Henningsen	Pelzer
Benson	Edwards	Hill	Schadt
Breen	Faul	Hopkins	

Absent or not voting, 20:

Bekman	Doran	Guernsey	Martin
Berg	Ellis	Husted	Moore
Byers	Elthon	Kirketeg	Parker
Cromwell	Evans	Levis	Shaw
Donohue	Forsling	Lundy	Smith

The amendment was lost.

Senator Guernsey offered the following amendment and moved its adoption :

Amend by striking subsection 2 of section 8 and by renumbering the following subsections.

The amendment was adopted.

On motion of Senator Dewey, the amendment found on page 1191 of the Journal, as amended, 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, 33:

Augustine	Doran	Hill	Parker
Baldwin	Edwards	Hoeven	Pelzer
Beardsley	Faul	Hopkins	Schadt
Bekman	Geske	Leo	Sjulin
Benson	Gillette	Lundy	Talbott
Breen	Guernsey	Mighell	Vrba
Corwin	Hart	Miller	Whitehill
Dean	Henningsen	Mowry	Zeigler
Dewey			

Nays, none.

Absent or not voting, 17:

Berg	Elthon	Husted	Moore
Byers	Evans	Kirketeg	Shaw
Cromwell	Forsling	Levis	Smith
Donohue	Harvey	Martin	Stewart
Ellis			

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.

By unanimous consent, on request of Senator Dewey, Senate File 452 was ordered engrossed.

By unanimous consent, on request of Senator Dewey, Senate File 452 was messaged to the House immediately.

EXTRA COPIES

By unanimous consent, on request of Senator Dewey 500 copies of Senate File 452, as passed by the Senate, were ordered printed.

By unanimous consent, Senator Hopkins presented to the Senate, Supt. C. C. Peterson and the Senior class of Dallas Center High school.

By unanimous consent, on request of Senator Lundy, action on Senate File 253 was deferred and the bill allowed to retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Bekman, House File 151, a bill for an act to amend Chapter one hundred sixty-one-D one (161-D1), Code, 1935, relating to the sale of livestock, defining certain terms used in this act, providing certain regulations as to the sale of baby chicks, providing for the licensing of handlers and dealers thereof, and providing penalties for the violation of this act, was taken up and considered.

Senator Bekman offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. For the purposes of this act 'baby chicks' shall mean all domestic fowls six (6) weeks of age or under; and 'hatchery' shall mean a place of business where baby chicks are hatched for sale and substations and branches thereof operated in connection therewith.

Sec. 2. All baby chicks sold or delivered to a purchaser in the state shall be placed in a box, crate, coop, or other satisfactory container for delivery. Each such box, crate, coop, or other container shall be plainly

labeled with a statement or certificate of a size and form prescribed by the Secretary of Agriculture setting forth the following information:

(1) The breed, grade, name as advertised, whether pullets, cockerels or unsexed, and number of baby chicks.

(2) Date hatched.

(3) Tests made on the parent stock for pullorum disease, fowl typhoid and tuberculosis.

(4) Name and address of person, partnership, firm or corporation making the immediate sale.

Sec. 3. Every person, partnership, firm or corporation engaged in the business of buying, selling, hatching or handling baby chicks for sale shall obtain a license from the department of agriculture for any establishment at which such business is conducted.

Sec. 4. Application for said license shall be made to the department of agriculture on forms provided by it.

Sec. 5. Upon payment of a license fee of ten dollars (\$10.00), the department of agriculture shall issue a license to the applicant to conduct such business at the place specified in the application; which fee shall cover cost of inspection hereinafter provided for. All such licenses shall expire on July 15th of each calendar year.

Sec. 6. All places of business licensed under this chapter shall be subject to inspection by the department of agriculture to determine if:

(1) The baby chicks offered or exposed for sale are in a healthy condition.

(2) The premises provide ample facilities for the proper care and handling of baby chicks.

(3) Sanitary measures are such as will properly suppress and prevent the spread of contagious and infectious diseases of baby chicks.

Sec. 7. In case of any violation of this act or in case of an adverse report by the inspector, the secretary of agriculture is authorized to maintain proceedings against any such licensee, in the district court of the county where said business is operated, to cancel his license and enjoin further conduct of such business at such place of business; but no temporary injunction or restraining order shall issue on less than five (5) days notice to the defendant. Such proceedings, however, shall not prevent the issuance of a new license to such former licensee upon a showing to the department of agriculture of his compliance, or his ability and willingness to comply, with the provisions of this act.

Sec. 8. The violation of any provision of this act shall be punished by a fine not to exceed one hundred dollars (\$100.00) or by imprisonment in the county jail not to exceed thirty (30) days."

Senator Bekman offered the following amendment to the amendment and moved its adoption:

Amend section three (3), line three (3), by striking the word "any" and inserting in lieu thereof the word "each".

The amendment to the amendment was adopted.

Senator Edwards offered the following amendment to the amendment and moved its adoption:

Amend section two (2), subdivision four (4), by inserting after the word "partnership" the following: "hatchery,".

The amendment to the amendment was adopted.

Senator Faul moved the previous question on the main amendment, which motion prevailed.

The amendment was adopted.

Senator Baldwin moved the previous question, which motion prevailed.

Senator Bekman moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 6:

Benson	Edwards	Stewart	Zeigler
Byers	Parker		

Nays, 29:

Augustine	Doran	Hart	Martin
Baldwin	Evans	Harvey	Mighell
Beardsley	Faul	Hill	Miller
Breen	Forsling	Hoeven	Mowry
Corwin	Geske	Hopkins	Pelzer
Dean	Gillette	Husted	Sjulin
Dewey	Guernsey	Leo	Whitehill
Donohue			

Absent or not voting, 15:

Bekman	Elthon	Lundy	Smith
Berg	Henningsen	Moore	Talbott
Cromwell	Kirketeg	Schadt	Vrba
Ellis	Levis	Shaw	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Faul moved that the vote by which the bill failed to pass 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 Forsling, Senate File 498 was placed on the calendar.

By unanimous consent, on request of Senator Donohue, Senate File 498, a bill for an act to amend Senate File three hundred sev-

enty-nine (379), Acts of the 48th General Assembly, relating to the department of public safety of the State of Iowa, transferring the supervision of registration of motor vehicles and the enforcement of motor vehicle law to said department, and providing that the funds heretofore appropriated be made available to the department of public safety on the effective date of this act, was taken up and considered.

President Hickenlooper took the chair at 10:39.

Senator Forsling offered the following amendments and moved their adoption:

1. Amend by striking all of lines six (6) and seven (7) of section three (3) and inserting in lieu thereof the following:

"31. Department means the motor vehicle department under the commissioner of public safety."

2. Amend by striking all of lines four (4) to six (6), inclusive, of section seven (7) and inserting in lieu thereof the following:

"Sections two (2) to fifteen (15), inclusive, of Chapter one hundred thirty-four (134), Acts 47th General Assembly, are hereby repealed and the following enacted in lieu thereof:

'The department of public safety, under the commissioner thereof, shall constitute the motor vehicle department for the administration and enforcement of this chapter.'"

3. Amend by striking all of section ten (10) thereof.

4. Amend by adding as new sections the following:

Sec. 11. Section one hundred seven (107) of Chapter one hundred thirty-four (134), Acts 47th General Assembly, is hereby repealed.

Sec. 12. Section one hundred eighteen (118) of Chapter one hundred thirty-four (134), Acts 47th General Assembly, as amended by Senate File 379, Acts 48th General Assembly, is amended by striking all of said section after the second word "county" in line five (5).

Sec. 13. Section one hundred twenty-seven (127) of Chapter one hundred thirty-four (134), Acts 47th General Assembly, is amended by striking the words "motor vehicle" in line two (2).

Sec. 14. Section one hundred fifty-five (155) of Chapter one hundred thirty-four (134), Acts 47th General Assembly, is amended by striking the words "motor vehicle" in line eight (8).

Sec. 15. Section one hundred fifty-eight (158) of Chapter one hundred thirty-four (134), Acts 47th General Assembly, is amended by striking the words "motor vehicle" in lines seven (7) and eight (8).

Sec. 16. Section one hundred eighty-four (184) of Chapter one hundred thirty-four (134), Acts 47th General Assembly, is amended by striking all of said section after the word "report" in line six (6).

Sec. 17. Section one hundred ninety-one (191) of Chapter one hundred thirty-four (134), Acts 47th General Assembly, is amended by striking all of said section after the word "state" in line fifteen (15).

Sec. 18. Section five hundred thirteen (513) of Chapter one hundred

thirty-four (134), Acts 47th General Assembly, is amended by striking the words "motor vehicle" in line nine (9) and inserting in lieu thereof the words "public safety".

Sec. 19. Section five hundred fifteen (515) of Chapter one hundred thirty-four (134), Acts 47th General Assembly, is amended by striking the words "motor vehicle" in line nine (9) and inserting in lieu thereof the words "public safety".

Sec. 20. Section five hundred seventeen (517) of Chapter one hundred thirty-four (134), Acts 47th General Assembly, is amended by striking the words "motor vehicle" in line nine (9) and inserting in lieu thereof the words "public safety".

Sec. 21. Section five hundred twenty-eight (528) of Chapter one hundred thirty-four (134), Acts 47th General Assembly, is amended by striking the words "motor vehicles" in line four (4) and inserting in lieu thereof the words "public safety".

Sec. 22. Section two thousand eleven (2011), Code, 1935, is amended by striking all of said section after the word "county" in line seven (7), as amended.

Sec. 23. Section seven (7) of Senate File 379, Acts 48th General Assembly, is amended by striking the word "now" where it appears in lines four (4) and seven (7) and inserting in lieu thereof in each case the word "heretofore".

Sec. 24. Section one (1) of Chapter one hundred thirty-five (135), Acts 47th General Assembly, is hereby repealed and the following enacted in lieu thereof:

"The administration of this act shall be vested in the commissioner of public safety. The commissioner may employ such employees as are necessary for the administration of this act, provided the amount expended in any one year shall not exceed the revenue derived from the provisions of this act."

Sec. 25. Section two (2) of Chapter one hundred thirty-five (135), Acts 47th General Assembly, is amended by striking from line six (6) the words "secretary of state" and inserting in lieu thereof the words "department of public safety".

5. Amend the title by striking the period at the end thereof and adding the following:

"and to designate the commissioner of public safety as the process agent of nonresident motorists."

The amendments were adopted.

Senator Forsling moved that the bill be read a third 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
Baldwin
Beardsley
Bekman

Benson
Byers
Corwin
Dean

Donohue
Doran
Edwards
Evans

Faul
Forsling
Guernsey
Hart

Harvey	Husted	Mowry	Talbott
Henningsen	Leo	Parker	Vrba
Hill	Lundy	Pelzer	Whitehill
Hoeven	Martin	Schadt	Zeigler
Hopkins	Mighell	Stewart	

Nays, none.

Absent or not voting, 15:

Berg	Ellis	Kirketeg	Shaw
Breen	Elthon	Levis	Sjulin
Cromwell	Geske	Miller	Smith
Dewey	Gillette	Moore	

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

Senator Forsling 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 Forsling, Senate File 498 was ordered engrossed.

By unanimous consent, on request of Senator Forsling, 300 copies of Senate File 498 as passed by the Senate were ordered printed.

By unanimous consent, on request of Senator Doran, Senate File 479 was taken up for consideration, and Substitute for House File 200, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1939, and ending June 30, 1941, 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 substituted for Senate File 479 and was taken up and considered.

Senator Doran offered the following amendment and moved its adoption:

Amend substitute for House File 200 by striking all after the enacting clause and substituting in lieu thereof all provisions of Senate File 479 following the enacting clause commencing with section one (1) and continuing to section seventy-one (71) inclusive, as follows:

Section 1. That the amount derived from delinquent state taxes, other than from the bonus levy, during the fiscal years beginning July 1, 1939, and July 1, 1940, and ending June 30, 1940, and June 30, 1941, respectively, and all revenue from other sources which is available for appropriations for state purposes, and all other money in the state treasury which is not by law segregated, shall be established as a general fund, and so much thereof as may be necessary, except as herein provided, shall be, and the

same is hereby appropriated for the biennium beginning July 1, 1939, and ending June 30, 1941, in the following manner and for the following uses, to wit:

DEPARTMENT OF AGRICULTURE

Sec. 2. For the department of agriculture there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three hundred twenty thousand two hundred dollars (\$320,200) or so much thereof as may be necessary to be used in the following manner:

Agricultural Department	
For salary of secretary of agriculture.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes.....	117,100.00
	<hr/>
Total for agricultural department.....	\$122,100.00
(1) Animal Health and Veterinary	
For the control and eradication of contagious and infectious livestock diseases, T. B. inspectors, and necessary travel- ing expenses; assistant state veterinarians (per diem and expenses) indemnities, salaries, and miscellaneous.....	130,000.00
(2) Iowa Beef Producers' Association	
State Aid.....	5,000.00
(3) Corn and Small Grain Growers' Association	
State Aid	2,500.00
(4) Dairy Association	
State Aid.....	5,000.00
(To be expended in accordance with provisions of Chapter 137, Code, 1935)	
(5) Horticultural Society	
State Aid.....	6,800.00
(6) Poultry Associations, Short Courses and Achievement Shows	
State Aid.....	19,500.00
(7) Board of Veterinary Examiners	
Per diem and expenses of board members.....	400.00
(8) Iowa Horse Breeders' Association	
State Aid.....	5,000.00
(9) Agricultural Statistics	
State Aid.....	5,000.00
(10) Weather Division	
State Aid	5,000.00
(11) Swine Breeders' Association	
State Aid.....	5,000.00
(12) State Entomologist	
For salaries, support, maintenance and miscellaneous purposes	7,400.00

(13) Dairy Calf Club Exposition

State Aid.....	2,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of agriculture.....	\$320,200.00
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AUDITOR OF STATE

Sec. 3. For the office of auditor of state there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred one thousand seven hundred twenty dollars (\$101,720.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of auditor of state.....	\$ 5,000.00
For salaries in administrative department.....	23,720.00
For salaries in state audit division.....	49,500.00
For traveling and contingent expenses in all departments.....	21,000.00
For salary of supervisor of savings and loan associations as fixed in Senate File 147, 48th G. A.	2,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of auditor of state	\$101,720.00
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STATE BANKING DEPARTMENT

Sec. 3a. For the department of banking there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of seventy thousand dollars (\$70,000.00) or so much thereof as may be necessary to be used in the following manner:

For the salary of the superintendent.....	\$ 4,500.00
For salaries, support, maintenance and miscellaneous purposes	65,500.00

Grand total of all appropriations for all purposes for each year of the biennium beginning July 1, 1939 and ending June 30, 1941, for the department of banking.....	\$ 70,000.00
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COMMISSION FOR THE BLIND

Sec. 4. For the commission for the blind there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of ten thousand dollars (\$10,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of secretary.....	\$ 2,400.00
For salaries, support, maintenance and miscellaneous purposes	7,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the commission for the blind.....	\$ 10,000.00
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STATE COMMERCE COMMISSION

Sec. 5. For the department of the state commerce commission there is hereby appropriated for each year of the biennium beginning July 1,

1939, and ending June 30, 1941, the sum of sixty-four thousand three hundred fifty dollars (\$64,350.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries of commissioners, 3 at \$3,850.00 each.....	\$ 11,550.00
For salaries, support, maintenance and miscellaneous purposes	42,800.00
	<hr/>
Total for general office.....	\$ 54,350.00

Warehouse Division

For the warehouse division there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of ten thousand dollars (\$10,000.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance, and miscellaneous purposes	10,000.00
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Total for warehouse division.....	\$ 10,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for all divisions of the commerce commission	\$ 64,350.00
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STATE COMPTROLLER

Sec. 6. For the department of the state comptroller there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of sixty thousand dollars (\$60,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of state comptroller	\$ 6,000.00
For salaries and miscellaneous purposes.....	54,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of state comptroller	\$ 60,000.00
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CONSERVATION COMMISSION

Sec. 7. For the board of conservation there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred ninety thousand dollars (\$190,000.00) or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes:	
For maintenance of state parks, purchase of land and general improvements, and for the construction, maintenance and improvement of roads and highways in said parks	\$190,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the conservation commission.....	\$190,000.00
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BOARD OF CONTROL

Sec. 8. For the board of control there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of seventy-four thousand three hundred forty-four dollars (\$74,344.00) or so much thereof as may be necessary, to be used in the following manner:

General Office and Child Welfare Division

For salaries, members of the board (3 at \$3,850.00).....	\$ 11,550.00
For salaries, support, maintenance and miscellaneous purposes	62,794.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of control.....	\$ 74,344.00
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CUSTODIAN

Sec. 9. For the department of the custodian there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of eighty thousand two hundred sixty dollars (\$80,260.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of custodian	\$ 2,400.00
For salaries, support and maintenance and miscellaneous purposes	77,860.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the custodian	\$ 80,260.00
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JUDGES OF THE DISTRICT COURT

Sec. 10. For the department of the district court judges there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three hundred seventy-five thousand dollars (\$375,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries of judges of the district courts of Iowa (70 judges)	\$350,000.00
For miscellaneous purposes:	
Traveling expenses of judges and court reporters in and out of districts	25,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of district court judges	\$375,000.00
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BOARD OF EDUCATION

Sec. 11. For the department of the board of education there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of fifty-four thousand dollars (\$54,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries:

Chairman, finance committee	\$ 2,900.00
Member, finance committee	2,900.00
Secretary, finance committee	3,000.00
For salaries, support, maintenance and miscellaneous purposes	45,200.00

Board members to receive a per diem of \$10.00 per day and shall not exceed \$600.00 per year per member.

Grand total of all appropriations for all purposes for each year of the biennium for the department of board of ed- ucation	\$ 54,000.00
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STATE EMPLOYMENT SERVICE

Sec. 12. For the department of state employment service there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of fifty-nine thousand eight hundred fifty-two dollars and fifty-two cents (\$59,852.52) or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous pur- poses	\$ 59,852.52
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Grand total of all appropriations for all purposes for each year of the biennium for the department of state employ- ment service	\$ 59,852.52
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EXECUTIVE COUNCIL

Sec. 13. For the department of the executive council there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of two hundred sixty thousand two hundred thirty-five dollars (\$260,235.00) or so much thereof as may be necessary, to be used in the following manner:

General Office

For salaries, support, maintenance and miscellaneous pur- poses	\$260,235.00
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Grand total of all appropriations for all purposes for each year of the biennium for the executive council.....	\$260,235.00
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STATE FAIR BOARD

Sec. 14. For the department of the state fair board there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of sixty thousand dollars (\$60,000.00) or so much thereof as may be necessary, to be used in the following manner:

For maintenance and operating expense of fair.....	\$ 50,000.00
For premiums.....	10,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the state fair board.....	\$ 60,000.00
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AGRICULTURAL SOCIETIES

Sec. 15. For the agricultural societies there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred twenty-six thousand dollars (\$126,000.00) or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes:

State aid to county fairs.....\$126,000.00

The foregoing appropriation for state aid to county fairs shall be deemed conditioned on full compliance with all other statutes which regulate and prescribe the conditions under which such aid is payable.

GEOLOGICAL SURVEY

Sec. 16. For the department of the geological survey there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of eighteen thousand four hundred five dollars (\$18,405.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$ 18,405.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the geological survey\$ 18,405.00

GOVERNOR

Sec. 17. For the department of the governor there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of twenty-two thousand five hundred sixty-six dollars (\$22,566.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of governor of the State of Iowa.....\$ 7,500.00
 For salary of secretary..... 3,000.00
 For salaries, support, and miscellaneous purposes..... 12,066.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the governor...\$ 22,566.00

GRAND ARMY OF THE REPUBLIC

Sec. 18. For the department of the grand army of the republic there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one thousand two hundred fifty dollars (\$1,250.00) or so much thereof as may be necessary, to be used in the following manner:

Headquarters expenses\$ 750.00
 Expense in completing grand army of the republic records.... 500.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the grand army of the republic.....\$ 1,250.00

DEPARTMENT OF HEALTH

Sec. 19. For the department of health there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred twenty-five thousand eight hundred eighty dollars (\$125,880.00) or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of commissioner of the department of health.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes	70,880.00
For research, development and use of various serums.....	50,000.00
	<hr/>
Total department of health.....	\$125,880.00

(1) Board of Barbers' Examiners

For the board of barbers' examiners there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of sixteen thousand nine hundred dollars (\$16,900.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 16,900.00
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Grand total of all appropriations for all purposes for each year of the biennium for the board of barbers' examiners....\$ 16,900.00

(2) Board of Chiropractic Examiners

For the board of chiropractic examiners there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of two thousand one hundred twenty dollars (\$2,120.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 2,120.00
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Grand total of all appropriations for all purposes for each year of the biennium for the board of chiropractic examiners\$ 2,120.00

(3) Board of Cosmetology Examiners

For the board of cosmetology examiners there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of fifteen thousand three hundred forty dollars (\$15,340.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 15,340.00
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Grand total of all appropriations for all purposes for each year of the biennium for the board of cosmetology examiners\$ 15,340.00

(4) Board of Dental Examiners

For the board of dental examiners there is hereby appropriated for

each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of two thousand four hundred dollars (\$2,400.00) or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members.....	\$ 1,800.00
Other expenses: (b)	
Traveling	600.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of dental examiners.....\$ 2,400.00

(5) Board of Embalmers' Examiners

For the board of embalmers' examiners there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one thousand three hundred fifty dollars (\$1,350.00) or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members.....	\$ 700.00
Other expenses: (b)	
Traveling	650.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of embalmers' examiners\$ 1,350.00

(6) Board of Medical Examiners

For the board of medical examiners there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one thousand two hundred dollars (\$1,200.00) or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 800.00
Other expenses: (b)	
Traveling	400.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of medical examiners.\$ 1,200.00

(7) Board of Optometry Examiners

For the board of optometry examiners there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of five hundred dollars (\$500.00) or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 350.00
Other expenses: (b)	
Traveling	150.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of optometry examiners\$ 500.00

(8) Board of Osteopathic Examiners

For the board of osteopathic examiners there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one thousand six hundred dollars (\$1,600.00) or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 320.00
Other expenses: (b)	
Traveling	200.00
Secretary	1,080.00

Grand total of all appropriations for all purposes each year of the biennium for the board of osteopathic examiners...\$ 1,600.00

(9) Board of Podiatry Examiners

For the board of podiatry examiners there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three hundred dollars (\$300.00) or so much thereof as may be necessary, to be used in the following manner:

For per diem: (a)	
Board members	\$ 200.00
Other expenses: (b)	
Traveling	100.00

Grand total of all appropriations for all purposes for each year of the biennium for the board of podiatry examiners...\$ 300.00

MEMORIAL MUSEUM OF ART AND HISTORY

Sec. 20. For the department of the memorial museum of art and history there is hereby appropriated for each year of the biennium beginning July 1, 1939 and ending June 30, 1941, the sum of twenty-eight thousand dollars (\$28,000) or so much thereof as may be necessary, to be used in the following manner:

Salary of curator.....	\$ 2,400.00
For salaries, support, miscellaneous and maintenance of all divisions of the memorial museum of art and history.....	25,600.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the memorial museum of art and history.....\$ 28,000.00

HISTORICAL SOCIETY

Sec. 21. For the historical society there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of forty thousand dollars (\$40,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 36,500.00
Preparation of data for Iowa Centennial 1946.....	3,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the historical society.....\$ 40,000.00

INDUSTRIAL COMMISSION

Sec. 22. For the department of the industrial commission there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of forty-three thousand dollars (\$43,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of the industrial commissioner.....	\$ 3,000.00
For salaries, support, maintenance, compensation and miscellaneous purposes	39,400.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the industrial commission	\$ 43,000.00
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DEPARTMENT OF INSURANCE

Sec. 23. For the department of insurance there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of sixty-six thousand dollars (\$66,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of commissioner.....	\$ 5,000.00
For salaries, support, maintenance, and miscellaneous purposes	41,000.00

Total for general office.....	\$ 46,000.00
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Securities Division

For salary of supervisor and valuation counsel.....	\$ 3,000.00
For salaries, support, maintenance, and miscellaneous purposes	17,000.00

Total for securities division.....	\$ 20,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of insurance.....	\$ 66,000.00
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DEPARTMENT OF JUSTICE

Sec. 24. For the department of justice there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of thirty-two thousand six hundred dollars (\$32,600.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of the attorney general.....	\$ 6,000.00
For salaries, support, maintenance and miscellaneous purposes	26,600.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of justice.....	\$ 32,600.00
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BUREAU OF LABOR

Sec. 25. For the department of the bureau of labor there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of eighteen thousand two hundred fifty

dollars (\$18,250.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of the commissioner of labor.....	\$ 3,000.00
For salaries, support, maintenance and miscellaneous purposes	15,250.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the bureau of labor\$ 18,250.00

STATE TRAVELING LIBRARY

Sec. 26. For the department of the state traveling library there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of thirty-two thousand nine hundred twenty dollars (\$32,920) or so much thereof as may be necessary, to be used in the following manner:

For salary of librarian.....	\$ 2,400.00
For salaries, support, maintenance and miscellaneous purposes (including purchase of books and periodicals, binding and travel).....	30,520.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the state traveling library\$ 32,920.00

STATE MEDICAL LIBRARY

Sec. 27. For the department of the state medical library there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of nine thousand seven hundred dollars (\$9,700.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of librarian.....	\$ 2,400.00
For salaries, support, maintenance and miscellaneous purposes (including purchase of books and periodicals, binding and travel).....	7,300.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the state medical library\$ 9,700.00

STATE LAW LIBRARY

Sec. 28. For the department of the state law library there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of seventeen thousand two hundred dollars (\$17,200) or so much thereof as may be necessary, to be used in the following manner:

For salary of librarian.....	\$ 2,400.00
For salaries, support, maintenance and miscellaneous purposes (including binding, purchase of books and periodicals and traveling).....	14,800.00
For binding, repair work on books and miscellaneous for the	

documents transferred from the economics department of the state library.....	500.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the state law library	\$ 17,200.00
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BOARD OF MINE EXAMINERS

Sec. 29. For the department of the board of mine examiners there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of fifteen hundred dollars (\$1,500.00) or so much thereof as may be necessary, to be used in the following manner:

Per diem and expenses.....	\$ 1,500.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of mine examiners	\$ 1,500.00
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MINE INSPECTORS

Sec. 30. For the department of mine inspectors there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of twenty thousand dollars (\$20,000.00) or so much thereof as may be necessary, to be used in the following manner:

A. For salaries, support, maintenance and miscellaneous purposes	\$ 15,000.00
B. State aid to Iowa Coal Institute.....	5,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of mine inspec- tors	\$ 20,000.00
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THE NATIONAL GUARD

Sec. 31. For the department of the national guard there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of two hundred fifty-three thousand fifty-nine dollars (\$253,059.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of adjutant general.....	\$ 3,300.00
For salaries, support, maintenance and miscellaneous purposes	249,759.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the national guard	\$253,059.00
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BOARD OF PAROLE

Sec. 32. For the department of the board of parole there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, 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 salaries of board members, 2 at \$2,700.00 each.....	\$ 5,400.00
For salary of legal member.....	3,000.00
For salaries, support, maintenance and miscellaneous purposes	26,600.00

Grand total of all appropriations for all purposes for each
year of the biennium for the department of the board of
parole\$ 35,000.00

PHARMACY EXAMINERS BOARD

Sec. 33. For the department of the pharmacy examiners board there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of twenty thousand dollars (\$20,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of secretary.....	\$ 2,580.00
For salaries, support, maintenance and miscellaneous purposes	12,420.00

(1) Uniform Narcotic Law

For the department of board of pharmacy examiners there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of five thousand dollars (\$5,000.00) or so much thereof as may be necessary to be used in the following manner:

Board members, per diem and expense.....	\$ 5,000.00
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Grand total of all appropriations for all purposes for each
year of the biennium for the department of pharmacy
examiners board\$ 20,000.00

PIONEER LAWMAKERS

Sec. 34. For the department of the pioneer lawmakers there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of fifty dollars (\$50.00) or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes.....	\$ 50.00
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Grand total of all appropriations for all purposes for each
year of the biennium for the department of pioneer law-
makers\$ 50.00

PRESIDENTIAL ELECTORS

Sec. 35. For the department of the presidential electors there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of two hundred dollars (\$200.00) or so much thereof as may be necessary, to be used in the following manner:

For miscellaneous purposes.....	\$ 200.00
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Grand total of all appropriations for all purposes for each
year of the biennium for the department of presidential
electors\$ 200.00

STATE PLANNING BOARD

Sec. 36. For the state planning board there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of twenty-four thousand dollars (\$24,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 24,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the state planning board.....	\$ 24,000.00
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STATE PRINTING BOARD

Sec. 37. For the department of the state printing board there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of sixteen thousand six hundred seventy dollars (\$16,670.00) or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of superintendent of printing.....	\$ 3,120.00
For salaries, support, maintenance and miscellaneous purposes	13,550.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of state printing board office.....	\$ 16,670.00
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STATE PRINTING BOARD

Sec. 38. For the department of the state printing board there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred eighty-five thousand dollars (\$185,000.00) or so much thereof as may be necessary, to be used in the following manner:

State Purposes

For the necessary printing and binding authorized by law for the general assembly and for all state departments that have not been provided for in departmental appropriations	\$185,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the state printing board office	\$185,000.00
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This section is not to be construed or interpreted to include the expense of any printing for any of the following departments, bureaus, boards, or associations: State teachers' association, animal health and veterinary division of agricultural department for elimination of bovine tuberculosis, Iowa beef producers' association, Iowa corn and small grain growers' association, farmers' institutes, Iowa state dairy association, Iowa swine producers' association, Iowa state poultry breeders' association, short courses, board of conservation, state entomologist, state fair board, agricultural societies, Iowa department of the grand army of the republic,

horse breeders' association, state library and all divisions thereof, psychopathic hospital, indigent hospital, state highway commission, receivership division of the banking department, board of engineering examiners, fish and game department, motor vehicle department, motor vehicle fuel tax division, institutions under the board of control, institutions under the board of education, and the state board of vocational education, board of educational examiners, basic science board of examiners, industrial survey, motor carrier department, truck operator department, and any and every agency, activity and undertaking that has a fund for general support. Providing that funds appropriated by this section, in the discretion of the printing board, may be used in supplying paper stock, multigraph or mimeograph work for any of the foregoing departments, bureaus, associations and institutions, any sum so used for supplying multigraph or mimeograph work to be refunded to the printing board and returned to the credit of the appropriation made for printing board general office expense; any sum so used for supplying paper stock to be refunded to the printing board and returned to the credit of the appropriation made by this section. These payments shall be made to the printing board in the same manner as other claims against such departments are paid, and the printing board shall remit the proceeds to the Comptroller of State on the first secular day of each calendar month, taking the comptroller's receipt therefor, showing the same properly credited to the respective appropriations.

The following departments are hereby limited to their demands for printing during the biennial period, commencing July 1, 1939, and ending June 30, 1941, to an amount not to exceed the following:

Commerce Counsel, \$1,000.00; auditor of state \$10,000.00; custodian, \$20.00; board of control, \$1,000.00; department of agriculture, \$25,000.00; executive council, \$4,000.00; board of education, \$3,000.00; department of public instruction, \$12,000.00; academy of science, \$2,000.00; pioneer law-makers, \$15.00; entomologist, \$150.00; banking department, \$2,400.00; securities department, \$1,000.00; supreme court reporters, \$25,000.00; for printing code and annotations, \$35,000.00; supreme court, \$200.00; state tax commission, \$8,000.00; comptroller, \$15,000.00; bureau of labor, \$1,400.00; fire marshal, \$1,000.00; geological survey, \$4,000.00; governor, \$2,500.00; horticulture, \$3,000.00; industrial commission, \$1,500.00; adjutant general, \$2,000.00; department of health, \$10,000.00; board of parole, \$500.00; secretary of state, \$5,000.00; treasurer of state, \$10,000.00; attorney general, \$12,000.00; clerk of supreme court, \$3,000.00; it is, however, provided that in case of emergency, the executive council may authorize increased amounts where necessary.

DEPARTMENT OF PUBLIC SAFETY

Sec. 39. For the department of public safety there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum eight hundred twenty-four thousand five hundred ten dollars (\$824,510.00) or so much thereof as may be necessary, to be used in the following manner:

(1) Administration

For salary of commissioner of public safety.....\$ 4,000.00

For salaries, support, maintenance and miscellaneous purposes	6,000.00
Total for administration	\$ 10,000.00
(2) Highway Patrol	
For salary of chief	\$ 2,400.00
For salaries, support, maintenance and miscellaneous purposes	459,540.00
Total for highway patrol	\$461,940.00
(3) Bureau of Criminal Investigation	
For salary of chief	\$ 3,600.00
For salaries, support, maintenance and miscellaneous purposes	50,290.00
Total for bureau of criminal investigation	\$ 53,890.00
(4) Radio Broadcasting Stations	
For salary of superintendent	\$ 2,400.00
For salaries, support, maintenance and miscellaneous purposes	25,960.00
Total for radio broadcasting stations	28,360.00
(5) Operators and Chauffeurs Licenses	
For salary of superintendent	\$ 2,000.00
For salaries, support, maintenance and miscellaneous purposes	125,320.00
Total for operators and chauffeurs licenses	\$127,320.00
(6) Fire Marshal	
For salary of fire marshal	\$ 2,628.00
For salaries, support, maintenance and miscellaneous purposes	14,672.00
Total for fire marshal	\$ 17,300.00
(7) Motor Carrier and Motor Truck Division	
For salary of superintendent	\$ 2,700.00
For salaries, support, maintenance and miscellaneous purposes	123,000.00
Total for motor carrier and motor truck division	\$125,700.00
Grand total of all appropriations for all purposes for each year of the biennium for all divisions of the department of public safety	\$824,510.00

(8) Liquor Control Enforcement

For the division of liquor control enforcement there is hereby transferred from the liquor control commission funds to the department of public safety for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of twenty-six thousand dollars (\$26,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 26,000.00
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Total for division of liquor control enforcement.....	\$ 26,000.00
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SUPERINTENDENT OF PUBLIC INSTRUCTION

Sec. 40. For the department of the superintendent of public instruction there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of forty thousand dollars (\$40,000.00) or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of superintendent of public instruction.....	\$ 4,500.00
For salaries, support, maintenance and miscellaneous purposes	35,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the superintendent of public instruction, office.....	\$ 40,000.00
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SUPERINTENDENT OF PUBLIC INSTRUCTION

Sec. 41. For the department of the superintendent of public instruction there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of four hundred three thousand four hundred fifty dollars (\$403,450.00) or so much thereof as may be necessary, to be used in the following manner:

State Aid to Public Schools

For state aid to public schools:

Normal training schools	\$100,000.00
Consolidated	125,000.00
Standard Schools (for use of rural schools only).....	90,000.00
Normal institutes	4,450.00
Mining camp schools.....	45,000.00
Mining camp schools emergencies.....	27,000.00
Handicapped children	12,000.00

The superintendent of public instruction shall apportion the appropriation for state aid to schools in mining camp districts and certify to the state comptroller the amounts so allotted to these school corporations.

Whereupon the state comptroller shall draw a warrant on the treasurer of state payable to each school corporation for the amount certified by the superintendent of public instruction and forward the same to the secretary of the school corporation.

Grand total of all appropriations for all purposes for each year of the biennium for the department of the superintendent of public instruction for state aid to public schools\$403,450.00

RELIEF

Sec. 42. For relief there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three hundred sixty dollars (\$360.00) or so much thereof as may be necessary, to be used in the following manner:

For relief purposes:

Relief of Frederick M. Hull.....\$ 360.00

Grand total of all appropriations for all purposes for each year of the biennium for relief.....\$ 360.00

SECRETARY OF STATE

Sec. 43. For the department of secretary of state there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three hundred three thousand one hundred dollars (\$303,100.00) or so much thereof as may be necessary, to be used in the following manner:

(1) Administration

For salary of secretary of state.....\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes 15,600.00

Total for administration.....\$ 20,600.00

(2) Motor Vehicle Registration and Dealer's License

For salary of superintendent.....\$ 2,700.00
For salaries, support, maintenance and miscellaneous purposes 256,300.00

Total for motor vehicle registration and dealer's license...\$259,000.00

(3) Real Estate Division

For salary of secretary.....\$ 3,300.00
For salaries, support, maintenance and miscellaneous purposes 20,200.00

Total for real estate division.....\$ 23,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the secretary of state\$303,100.00

SOCIAL WELFARE BOARD

Sec. 44. For the department of the board of social welfare there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of two hundred sixty-five thousand dollars (\$265,000.00) or so much thereof as may be necessary, to be used in the following manner:

For administration purposes.....	\$ 50,000.00
For child welfare.....	75,000.00
Aid to the blind.....	140,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of social welfare\$265,000.00

CLERK OF THE SUPREME COURT

Sec. 45. For the department of the clerk of the supreme court there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of ten thousand dollars (\$10,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of clerk of the supreme court.....	\$ 3,500.00
For salary of deputy clerk.....	2,000.00
For salary of file clerk.....	1,500.00
For salary of general clerk and stenographer.....	1,344.00
For salary of messenger or janitor.....	1,200.00
For support, maintenance and miscellaneous purposes.....	456.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the clerk of the supreme court.....\$ 10,000.00

SUPREME COURT

Sec. 46. For the department of the supreme court there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of eighty-four thousand five hundred dollars (\$84,500.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries of judges (9 at \$7,500.00 each).....	\$ 67,500.00
For salaries, support, maintenance and miscellaneous purposes	17,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the supreme court\$ 84,500.00

REPORTER OF THE SUPREME COURT AND CODE EDITOR

Sec. 47. (a) For the department of the reporter of the supreme court and code editor there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of ten thousand eight hundred fifty-four dollars (\$10,854.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of reporter of the supreme court and code editor..	\$ 3,500.00
For salaries, support, maintenance and miscellaneous purposes	\$ 7,354.00

Grand total of all appropriations except as provided by paragraph (b) for all purposes for each year of the biennium

for the department of the reporter of the supreme court
and code editor\$ 10,854.00

(b) There is further appropriated for the department of the reporter of the supreme court and code editor, for the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of ninety thousand six hundred fifty dollars (\$90,650.00) or so much thereof as may be necessary to be used for salaries, support and miscellaneous purposes in editing the code, annotations, advance sheets, skeleton digest, and parallel tables of corresponding sections.

STATE TAX COMMISSION

Sec. 48. For the state tax commission there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of five hundred ninety-seven thousand four hundred seventy dollars (\$597,470.00) or so much thereof as may be necessary, to be used in the following manner:

(1) Administration

Chairman	\$ 4,500.00
Vice Chairman	4,500.00
Member	4,500.00
Salaries, support, maintenance and miscellaneous purposes	39,330.00

Total for administration.....	\$ 52,830.00
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(2) Chain Store Tax

Supervisor	\$ 2,400.00
Salaries, support, maintenance and miscellaneous purposes	1,500.00

Total for chain store tax division.....	\$ 4,000.00
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(3) Cigarette and Beer Tax Division

For salary of Director.....	\$ 2,400.00
For salaries, support, maintenance and miscellaneous purposes	24,240.00

Total for cigarette and beer tax division.....	\$ 26,640.00
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(4) Inheritance and Estate Tax Division

For salary of Chief examiner.....	\$ 2,400.00
For salaries, support, maintenance and miscellaneous purposes	11,600.00

Total for inheritance and estate tax division.....	\$ 14,000.00
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(5) Retail Sales, Corporation and Income Tax Division

For the retail sales, corporation and income tax division there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of five hundred thousand dollars (\$500,000.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance, and miscellaneous purposes	\$500,000.00
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Total for retail sales, corporation, and income tax division.....	\$500,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for all divisions of the state tax commission\$597,470.00

TREASURER OF STATE

Sec. 49. For the department of the treasurer of state there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of forty-two thousand eight hundred and twenty dollars (\$42,820.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of treasurer of state.....	\$ 5,000.00
For salaries, support, maintenance, and miscellaneous purposes	33,020.00
For salaries of old age assistance and unemployment compensation warrant clerks.....	4,800.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the treasurer of state.....\$ 42,820.00

UNIFORM LAWS COMMISSION

Sec. 50. For the commission on uniform laws there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of four hundred dollars (\$400.00) or so much thereof as may be necessary, to be used in the following manner:

Travel expenses of members of the commission on uniform laws	\$ 400.00
Grand total of all appropriations for all purposes for each year of the biennium for the commission on uniform laws..	\$ 400.00

BOARD OF VOCATIONAL EDUCATION

Sec. 51. For the department of vocational education there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of sixty-two thousand four hundred dollars (\$62,400.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of director of the vocational education division and civilian rehabilitation division.....	\$ 2,250.00
For salaries, support, maintenance and miscellaneous purposes	60,150.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the board of vocational education\$ 62,400.00

BOARD OF CONTROL OF STATE INSTITUTIONS

Sec. 52. For the board of control of state institutions, for salaries, support, maintenance, repairs, replacements and alterations, of all state institutions under control of the said board, namely:

State hospital and colony for epileptics and feeble-minded, institution for feeble-minded children, Glenwood; state hospital for insane, Cherokee; state hospital for insane, Clarinda; state hospital for insane, Inde-

pendence; state hospital for insane, Mount Pleasant; state juvenile home, Toledo; penitentiary, Fort Madison; men's reformatory, Anamosa; women's reformatory, Rockwell City; state sanatorium, Oakdale; Iowa Soldiers' Home, Marshalltown; Iowa Soldiers' Orphans' Home, Davenport; training school for boys, Eldora; training school for girls, Mitchellville.

There is hereby appropriated the sum of four million three hundred eleven thousand eight hundred ninety-eight dollars (\$4,311,898.00) or so much thereof as may be necessary for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, to be used at the respective institutions in the following manner and for the following purposes:

State Hospital and Colony For Epileptics and Feeble-minded,

Woodward

(1) For the state hospital and colony for epileptics and feeble-minded there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three hundred sixty-eight thousand three hundred sixty-eight dollars (\$368,368.00) or so much thereof as may be necessary, to be used in the following manner:

- | | |
|--|--------------|
| (a) For salaries, support and maintenance..... | \$361,368.00 |
| (b) For repairs, replacements and alterations..... | 7,000.00 |

Total for state hospital and colony for epileptics and feeble-minded, Woodward	\$368,368.00
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Institution For Feeble-Minded Children, Glenwood

(2) For the institution for feeble-minded children there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of four hundred sixty-seven thousand eight hundred sixty-eight dollars (\$467,868.00) or so much thereof as may be necessary, to be used in the following manner:

- | | |
|--|--------------|
| (a) For salaries, support and maintenance..... | \$455,868.00 |
| (b) For repairs, replacements and alterations..... | 12,000.00 |

Total for institution for feeble-minded children, Glenwood....	\$467,868.00
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State Hospital for Insane, Cherokee

(3) For the state hospital for the insane, Cherokee, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of four hundred forty-two thousand four hundred sixteen dollars (\$442,416.00) or so much thereof as may be necessary, to be used in the following manner:

- | | |
|--|--------------|
| (a) For salaries, support, and maintenance..... | \$430,416.00 |
| (b) For repairs, replacements and alterations..... | 12,000.00 |

Total for state hospital for insane, Cherokee.....	\$442,416.00
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State Hospital for Insane, Clarinda

(4) For the state hospital for the insane, Clarinda, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of four hundred twenty-seven thousand

ninety-two dollars (\$427,092.00) or so much thereof as may be necessary, to be used in the following manner:

- | | |
|--|--------------|
| (a) For salaries, support, maintenance..... | \$421,092.00 |
| (b) For repairs, replacements and alterations..... | 6,000.00 |

Total for state hospital for insane, Clarinda.....\$427,092.00

State Hospital for Insane, Independence

(5) For the state hospital for the insane, Independence, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of four hundred forty-five thousand four hundred seventy-six dollars (\$445,476.00) or so much thereof as may be necessary, to be used in the following manner:

- | | |
|--|--------------|
| (a) For salaries, support, and maintenance..... | \$437,976.00 |
| (b) For repairs, replacements and alterations..... | 7,500.00 |

Total for state hospital for insane, Independence.....\$445,476.00

State Hospital for Insane, Mount Pleasant

(6) For the state hospital for the insane, Mount Pleasant, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three hundred eighty-five thousand two hundred sixty dollars (\$385,260.00) or so much thereof as may be necessary, to be used in the following manner:

- | | |
|--|--------------|
| (a) For salaries, support and maintenance..... | \$379,260.00 |
| (b) For repairs, replacements and alterations..... | 6,000.00 |

Total for state hospital for insane, Mount Pleasant.....\$385,260.00

State Juvenile Home, Toledo

(7) For the state juvenile home, Toledo, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred thirteen thousand three hundred dollars (\$113,300.00) or so much thereof as may be necessary, to be used in the following manner:

- | | |
|--|--------------|
| (a) For salaries, support and maintenance..... | \$110,000.00 |
| (b) For repairs, replacements and alterations..... | 3,300.00 |

Total for state juvenile home, Toledo.....\$113,300.00

Penitentiary, Fort Madison

(8) For the state penitentiary, Fort Madison, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of four hundred three thousand dollars (\$403,000.00) or so much thereof as may be necessary, to be used in the following manner:

- | | |
|--|--------------|
| (a) For salaries, support and maintenance..... | \$390,000.00 |
| (b) For repairs, replacements and alterations..... | 13,000.00 |

Total for penitentiary, Fort Madison.....\$403,000.00

Provided, however, that in the appropriation herein made the board of

control shall so allocate said appropriation that every employee of the penitentiary at Fort Madison shall have one day vacation out of every consecutive seven days.

Men's Reformatory, Anamosa

(9) For the men's reformatory, Anamosa, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three hundred five thousand dollars (\$305,000.00) or so much thereof as may be necessary to be used in the following manner:

(a) For salaries, support, and maintenance.....	\$302,300.00
(b) For repairs, replacements and alterations.....	2,700.00

Total for Men's Reformatory, Anamosa.....\$305,000.00

Provided, however, that in the appropriation herein made the board of control shall so allocate said appropriation that every employee of the men's reformatory at Anamosa shall have one day vacation out of every consecutive seven days.

Women's Reformatory, Rockwell City

(10) For the women's reformatory, Rockwell City, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of forty-eight thousand dollars (\$48,000.00) or so much thereof as may be necessary, to be used in the following manner:

(a) For salaries, support, and maintenance.....	\$ 46,000.00
(b) For repairs, replacements and alterations.....	2,000.00

Total for women's reformatory, Rockwell City.....\$ 48,000.00

State Sanatorium, Oakdale

(11) For the state sanatorium, Oakdale, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of two hundred forty-six thousand dollars (\$246,000.00) or so much thereof as may be necessary, to be used in the following manner:

(a) For salaries, support and maintenance.....	\$236,000.00
(b) For repairs, replacements and alterations.....	10,000.00

Total for state sanatorium, Oakdale.....\$246,000.00

Iowa Soldiers' Home, Marshalltown

(12) For the Iowa Soldiers' Home, Marshalltown, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred ninety-two thousand three hundred seventy-one dollars (\$192,371.00) or so much thereof as may be necessary, to be used in the following manner:

(a) For salaries, support, and maintenance.....	\$188,371.00
(b) For repairs, replacements and alterations.....	4,000.00

Total for Iowa Soldiers' Home, Marshalltown.....\$192,371.00

Iowa Soldiers' Orphans' Home, Davenport

(13) For the Iowa soldiers' orphans' home, Davenport, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred ninety-seven thousand five hundred dollars (\$197,500.00) or so much thereof as may be necessary, to be used in the following manner:

(a) For salaries, support, and maintenance.....	\$190,000.00
(b) For repairs, replacements and alterations.....	7,500.00

Total for Iowa Soldiers' Orphans' Home, Davenport.....\$197,500.00

Training School for Boys, Eldora

(14) For the training school for boys, Eldora, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred eighty-one thousand seven hundred ninety-seven dollars (\$181,797.00) or so much thereof as may be necessary, to be used in the following manner:

(a) For salaries, support, maintenance.....	\$171,797.00
(b) For repairs, replacements and alterations.....	10,000.00

Total for Training School for Boys, Eldora.....\$181,797.00

Training School for Girls, Mitchellville

(15) For the training school for girls, Mitchellville, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of seventy-eight thousand four hundred fifty dollars (\$78,450.00) or so much thereof as may be necessary, to be used in the following manner:

(a) For salaries, support and maintenance.....	\$ 75,000.00
(b) For repairs, replacements and alterations.....	\$ 3,450.00

Total for training School for Girls, Mitchellville.....\$ 78,450.00

Road Fund

(16) For road purposes there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of ten thousand dollars (\$10,000.00) or so much thereof as may be necessary, to be used in the following manner:

For construction, maintenance and repairs of roads at institutions under the control of said board.....	\$ 10,000.00
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Total Road Fund.....\$ 10,000.00

Grand total of all appropriations for all purposes for each year of the biennium for all institutions under the board of control.....\$4,311,898.00

STATE BOARD OF EDUCATION

Sec. 53. For the state board of education, for the administration, maintenance, operation, repairs, replacements and alterations of the state university of Iowa, at Iowa City; the Iowa state college of agriculture and mechanic arts, at Ames; the Iowa state teachers' college, at Cedar Falls;

the Iowa school for the deaf, at Council Bluffs; the Iowa school for the blind, at Vinton; the university hospital, at Iowa City, the psychopathic hospital at Iowa City; and the bacteriological laboratory, at Iowa City; and for soldiers' tuition:

There is hereby appropriated the sum of seven million three hundred forty-four thousand dollars (\$7,344,000.00) or so much thereof as may be necessary, for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, to be used in the following manner and for the following purposes, to wit:

(1) State University of Iowa

For the state university of Iowa, at Iowa City, for each year of said biennium, the sum of two million five hundred thousand dollars (\$2,500,000.00) or so much thereof as may be necessary to be used in the following manner:

(a) For salaries, support and maintenance.....	\$2,350,000.00
(b) For repairs, replacements and alterations.....	150,000.00

Total for state university of Iowa.....\$2,500,000.00

(2) Iowa State College of Agriculture and Mechanic Arts

For the Iowa state college of agriculture and mechanic arts at Ames, Iowa, for each year of said biennium, the sum of two million five hundred forty thousand dollars (\$2,540,000.00) or so much thereof as may be necessary, to be used in the following manner:

(a) For salaries, support and maintenance.....	\$2,315,000.00
(b) For repairs, replacements and alterations.....	175,000.00
(c) For additional research and extension.....	50,000.00

Total for Iowa state college of agriculture and mechanic arts, Ames\$2,540,000.00

(3) Iowa State Teachers' College

For the Iowa state teachers' college, at Cedar Falls, for each year of said biennium, the sum of six hundred seventy-five thousand dollars (\$675,000.00) or so much thereof as may be necessary, to be used in the following manner:

(a) For salaries, support, maintenance, repairs, replacements and alterations.....	\$670,000.00
(b) For purchase of that part of the Chas. Messier property lying between 27th street and Highway No. 57, Cedar Falls, or as much thereof as may be necessary, conditional upon approval of the committee on retrenchment and reform and executive council.....	5,000.00

Total for Iowa state teachers' college.....\$675,000.00

(4) Iowa School for the Deaf

For the Iowa school for the deaf, at Council Bluffs, for each year of said biennium, the sum of two hundred twenty-nine thousand dollars (\$229,000.00) or so much thereof as may be necessary, to be expended as follows:

(a) For salaries, support and maintenance.....	\$225,000.00
(b) For repairs, replacements and alterations.....	4,000.00

Total for Iowa school for the deaf.....\$229,000.00

(5) Iowa School for the Blind

For the Iowa school for the blind at Vinton, for each year of said biennium the sum of one hundred thirty-five thousand dollars (\$135,000.00) or so much thereof as may be necessary to be expended as follows:

(a) For salaries, support and maintenance.....	\$120,000.00
(b) For repairs, replacements and alterations.....	15,000.00

Total for Iowa school for the blind.....\$135,000.00

Medical and Surgical Treatment of Indigent Persons

(6) University Hospital

For the purpose of carrying out the provisions of Chapter 199, Code of 1935, for each year of said biennium, the sum of one million one hundred thousand dollars (\$1,100,000.00) or so much thereof as may be necessary, to be expended in the manner and under the authority provided in said chapter.

(7) Psychopathic Hospital

For the psychopathic hospital, at Iowa City, for each year of said biennium the sum of one hundred eight thousand dollars (\$108,000.00) or so much thereof as may be necessary, to be used in the manner and under the authority provided in Chapter 197, provided, however, that said amount shall be available in monthly installments, not exceeding nine thousand dollars (\$9,000.00) and that said installments shall be expended only upon the submission of bills in the manner provided in section 3984 of said Chapter.

(8) Bacteriological Laboratory—State University

For the bacteriological laboratory and the hygienic laboratory of the state university, at Iowa City, for each year of the said biennium the sum of fifty-five thousand dollars (\$55,000.00) or so much thereof as may be necessary to provide for public health examinations, such as bacteriological, water, and serological tests, to determine the cause of infectious diseases, the origin and control of epidemics throughout the state of Iowa.

(9) Soldiers' Tuition

The sum of two thousand dollars (\$2,000.00) or so much thereof as may be necessary, for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, for the payment of tuition for honorably discharged soldiers or sailors of the world war of the United States who are citizens of the state of Iowa, who enroll in any division of the state university, at Iowa City, or the college of agriculture and mechanic arts at Ames, said payment being fixed at twenty dollars (\$20.00) for each student for each semester and each summer school.

Grand total of all appropriations for all purposes for each year of the biennium, for all institutions under the board of education\$7,344,000.00

IOWA SOLDIERS' BONUS BOARD
WORLD WAR ORPHAN'S EDUCATIONAL AID

Sec. 54. For the Iowa soldiers' bonus board, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three thousand seven hundred fifty dollars (\$3,750.00 or so much thereof as may be necessary, to be used in the following manner:

For the purpose of administration and aiding in the education of children of soldiers, sailors, marines and nurses....\$ 3,750.00

Grand total of all appropriations for all purposes for each year of the biennium for the Iowa soldiers' bonus board..\$ 3,750.00

GENERAL CONTINGENT FUND

Sec. 55. For the purpose of establishing a general contingent fund for the state, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of two hundred fifty thousand dollars (\$250,000.00) or so much thereof as may be necessary, to be administered by the Committee on Retrenchment and Reform for contingencies arising during the biennium which are legally payable from the general fund of the state; reports of all receipts and expenditures shall be printed in the budget report.

INSURANCE DEPARTMENT

Sec. 56. The insurance commissioner is hereby authorized to employ not to exceed eighteen (18) insurance examiners, of which examiners the commissioner may designate two examiners in charge at per diem not to exceed \$15.00 each, and expenses as herein provided, all other examiners at per diem not exceeding \$12.50 each, and their actual and necessary expenses while engaged in the performance of their duties, said per diem and expenses to be paid from funds in the state treasury upon presentation of proper vouchers and warrants; provided, however, that the state treasurer shall be reimbursed in the manner and under the authority provided in sections 8632 and 8633, Code of 1935.

COUNTY AND MUNICIPAL EXAMINERS

Sec. 57. The auditor of state is hereby authorized to employ county, municipal, and school examiners and assistants at a per diem not exceeding seven dollars (\$7.00) each, and their actual and necessary expenses while engaged in the performance of their duties, to be paid in the manner as provided by Chapter 10 of the Code.

BOARD OF ENGINEERING EXAMINERS

Sec. 58. The board of engineering examiners is hereby authorized to pay its secretary a salary of six hundred dollars (\$600.00) per year and to pay a clerk three hundred dollars (\$300.00) per year, to be paid out of funds belonging to the board of engineering examiners.

HIGHWAY COMMISSION

Sec. 59. The state highway commission is authorized to expend from the primary road fund for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, not to exceed four million eight hundred

sixty-four thousand seven hundred seventy-two dollars (\$4,864,772.00), or so much thereof as may be necessary, to be used in the following manner:

(1) Support of Iowa Highway Commission

For salaries	\$ 20,000.00
For traveling expenses	6,000.00
For office supplies	275.00
For miscellaneous expenses	525.00

Total for support of Iowa Highway Commission.....\$ 26,800.00

(2) Engineering, Inspection and Administration of Highway Work

For salaries	\$ 778,815.00
For traveling expenses	132,880.00
For office supplies	29,085.00
For miscellaneous expenses	88,445.00

Total for engineering, inspection and administration of highway work\$1,029,225.00

(3) Maintenance of Primary Road System

For materials, supplies and services.....	\$1,147,000.00
For salaries and wages.....	1,789,530.00
For equipment replacement and operation.....	872,217.00

Total for maintenance of primary road system.....\$3,808,747.00

Grand total highway commission is authorized to expend from the primary road fund for each year of the biennium\$4,864,772.00

GENERAL PROVISIONS

Sec. 60. The governing board of any state department, institution, or agency, or, if there be no governing board, the head of any department, institution or agency, in the interest of economy and efficiency, may, with the written consent and approval of the governor and state comptroller, first obtained, at any time during the biennium, partially or wholly use its unexpended appropriations for the purposes properly within the scope of such department, institution or agency.

Sec. 61. No state department, institution, or agency receiving appropriations under the provisions of this act shall expend funds or approve claims in excess of its appropriations, except as otherwise provided in this act. If the expenditures of any state department, institution, or agency, shall in any other manner exceed the amounts of its appropriation, the members of the governing board of any such state department, institution or agency who shall have voted for such excessive expenditures, or if there be no governing board, the head of any such state department, institution, or agency making excessive expenditure or approving excessive claims shall be personally liable for the full amount of the unauthorized deficit thus created.

When the appropriation of any department, institution or agency is insufficient to properly meet the legitimate expense of such department,

institution or agency of the state, the state comptroller, with the approval of the Governor, is authorized to transfer from any other department, institution or agency of the state having an appropriation in excess of its necessity, sufficient funds to meet that deficiency.

Sec. 62. No obligation of any kind whatsoever, shall be incurred or created subsequent to June 30, 1941, against any appropriation made by this act unless otherwise specifically provided by law, and, on June 30, 1941, it shall be the duty of the head of each department, board or commission, receiving appropriations under the provisions of this act, to file with the state comptroller a list of all expenditures for which warrants have not been drawn.

Sec. 63. Except where otherwise specifically provided by law, all appropriations made by this act, remaining unexpended or unobligated, at the close of business on December 31, 1941, shall revert to and become a part of the general fund in the state treasury.

Sec. 64. All salaries provided for by this act are in lieu of all existing statutory salaries, for the positions provided herein, and shall be payable in equal monthly or semi-monthly installments, and shall be in full compensation for all services during the biennium ending June 30, 1941.

Employees of the state are granted one week's vacation after one year's steady employment and two weeks' vacation after two or more years employment, with pay. Leave of absence of thirty days is granted to employees on account of sickness or injury, accumulative for three consecutive years, with pay at the discretion of the heads of the departments.

Any employee while traveling on state business, driving his own car, may charge for same at the rate of not to exceed five cents (5c) per mile for use of said car, regardless of the number of passengers carried.

Sec. 65. Employees of the state shall be under the control of the head of the department and the compensation paid shall be subject to the approval of the governor and state comptroller. Any employee may be assigned to such duties as the department head shall direct and subject to provisions of chapter sixty (60), 1935 Code of Iowa.

Sec. 66. For the office of the state comptroller there is hereby set aside from the collection of taxes on motor vehicle fuel the sum of three thousand five hundred dollars (\$3,500.00) annually, for use in employing sufficient help in writing motor vehicle fuel tax refund warrants.

Sec. 67. For the office of the industrial commissioner there is hereby set aside from the primary road fund the sum of twenty thousand dollars (\$20,000.00) annually, for use in paying all claims of employees of the state highway commission who are injured or killed while on duty, as provided in chapter 70, of the Code of 1935.

Sec. 68. For the office of the industrial commissioner there is hereby set aside from the liquor control act fund the sum of ten thousand dollars (\$10,000.00) annually, or so much thereof as may be necessary, for use in paying all claims of employees for the liquor control commission who are injured or killed while on duty as provided for in section 1418, Code of 1935.

Sec. 69. For the office of the attorney general there is hereby set aside from the primary road fund the sum of ten thousand dollars (\$10,000.00)

annually, for the purpose of covering all costs of litigation arising from or pertaining to primary roads.

Sec. 70. Where any provisions of the laws of this state are in conflict with this act the provisions of this act shall govern for the biennium.

Sec. 71. All appropriations made by this act are to be recorded and accounted for as is the procedure for the appropriations for the present biennium.

By unanimous consent, on request of Senator Doran, the following amendments were changed to apply to his amendment and the provisions thereof.

Senator Husted offered the following amendment to the amendment and moved its adoption:

Amend by inserting in section two (2) between lines thirty (30) and thirty-one (31), under the heading "(5) Horticultural Society" the following:

"Office supplies1,500.00".

The amendment to the amendment was adopted.

Senator Gillette offered the following amendment to the amendment and moved its adoption:

Amend section two (2) by striking from line ten (10) the figures "117,100.00" and inserting in lieu thereof the figures "137,100.00".

The amendment to the amendment was adopted.

Senator Guernsey offered the following amendment to the amendment and moved its adoption:

1. Amend by striking from lines 3 and 4 of section 3 the words and figures "one hundred one thousand seven hundred twenty dollars (\$101,720.00)" and inserting in lieu thereof the words and figures "ninety-six thousand seven hundred twenty dollars (\$96,720.00)".

2. Further amend by striking from line 8 of section 3 the figures "23,720.00" and inserting in lieu thereof the figures "18,720.00".

3. Further amend by striking from line 19 of section 3 the figures "\$101,720.00" and inserting in lieu thereof the figures "\$96,720.00".

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend section four (4) by striking the figures "7,500.00" in line eight (8) and inserting in lieu thereof "7,600.00".

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend section 19 by striking the figures in line 11 and inserting in lieu thereof "74,280.00".

Also by striking from line 12 the following: "research, development and".

Also by striking the figures in line 15 and inserting "\$129,280.00".

Further amend said section 19 by striking the words and figures "one hundred twenty-five thousand eight hundred eighty dollars (\$125,880.00)" in lines 3 and 4 and inserting in lieu thereof the following: "one hundred twenty-nine thousand two hundred eighty dollars (\$129,280.00)".

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend section 22 by striking the figures "\$3,000.00" in line seven (7) and inserting in lieu thereof "\$3,600.00".

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend section 27 by changing the figures in line 10 to read "8,500.00".

The amendment to the amendment was adopted.

Senator Leo offered the following amendment to the amendment and moved its adoption:

Amend by striking from line 8, section 47, the figures "8,500.00" and inserting in lieu thereof the figures "3,850.00".

The amendment to the amendment was adopted.

The following amendment by Senator Berg to the amendment was taken up and considered:

Amend section 48 by striking all of subdivision 2 and inserting in lieu thereof the following:

For the chain store tax division there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of six thousand six hundred fifty dollars (\$6,650.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 6,650.00
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Total for chain store tax division.....	\$ 6,650.00
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Also strike all of subdivision 3 and insert in lieu thereof the following:
For the cigarette and beer tax division there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of twenty-six thousand six hundred forty dollars (\$26,-

640.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$26,640.00

Total for cigarette and beer tax division.....\$26,640.00

Also strike all of subdivision 4 and insert in lieu thereof the following:

For the inheritance and estate tax division there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of fourteen thousand dollars (\$14,000.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes\$14,000.00

Total for the inheritance and estate tax division\$14,000.00

Also strike the words and figures "five hundred ninety-seven thousand four hundred seventy dollars (\$597,470.00)" in lines three (3) and four (4) of said section 48 and insert in lieu thereof the following:

"six hundred three thousand nine hundred twenty dollars (\$603,920.00)".

Also strike the figure in line 53 of said section 48 and insert in lieu thereof the following: "\$603,920.00".

The amendment to the amendment was adopted.

Senator Forsling offered the following amendment to the amendment and moved its adoption:

Amend by adding at the end of section 52 the following:

The board of control may appropriate from the funds allotted to the state hospitals for the insane not to exceed \$10,000.00 for the establishment of observation wards under arrangement with one or more recognized hospitals for the purpose of there making diagnosis and treatment of persons adjudged insane by a commission of insanity. The admission and care of such patients shall be according to rules adopted by the board of control.

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend section fifty-nine (59) by inserting a new division at the end of line thirty-one (31) to read as follows:

"(4) Secondary Road Work

Inspection and testing of materials for secondary road work, made at request of the counties; for salaries.....\$16,500.00

For inspection of materials for secondary road work by agencies employed by the State Highway Commission..... 22,000.00

Total for inspection and testing of materials for secondary road work made at request of the counties.....\$38,500.00".

Also amend said section fifty-nine (59) by striking from lines four (4) and five (5) of said section the words and figures "four million eight hundred sixty-four thousand seven hundred seventy-two dollars (\$4,864,772.00)" and inserting in lieu thereof the words and figures "four million nine hundred four thousand four hundred seventy-two dollars (\$4,904,472.00)".

Further amend said section fifty-nine (59) by striking from line thirty-five (35) of said section the figures "\$4,864,772.00" and inserting in lieu thereof the figures "\$4,904,472.00".

The amendment to the amendment was adopted.

Senators Baldwin and Faul offered the following amendment to the amendment and moved its adoption:

Amend line nine (9) section four (4) by inserting as follows:

"For the exclusive purpose of purchasing machinery, equipment and supplies for use of the blind subject to the approval of the comptroller 10,000.00." Further amend line twelve (12) by striking the figures "\$10,000.00" and inserting in lieu thereof the figures "\$20,000.00".

The amendment to the amendment was adopted.

Senator Guernsey offered the following amendment to the amendment and moved its adoption:

1. Amend section forty-eight (48) by inserting between lines 49 and 50 thereof another paragraph as follows:

"For salary of assistant attorney general to perform the legal work of the state tax commission as provided for by Senate File 424 of the Acts of the 48th G. A.....\$4,000.00

"For salary of stenographer for assistant attorney general provided for by Senate File 424 of the Acts of the 48th G. A. 1,380.00"

Also strike the figure in line 14 of said section and insert in lieu thereof the following: "\$58,210.00".

2. Further amend by striking from lines 3 and 4 thereof the words and figures "six hundred thousand one hundred twenty dollars (\$600,120.00)" and inserting in lieu thereof the words and figures "six hundred five thousand five hundred dollars (\$605,500.00)".

3. Further amend by striking from the last line of section 48 the figures "\$600,120.00" and inserting in lieu thereof the figures "\$605,500.00".

Senator Breen offered the following as a substitute for the amendment by Senator Guernsey and moved its adoption:

Amend by inserting between lines ten (10) and eleven (11) of section forty-eight (48) the following:

For salary of assistant attorney general to perform the legal work of the state tax division as provided by Senate File 424 of the Acts of the 48th General Assembly..... 4,000.00

Also amend said section by striking the figures in line fourteen (14) and inserting in lieu thereof the following: "\$56,830.00".

The substitution was made.

Further action was deferred on the amendment.

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend as follows:

1. By striking from subdivision seven (7) of section thirty-nine (39) lines forty-six (46) to fifty-three (53) inclusive.
2. Amend section five (5) by adding thereto between lines twenty-four (24) and twenty-five (25) the following:

Motor Carrier and Motor Truck Division

"For salary of superintendent.....	\$ 2,700.00
For salaries, support, maintenance and miscellaneous pur- poses	123,000.00

Total for motor carrier and motor truck division.....	\$125,700.00"
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3. Amend section five (5) by striking from line twenty-eight (28) the figures "\$64,350.00" and inserting in lieu thereof the figures "\$190,050.00".

The amendment to the amendment was adopted.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Parker for the afternoon, on request of Senator Evans.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 288, 305, 320, 400, 411, 424, 438 and 441.

RALPH E. BENSON, Chairman Senate Committee.

ALBERT STEINBERG, 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 288, 305, 320, 400, 411, 424, 438 and 441.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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 April, 1939, sent to the Governor for his approval, Senate Files 288, 305, 320, 400, 411, 424, 438 and 441.

RALPH E. BENSON, Chairman.

Passed on file.

CONSIDERATION OF SUBSTITUTE FOR HOUSE FILE 200
RESUMED

Consideration of the amendment by Senator Doran was resumed.

Consideration of the substitute amendment by Senator Breen for the amendment by Senator Guernsey was resumed.

By unanimous consent, on request of Senator Breen, the figures "\$4,000.00" were changed to "\$3,800.00", and the figures "\$56,830.00" were changed to "\$56,630.00".

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend section 39 by adding thereto a new subdivision to read as follows:

(7) Public Safety and Education

For the division of public safety and education there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of thirty-one thousand two hundred ten dollars (\$31,210.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes	\$ 31,210.00
--	--------------

Total for division of public safety and education	\$ 31,210.00
--	--------------

Further amend section 39 by striking the words and figures "eight hundred twenty-four thousand five hundred ten dollars (\$824,510.00)" in lines 3 and 4 and inserting in lieu thereof the following:

"seven hundred thirty-three thousand three hundred twenty dollars (\$733,320.00)".

Also amend line 57 of section 39 by striking the figures "\$824,510.00" and inserting in lieu thereof "\$733,320.00".

Amend line 14 of subdivision 2 by striking the figures "\$2,400.00" and inserting in lieu thereof "\$3,200.00".

Amend line 18, subdivision 2 by striking the figures "\$461,940.00" and inserting in lieu thereof "\$462,740.00".

The amendment to the amendment was adopted.

Senator Forsling offered the following amendment to the amendment and moved its adoption:

Amend section 39 by striking from subdivision 7a the words and figures "thirty-one thousand two hundred ten dollars (\$31,210.00)" wherever they appear and inserting in lieu thereof the following words and figures: "seventeen thousand five hundred dollars (\$17,500.00)".

The amendment to the amendment was lost.

By unanimous consent, Senator Guernsey withdrew his amendment to the amendment by Senator Berg, found on page 1111 of the Journal.

Senators Martin and Stewart offered the following amendment to the amendment and moved its adoption:

Amend section two (2) by inserting in line 48, "Special Appropriation for National Corn Husking contest in 1940.....2,500.00".

The amendment to the amendment was adopted.

Senator Hill offered the following amendment to the amendment and moved its adoption:

Amend by striking from lines three (3) and four (4) of Section 15 the words and figures "one hundred twenty-six thousand dollars (\$126,000.00)" and substituting in lieu thereof the words and figures "one hundred forty-one thousand dollars (\$141,000.00)", and further amend by striking from line eight (8) of section fifteen (15) the figures "\$126,000.00" and substituting in lieu thereof the figures "\$141,000.00".

The amendment to the amendment was adopted.

Senator Breen offered the following amendment to the amendment and moved its adoption:

Amend by striking the figures "\$3,000.00" in line thirteen (13) of section twenty-three (23) and inserting in lieu thereof the figures "\$4,000.00"; also, amend by striking the figures "17,000.00" in line fifteen (15) of section twenty-three (23) and inserting in lieu thereof the figures "16,000.00".

The amendment to the amendment was adopted.

Senator Faul offered the following amendment to the amendment and moved its adoption:

Amend by inserting in line ten (10), section thirty-one (31), the following:

“For restoration of salaries of permanent employees at Camp
Dodge1,500.00

The amendment to the amendment was adopted.

Senator Baldwin offered the following amendment to the amendment and moved its adoption:

Amend section 38 as follows: “Insert between lines 16 and 17 the following: ‘Emergency appropriation, or as much thereof as needed for expenses to July 1st, 1939, forty-two thousand four hundred seventy-eight dollars and seventy-five cents (\$42,478.75) subject to the approval of the comptroller.’”

By unanimous consent, Senator Baldwin withdrew his amendment to the amendment.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend section 39 by changing the figures in line 29 to read “\$28,460.00”.

Also amend line 31 to read “\$30,860.00”.

Also strike from lines three and four the following: “eight hundred twenty-four thousand five hundred ten dollars (\$824,510.00)” and insert in lieu thereof the following: “seven hundred thirty-three thousand three hundred twenty dollars (\$733,320.00)”.

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend section 41 by striking the figures “\$12,000.00” in line seventeen (17) and inserting in lieu thereof the figures “\$25,000.00”. Also strike the words and figures “four hundred three thousand four hundred fifty dollars (\$403,450.00)” in lines four (4) and five (5) and insert in lieu thereof the words and figures “four hundred sixteen thousand four hundred fifty dollars (\$416,450.00)”. Also strike the figures “\$403,450.00” in line thirty (30) and insert in lieu thereof the figures “\$416,450.00”.

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend by striking from line three (3) of section forty-three (43), the figures "1931" and inserting in lieu thereof the figures "1939".

The amendment to the amendment was adopted.

Senator Henningsen offered the following amendment to the amendment and moved its adoption :

Amend by striking from line ten (10) of section forty-seven (47) the figures "7,354.00" and inserting in lieu thereof the figures "9,000.00".

The amendment to the amendment was adopted.

Senator Baldwin offered the following amendment to the amendment and moved its adoption :

Amend Section 52, Division 13, line 173 by adding thereto as subsection (c): "For transportation for religious education and training subject to the approval of the comptroller, 250.00."

The amendment to the amendment was adopted.

Senator Byers took the chair at 2:38.

Senator Schadt offered the following amendment to the amendment and moved its adoption :

Amend section 52 by inserting as line 150a the following:

"(a) For salary of superintendent \$3,000.00"; by changing line 151 to read:

"(b) For other salaries, support, and maintenance, \$233,000.00"; and by changing "(b)" in line 152 to "(c)".

The amendment to the amendment was adopted.

Senator Baldwin offered the following amendment to the amendment and moved its adoption :

Amend section 52, division 7, line 104 by adding thereto as subsection "c": "For transportation for religious education and training subject to the approval of the comptroller, \$250.00."

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption :

Amend by adding thereto a new section to read as follows:

Sec. 72. If for any reason the appropriation allocated to any department or division of a department, is incorrectly allocated the state comptroller shall have authority to correctly allocate the appropriation made to the said department or division of a department.

The amendment to the amendment was adopted.

Senator Elthon offered the following amendment to the amendment and moved its adoption:

Amend section seven (7) line seven (7) by inserting after the word "For" the following: "the administration of the conservation commission,". Further amend by adding to line seven (7) the following: "small tracts of land adjacent to state owned areas".

Further amend by striking the word "land" in line eight (8).

The amendment to the amendment was adopted.

Senator Hoeven offered the following amendment to the amendment and moved its adoption:

Amend section fourteen (14) by inserting the following between lines 7 and 8 thereof:

"This appropriation shall not be made until a written statement is filed with the state comptroller by the secretary of the state fair board wherein said secretary agrees to accept a salary of \$3,600 in full for his services and further conditioned upon the state fair board ceasing the practice of allowing to the secretary in addition to his salary, use of residence property on the state fair grounds together with light, heat and water and the use of a state owned automobile."

Senator Elthon offered the following substitute for the amendment by Senator Hoeven and moved its adoption:

Amend section fourteen (14) by inserting the following between lines 7 and 8 thereof:

This appropriation shall not be made available until a written statement is filed with the state comptroller by the secretary of the state fair board wherein said secretary agrees to accept a salary of \$3,000 in full for his services.

The substitution was made.

Senator Hoeven asked unanimous consent to defer action.

Objection was made.

By unanimous consent, on request of Senators Elthon and Hoeven, the amendment was withdrawn.

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend section 59 as follows:

1. By striking from line ten (10) the figures "\$6,000.00" and inserting in lieu thereof the figures "\$7,200.00".
2. By striking from line fifteen (15) the figures "\$26,800.00" and inserting in lieu thereof the figures "\$28,000.00".

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption :

Amend section 46 by adding immediately after line 6 the following:
 "For salary of bailiff.....1,800.00
 Also strike the figures in line 8 and insert "15,200.00".

The amendment to the amendment was adopted.

Senators Breen and Augustine offered the following amendment to the amendment and moved its adoption :

Amend by increasing all appropriations therein by ten per cent (10%), and the secretary of the Senate is hereby instructed to make the necessary changes and corrections.

Senator Donohue raised the point of order that the amendment was too inclusive.

The chair held the point not well taken.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment to the amendment be adopted?" the vote was :

Ayes, 8:

Augustine	Breen	Geske	Moore
Baldwin	Dean	Miller	Vrba

Nays, 34:

Beardsley	Evans	Hoeven	Mowry
Bekman	Faul	Hopkins	Pelzer
Byers	Forsling	Husted	Schadt
Corwin	Gillette	Leo	Sjulin
Dewey	Guernsey	Levis	Stewart
Donohue	Hart	Lundy	Talbott
Doran	Harvey	Martin	Whitehill
Edwards	Henningsen	Mighell	Zeigler
Elthon	Hill		

Absent or not voting, 8:

Benson	Cromwell	Kirketeg	Shaw
Berg	Ellis	Parker	Smith

The amendment to the amendment was lost.

Senator Dewey offered the following amendment to the amendment and moved its adoption :

Amend by striking section thirty-six (36).

Senator Elthon raised the point of order that the amendment

was out of order because the motion had been made on the adoption of the main amendment.

The chair held the point not well taken because the main amendment was open to amendment.

Senator Beardsley moved the previous question on the amendment to the amendment and the main amendment, which motion prevailed.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 17:

Bekman	Forsling	Martin	Sjulin
Corwin	Henningsen	Miller	Talbott
Dewey	Husted	Mowry	Whitehill
Donohue	Leo	Pelzer	Zeigler
Evans			

Nays, 25:

Augustine	Doran	Guernsey	Lundy
Baldwin	Edwards	Hart	Mighell
Beardsley	Elthon	Harvey	Moore
Benson	Faul	Hill	Schadt
Breen	Geske	Hoeven	Stewart
Byers	Gillette	Hopkins	Vrba
Dean			

Absent or not voting, 8:

Berg	Ellis	Levis	Shaw
Cromwell	Kirketeg	Parker	Smith

The amendment to the amendment was lost.

President Hickenlooper took the chair at 4:20.

The amendment by Senator Doran as amended was adopted.

By unanimous consent, on request of Senator Doran, any totals not otherwise changed were directed to be changed to correspond to the amendments made.

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, 37:

Augustine	Donohue	Guernsey	Martin
Baldwin	Doran	Hart	Mighell
Beardsley	Edwards	Harvey	Miller
Bekman	Elthon	Henningsen	Moore
Benson	Evans	Hill	Mowry
Breen	Faul	Hoeven	Schadt
Byers	Forsling	Hopkins	Stewart
Corwin	Geske	Leo	Talbott
Dean	Gillette	Lundy	Vrba
Dewey			

Nays, 4:

Levis	Pelzer	Sjulin	Zeigler
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Absent or not voting, 9:

Berg	Husted	Parker	Smith
Cromwell	Kirketeg	Shaw	Whitehill
Ellis			

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.

By unanimous consent, on request of Senator Doran, 300 copies of the substitute for House File 200 as passed by the Senate were ordered printed.

THIRD READING OF BILLS

On motion of Senator Edwards, House File 235, a bill for an act to repeal section fifty-two hundred ninety-six-f twenty-five (5296-f25), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, and to enact a substitute therefor, relating to funeral expenses for persons receiving old age assistance, was taken up and considered.

Senator Bekman offered the following amendment:

Amend by striking from line eighteen (18) the words "at least".

Further amend by striking from line twenty-eight (28) the words "division's liability" and inserting in lieu thereof the words "equivalent of the division's maximum liability".

Further amend by inserting as a last paragraph the following:

"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."

By unanimous consent, Senator Bekman withdrew his amendment.

President pro tem Hoeven took the chair at 4:40.

Senator Levis asked unanimous consent that action on House File 235 be deferred and the bill allowed to retain its place on the calendar.

Senator Mowry asked unanimous consent that the bill be allowed to retain its place on the calendar as unfinished business.

Consent was granted.

HOUSE MESSAGES CONSIDERED

House File 77, a bill for an act to amend sections fifty-eight hundred seventy-four (5874), fifty-eight hundred seventy-five (5875), fifty-eight hundred seventy-six (5876), and fifty-eight hundred eighty (5880), Code, 1935, relating to bridges, viaducts and grade crossing separations.

Read first and second times and referred to sifting committee.

House File 159, a bill for an act to amend section sixty-two hundred nine (6209), Code, 1935, relating to the levy of an annual tax for bridge purposes.

Read first and second times and referred to sifting committee.

House File 251, a bill for an act to amend sections eighty-six hundred eighty-four-e thirteen (8684-e13), eighty-seven hundred seventy-six (8776), and eleven thousand nine hundred and nineteen (11919), Code, 1935, relating to exemption of the proceeds of certain insurance policies, and to the payment of expenses of administration, last illness and burial of deceased insured persons.

Read first and second times and referred to sifting committee.

House File 358, a bill for an act to amend section forty-two hundred twenty-six (4226), Code, 1935, relating to the length of the school year in the public schools.

Read first and second times and referred to sifting committee.

House File 564, a bill for an act to amend section sixty-six hundred fifty-two (6652), Code, 1935, relating to the powers, compensation, and duties of officers of cities under the city manager plan.

Read first and second times and referred to sifting committee.

House File 567, a bill for an act to amend section sixty-six hundred seventy-nine (6679), Code, 1935, relating to statutes made applicable to cities under the city manager plan.

Read first and second times and referred to sifting committee.

House File 640, a bill for an act concerning trust receipts and certain security transactions, and to make uniform the law relating thereto.

Read first and second times and referred to sifting committee.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 399 by adding in line nine (9), section one (1) after the words "fly sprays" the following: "disinfectants, and patent and proprietary medicines or domestic remedies which are not in themselves poisonous, sold in original unbroken packages and labeled in compliance with federal and state laws." E. P. CORWIN.

MR. PRESIDENT: Amend Senate File 450 by striking all of section four (4).
GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 450 as follows: Strike all of sections seven (7) and eight (8).
LESTER S. GILLETTE.

MR. PRESIDENT: Amend Senate File 450 as follows:

Amend section one (1) by striking all after the semicolon (;) in line four (4), all of lines five (5), six (6), seven (7) and eight (8) to and including the figures ".15c", and inserting in lieu thereof the following: "by striking lines thirty (30) and thirty-one (31) of section seventeen hundred ninety-four-e one (1794-e1) Chapter eighty-six-E one (86-E1), Code, 1935, and inserting: 'Trapping license for legal resident of state using more than fifteen (15) traps per trip, including tax 15c'."

LESTER S. GILLETTE.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 19, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. M. F. Stewart, pastor of the First Presbyterian church of Brooklyn.

The Journal of April 18th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Berg for the morning, on account of illness, on request of Senator Zeigler; Senator Ellis for the day, on account of illness, on request of Senator Henningsen.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Gillette from retail merchants of Dickinson county, favoring an amendment to the retail sales tax law permitting the deduction of five per cent from the retail sales tax collected for their services in making collection and remittance of the sales tax.

By Senator Harvey, from truckers of Harrison county, favoring enactment of House File 601.

By Senator Henningsen, from citizens of Jackson county, opposing enactment of House File 431.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 18, 1939, he had approved the following:

Senate File 37, amending section 7171, Code, 1935, relative to annual levies.

Senate File 125, legalizing certain tax sales held and conducted in accordance with section 7259 or section 7262, Code, 1935, and corresponding sections of earlier codes and all laws pertaining thereto as to the matter of bringing forward of delinquent taxes under section 7193, Code, 1935, and all laws pertaining thereto.

Senate File 377, legalizing the corporate acts and the renewal of the charter of the Portland Cooperative Company.

Senate File 414, legalizing the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Farmers Mutual Insurance Association, of Corning, and providing for the renewal of the charter of said Association.

Senator Evans offered the following resolution:

RATCLIFF MEMORIAL RESOLUTION

Whereas, The Honorable W. C. Ratcliff of Red Oak, who was a member of the Senate in the Thirty-seventh and Thirty-eighth General Assemblies, from the district composed of Mills and Montgomery counties, died at the hospital in Council Bluffs, Sunday, April 16, 1939:

Be It Resolved by the Senate of the Forty-eighth General Assembly: That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the state.

Senator Evans 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 resolution, Senators Evans, Kirketeg and Sjulín.

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 647, a bill for an act to appropriate to the state board of control \$610,600.00 for repairs, buildings, and equipment at the various state institutions.

Also: 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 exemptions from taxation.

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

Senate File 57, a bill for an act relating to investments by insurance companies.

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

Senate File 103, a bill for an act relating to unemployment compensation.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 198, a bill for an act relating to transportation of school children.

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

Senate File 303, a bill for an act relating to the interest rate which may be charged a purchaser of school lands.

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 court review, secretary of the commission, special fund, benefit year and insured work, penalties for false statements and to collection of contributions.

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

Senate File 368, a bill for an act to provide that fire equipment of cities and towns may be used outside of the corporate limits.

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 levy of a tax by cities and towns to pay for certain property and equipment on the installment plan.

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 relating to the transfer of records from superior, police and mayor's courts to the municipal court.

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

Senate File 427, a bill for an act relating to the motor vehicle fuel tax.

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

Senate File 436, a bill for an act to prevent the voting of additional primary road bonds in any county which has previously authorized one or more such bond issues.

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

Senate File 445, a bill for an act to transfer to the commissioner of insurance the duties heretofore conferred upon the auditor of state and the secretary of state.

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

Senate File 448, a bill for an act assenting to the provisions of the act of congress regarding wildlife restoration projects.

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

Senate File 451, a bill for an act to make appropriations in payment of certain claims.

Also: That the House has concurred in Senate amendments to House amendments to and passed Senate File 467, a bill for an act relative to state income tax of officials or employees.

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 relating to the penalty for a person found in a state of intoxication.

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 relating to hearings prior to the adoption of a comprehensive city plan.

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 relating to drainage.

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 relating to submission to the electors of a township the question of erecting a public hall.

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

Senate File 472, a bill for an act relating to enforcement of the Iowa liquor control act.

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

Senate File 480, a bill for an act to make appropriations in payment of certain claims.

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

Senate File 484, a bill for an act making an appropriation for payment of loud speaker system installed in Senate.

Also: That the House has refused to concur in Senate amendments to substitute for House File 200, a bill for an act to establish the general fund for the state of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 15

1. Amend section one (1) by striking all of line seven (7) and line eight (8) up to the word "when".

2. Amend the title by striking the comma after the word "taxation" in line three (3) and inserting in lieu thereof a period, and by striking the remainder of the title.

HOUSE AMENDMENTS TO SENATE FILE 198

1. Amend section one (1) by striking from lines three (3) and four (4) the words "an approved" and by inserting in lieu thereof the words "a public".

2. Amend section one (1), line four (4), by inserting between the word "school" and the word "may" the following: "within a city having a population of 75,000 or more".

HOUSE MESSAGES CONSIDERED

House File 647, a bill for an act to appropriate to the state board of control for repairs, buildings, and equipment at the various state institutions the sum of six hundred ten thousand six hundred dollars (\$610,600.00) for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, providing for the manner of expenditure thereof.

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

On motion of Senator Hoeven, consideration of Senate Concurrent Resolution 17 was resumed.

SENATE CONCURRENT RESOLUTION 17

(Author's note: One half of Iowa's farm population are tenants. Their tenures are generally brief and uncertain. An area equal to eleven counties of the state is now owned by corporations; large operators equipped with tractorized machinery are rapidly replacing tenants of family sized farms and the March 1st trek from farm to farm is becoming a trek from farm to cities and towns.

As tractors replace horses and mules, petroleum products replace the farmers' produce formerly fed, less labor is required with consequent increasing unemployment and mounting crop surpluses. Thousands of Iowa people equipped by training and inclination to farm are annually being retired to swell unemployment and increase relief rolls.

Relief alone seems to be an expanding industry and the national debt has recently attained an all time high of forty billion dollars or more than three hundred dollars for each man, woman and child in the United States.

After a century of progress with her independent farmers and business men Iowa now sees a large portion of her inhabitants, through no fault of their own, subsisting on state and national relief. Much of this can be traced to inability of her farmers to own or rent land.

The small land owner has been aided by homestead tax relief. The tenancy question remains largely unsolved.

Many facts have already been gathered but the data is incomplete and the question requires further intensive study with especial reference to

means of restoring farm ownership to actual farmers and assuring land for rental to deserving tenants who cannot acquire land by ownership.)

Be It Resolved by the Senate of the State of Iowa, the House Concurring: That the Governor be and he is requested to appoint a committee of fifteen, which shall include at least one resident of each of the congressional districts of Iowa, to study further the tenancy problem and supplement the information with respect thereto now available. That such committee be authorized to call upon the agencies of the State including the state institutions of learning for facts and suggestions as to possible solutions for the tenancy problem and that the studies of such committee be especially directed toward means of enabling tenants to acquire land, means of checking commercial farming to an extent that will permit deserving tenants an opportunity to obtain family sized farms, and some plan which will tend to eliminate the short term lease and encourage longer term leases and make more stable tenure of farm land, and that such committee be requested to report its findings and recommendations to the Governor prior to the reassembling of the legislature.

On motion of Senator Hoeven, the resolution was adopted.

By unanimous consent, on request of Senator Hoeven, Senate Concurrent Resolution 17 was messaged to the House immediately.

CONSIDERATION OF HOUSE FILE 235 RESUMED

On motion of Senator Edwards, consideration of House File 235, a bill for an act to repeal section fifty-two hundred ninety-six-f twenty-five (5296-f25), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, and to enact a substitute therefor, relating to funeral expenses for persons receiving old age assistance, was resumed.

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, 35:

Augustine	Faul	Hopkins	Mowry
Baldwin	Forsling	Husted	Pelzer
Beardsley	Geske	Kirketeg	Schadt
Bekman	Guernsey	Leo	Sjulin
Benson	Hart	Lundy	Talbott
Byers	Harvey	Martin	Vrba
Cromwell	Henningsen	Mighell	Whitehill
Dean	Hill	Miller	Zeigler
Edwards	Hoeven	Moore	

Nays, none.

Absent or not voting, 15:

Berg	Donohue	Evans	Shaw
Breen	Doran	Gillette	Smith
Corwin	Ellis	Levis	Stewart
Dewey	Elthon	Parker	

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.

EXTRA COPIES

By unanimous consent, on request of Senator Forsling, 500 copies of Senate File 366 were ordered printed.

By unanimous consent, Senator Faul presented Supt. Elmer O. Moe and the junior and senior high school classes of Bradley.

By unanimous consent, Senator Corwin presented the West Liberty high school class in government and their instructor.

HOUSE AMENDMENTS CONSIDERED

Senator Gillette called up for consideration Senate File 166, amended by the House, as follows:

1. Amend section three (3) by striking all of subsection ten (10) and inserting in lieu thereof the following:

(10) "Land owner" includes any person, firm, or corporation who shall hold title to any lands lying within a district organized under the provisions of this act.

2. Amend section three (3), subsection eleven (11), line 39, by striking the word "includes" and substituting therefor the words "shall mean".

Further amend said section three (3) by striking all of lines 40 and 41 and substitute therefor the words "a land owner as defined herein."

3. Amend section four (4) by striking all of line 28 following the period after the word "proper"; also by striking all of lines 29 and 30 and the word "equipment" in line 31.

4. Amend section five (5) as follows:

(a) Strike from line 83 all of said line following the word "held" and by striking all of line 84 up to and including the word "June" and inserting in lieu thereof the following: "within a reasonable time after finding that there is need for the organization of a district."

(b) Strike from line 138 the words "of the votes", and strike all of lines 139, 140, and 141 and insert in lieu thereof the following: "of the land occupiers of the district vote in favor of the creation of such district."

(c) Strike from line 148 the following: "governmental subdivision

of this state and a public", and strike from line 149 the following: "and politic,".

(d) Strike from lines 197 and 198 the following: "governmental subdivision of this state and a public", and "and politic".

5. Amend section seven (7), line 17, by substituting a comma for the period after the word "duties" and inserting the words "but not to exceed fifty (50) days to any one supervisor."

Further amend section seven (7) by striking all of lines 18, 19, and 20, and the word "compensation" in line 21.

6. Amend section eight (8) as follows:

(a) In line 19, between the words "the" and "cooperation" insert the words "consent and".

(b) In line 36, between the words "the" and "cooperation" insert the words "consent and".

(c) By inserting the following as subsection (10):

"(10) To accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, or from this state or any of its agencies, and to use or expend such moneys, services, materials, or other contributions in carrying on its operations."

(d) Renumber the remaining subsections.

(e) By inserting the following as subsection (13):

(13) After the formation of any district under the provisions of this act, all participation hereunder shall be purely voluntary, any provision herein contained on the contrary notwithstanding."

7. Amend by striking all of sections nine (9), ten (10), eleven (11), and twelve (12); and renumber remaining sections.

8. Amend section fourteen (14), line 8, by striking the word "shall" and inserting in lieu thereof the word "may".

9. Amend section sixteen (16), line 4, by inserting after the figures "\$5,000.00" the following: "two thousand five hundred dollars (\$2,500.00) in each year of the next biennium beginning July 1, 1939,".

10. Further amend section sixteen (16) by striking the period at the end of subsection A thereof and adding the following:

"provided that the administrative costs of each soil conservation district hereunder shall be borne by said district and in addition thereto the administrative costs of the state soil conservation committee including the reimbursement to the state for the initial costs thereof, shall be borne proportionately by all of the districts established under this act, the proportionate share of each thereof to be based upon the assessed value of the real estate in said districts."

11. Amend by striking from said bill the word "occupier" wherever the same appears and substitute therefor the word "owner".

12. Amend the title as follows:

(a) Strike from line 10 the words "to empower such", also all of lines 11 to 17, inclusive, and the following in line 18: "functions and powers;".

(b) Amend by inserting in line 21 after the comma following the word "purpose" the following: "and providing for the administrative costs of such districts, and providing for the reimbursement to the state by the districts of such initial and administrative costs;".

Senator Gillette moved that the Senate refuse to concur in House amendment one (1), the second paragraph of amendment two (2), and amendment eleven (11), and concur in the remainder of the House amendments.

The motion prevailed, and the Senate refused to concur in House amendment one (1), the second paragraph of amendment two (2) and amendment eleven (11), and concurred in the remainder of the House amendments.

By unanimous consent, on request of Senator Gillette, Senate File 166 was messaged to the House immediately.

Senator Forsling called up for consideration Senate File 198 amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section one (1) by striking from lines three (3) and four (4) the words "an approved" and by inserting in lieu thereof the words "a public".

2. Amend section one (1), line four (4), by inserting between the word "school" and the word "may" the following: "within a city having a population of 75,000 or more".

The motion prevailed, and the Senate concurred in the House amendments.

Senator Forsling moved that Senate File 198, a bill for an act to amend section four thousand two hundred thirty-three-e four (4233-e4), Code, 1935, relating to transportation of school children, and providing for transportation of high school students in certain cases, be read a third 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:

Baldwin	Elthon	Hoeven	Moore
Beardsley	Faul	Hopkins	Mowry
Benson	Forsling	Husted	Parker
Breen	Geske	Kirketeg	Pelzer
Corwin	Guernsey	Leo	Schadt
Cromwell	Hart	Lundy	Sjulin
Dean	Harvey	Martin	Talbott
Dewey	Henningsen	Mighell	Vrba
Donohue	Hill	Miller	Zeigler
Doran			

Nays, none.

Absent or not voting, 13:

Augustine	Edwards	Gillette	Smith
Bekman	Ellis	Levis	Stewart
Berg	Evans	Shaw	Whitehill
Byers			

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

Senator Forsling 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 INSISTS ON AMENDMENTS

Senator Doran called up for consideration substitute for House File 200 and moved that the Senate insist on its amendments, and request a conference committee.

The motion prevailed.

**CONFERENCE COMMITTEE ON SUBSTITUTE FOR HOUSE
FILE 200**

President Hickenlooper announced that, as President of the Senate, he had appointed Senators Doran, Levis, Forsling, and Hill as members of the conference committee on the part of the Senate, on Substitute for House File 200.

CONSIDERATION OF SENATE FILE 200 RESUMED

Consideration of the following amendment by Senator Donohue was resumed:

Amend section two (2) of the amendment filed by the Special Agricultural Relief Committee to Senate File 200 by striking the comma (,) following the word "hereof" in line five (5) and inserting in lieu thereof a period (.) and also by striking the remainder of said section.

President pro tem Hoeven took the chair at 11:26.

Roll call was requested on the amendment.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 30:

Bekman	Corwin	Donohue	Elthon
Benson	Cromwell	Doran	Evans
Byers	Dewey	Edwards	Faul

Forsling	Kirketeg	Moore	Schadt
Geske	Leo	Mowry	Sjulin
Hart	Levis	Parker	Talbott
Harvey	Martin	Pelzer	Zeigler
Hill	Miller		

Nays, 14:

Augustine	Gillette	Hopkins	Stewart
Beardsley	Guernsey	Husted	Vrba
Breen	Henningsen	Mighell	Whitehill
Dean	Hoeven		

Absent or not voting, 6:

Baldwin	Ellis	Shaw	Smith
Berg	Lundy		

The amendment was adopted.

Senator Mighell offered the following amendment to the committee amendment:

Amend by adding after the comma (,) following the word "lease" in line three (3) the following:

"and upon all feeding stock to which is fed grain that is covered by the landlord's lien,"

By unanimous consent, Senator Mighell withdrew his amendment.

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend by adding the following section:

"That repeal of section ten thousand two hundred sixty-one (10261), Code, 1935, shall not be construed as affecting the lien on farm leases, and that landlords shall retain their lien on all property under said section until September 1, 1940."

By unanimous consent, Senator Donohue withdrew his amendment.

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend by adding thereto the following section:

"That the repeal of section ten thousand two hundred sixty-one (10261), Code, 1935, shall not be construed as affecting any landlord's lien now in existence."

The amendment to the amendment was adopted.

By unanimous consent, Senator Schadt withdrew his motion to reconsider the Donohue amendment.

The amendment as amended was adopted.

Senator Gillette offered the following amendment and moved its adoption:

Amend by inserting in line two (2) of the title after the figures "(10261)" the following: ", Code, 1935,"; also amend section one (1) by inserting after the figures "(10261)" the following: ", Code, 1935,".

The amendment was adopted.

By unanimous consent, Senator Dean withdrew his amendment found on page 387 of the Journal.

By unanimous consent, Senator Mighell withdrew his amendment found on page 315 of the Journal and his amendment to the amendment found on page 329 of the Journal.

Senator Gillette moved that Senate File 200, a bill for an act to repeal section ten thousand two hundred sixty-one (10261) and enact in lieu thereof a new section, 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, 15:

Baldwin	Gillette	Husted	Talbott
Bekman	Henningsen	Martin	Vrba
Benson	Hoeven	Mighell	Whitehill
Forsling	Hopkins	Shaw	

Nays, 29:

Augustine	Doran	Harvey	Moore
Beardsley	Edwards	Hill	Mowry
Byers	Elthon	Kirketeg	Parker
Corwin	Evans	Leo	Schadt
Cromwell	Geske	Levis	Sjulin
Dean	Guernsey	Lundy	Stewart
Dewey	Hart	Miller	Zeigler
Donohue			

Absent or not voting, 6:

Berg	Ellis	Pelzer	Smith
Breen	Faul		

By unanimous consent, Senator Dewey cast the "aye" vote for Senator Shaw, as requested by Senator Shaw.

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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

AFTERNOON SESSION

The Senate reconvened, President B. B. Hickenlooper 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 Speaker of the House has appointed as members of the Conference Committee on the part of the House, on Substitute for House File 200, a bill for an act to establish the general fund of the state of Iowa, Representatives: Hultman, Prentis, Kuester and Randall.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 104, 319, 334, 423, 442, 439, 483, and 404, and House Files 44, 45, 66, 136, 166, 246, 247, 286, 340, 391, 395, 425, 436, 477, 602, 636, 641, 642 and 645.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 104, 319, 334, 423, 442, 439, 483 and 404, and House Files 44, 45, 66, 136, 166, 246, 247, 286, 340, 391, 395, 425, 436, 477, 602, 636, 641, 642 and 645.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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 April, 1939, sent to the governor for his approval, Senate Files 104, 319, 334, 423, 442, 439, 483, and 404.

RALPH E. BENSON, *Chairman.*

Passed on file.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Baldwin, House File 613, a bill for an act to repeal section eleven thousand ninety-nine-e one (11099-e1), Code, 1935, and to enact a substitute therefor, relating to the definition of a legal newspaper, was taken up and considered.

Senators Faul and Baldwin offered the following amendment and moved its adoption:

Amend as follows:

1. By striking all of subsection two (2) of section two (2).
2. By striking the words and figure "of general circulation as defined in division (2) hereof" in lines ten (10) and eleven (11), subsection one (1), section two (2).

By unanimous consent, Senator Faul withdrew the amendment.

Senators Faul and Baldwin offered the following amendment and moved its adoption:

Amend as follows:

1. By striking all of subsection two (2) of section one (1).
2. By striking the words and figure "of general circulation as defined in division (2) hereof" from lines fourteen (14) and fifteen (15) section one (1).

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, 35:

Augustine	Doran	Henningsen	Mowry
Baldwin	Edwards	Hoeven	Pelzer
Beardsley	Elthon	Hopkins	Shaw
Bekman	Faul	Husted	Sjulin
Benson	Forsling	Kirketeg	Stewart
Byers	Geske	Leo	Talbott
Corwin	Gillette	Levis	Whitehill
Cromwell	Guernsey	Martin	Zeigler
Dewey	Hart	Miller	

Nays, none.

Absent or not voting, 15:

Berg	Ellis	Lundy	Schadt
Breen	Evans	Mighell	Smith
Dean	Harvey	Moore	Vrba
Donohue	Hill	Parker	

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.

By unanimous consent, on request of Senator Baldwin, House File 613 was messaged to the House immediately.

Senator Doran moved that the rules be suspended and that House File 647 be placed on the calendar for immediate consideration.

The motion prevailed.

On motion of Senator Doran, House File 647, a bill for an act to appropriate to the state board of control for repairs, buildings, and equipment at the various state institutions the sum of six hundred ten thousand six hundred dollars (\$610,600.00) for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, providing for the manner of expenditure thereof, was taken up and considered.

Senator Whitehill offered the following amendment:

Amend section three (3) by striking the first paragraph and inserting in lieu thereof the following: "There is hereby appropriated from the general fund of the state treasury to the board of control of state institutions for the year beginning July 1, 1939 and ending June 30, 1940, the sum of six hundred three thousand one hundred dollars (\$603,100.00), for the year beginning July 1, 1940, and ending June 30, 1941, the sum of five hundred eighty-eight thousand one hundred dollars (\$588,100.00), or so much thereof as may be necessary, to be used in the following manner:"

Further amend section three (3), subsection (k), by striking lines 143 and 144 and inserting in lieu thereof the following: "Sewage disposal hook-up with city of Marshalltown \$15,000.00, all of which sum is to be available on July 1, 1939." Further amend section three (3), subsection (k) by striking lines 145, 146 and 147 and inserting in lieu thereof the following: "Total for the first year of the biennium seventeen thousand five hundred dollars (\$17,500.00). Total for the last year of the biennium two thousand five hundred dollars (\$2,500.00)".

By unanimous consent, Senator Whitehill withdrew his amendment.

Senator Whitehill offered the following amendment and moved its adoption:

Amend section three (3) subsection (k) by inserting a new line between lines 142 and 143 reading as follows: "New power house building \$30,000.00".

Further amend line 145 by striking the figures "\$10,000.00" and inserting in lieu thereof: "\$40,000.00". Also, strike the figures in line 168 and insert in lieu thereof: "\$625,600.00".

The amendment was adopted.

Senators Breen and Baldwin offered the following amendment and moved its adoption:

Amend House File 647 as follows:

(1) Amend section three (3) by inserting after line twenty-nine (29) of said section the following:

"10. Reception Building, capacity 250 patients. Space to be included for medical administration, physicians' offices, examination room, out-patient service, record rooms and equipment.....\$150,000.00"

(2) Further amend section three (3) by striking from line thirty (30) of said section the figures "54,950.00" and inserting in lieu thereof the figures "204,950.00".

(3) Amend section three (3) by inserting after line fifty-three (53) of said section the following:

"11. Psychopathic or Admission Building for men and women, 150 capacity\$ 75,000.00"

"12. Sewage Disposal Plant.....\$ 37,500.00"

(4) Amend section three (3) by striking from line fifty-four (54) the figures "38,625.00" and inserting in lieu thereof the figures "151,125.00".

(5) Amend section three (3) by striking from line sixty-one (61) of said section the figures "5,000.00" and inserting in lieu thereof the figures "9,000.00".

(6) Amend section three (3) by inserting after line sixty-five (65) of said section the following:

"7. Enlarging laundry\$ 10,000.00"

8. Laboratory equipment\$ 1,500.00"

9. Therapeutic equipment: hydro, surgical, electrical, occupational, musical and library.....\$ 500.00"

10. Receiving building for women, capacity 150.....\$ 75,000.00"

11. General dining room and kitchen.....\$100,000.00"

12. Changing electrification from D. C. to A. C. current, and rewiring\$ 12,500.00"

13. Sewage disposal unit.....\$ 17,500.00".

(7). Amend section three (3), line sixty-six (66), of said bill by striking the figures "21,600.00" and inserting in lieu thereof the figures "242,600.00".

(8). Amend section three (3), line seventy-five (75), of said bill by striking the figures "3,000.00" and inserting in lieu thereof the figures "4,000.00".

(9). Amend section three (3), line eighty (80), of said bill by striking

the figures "2,500.00" and inserting in lieu thereof the following: "5,000.00".

(10). Amend section three (3), line eighty-four (84), of said bill by striking the figures "2,000.00" and inserting in lieu thereof the figures "3,000.00".

(11). Amend section three (3) by inserting after line eighty-eight (88) of said section the following:

"14. Remodeling and fireproofing part of main patient building\$100,000.00

15. Hospital and infirmary building for 150 men and women \$ 75,000.00".

(12). Amend section three (3), line eighty-nine (89), of said bill by striking the figures "71,425.00" and inserting in lieu thereof the figures "254,725.00".

(13). Amend section three (3), line ninety-three (93), of said bill by striking the figures "5,000.00" and inserting in lieu thereof the figures "7,500.00"; also, amend by striking from line ninety-four (94) the figures "3,750.00" and inserting in lieu thereof the figures "7,500.00".

(14). Amend section three (3), line one hundred and four (104), of said bill by striking the figures "3,000.00" and inserting in lieu thereof the figures "4,000.00"; also amend said section, line one hundred and six (106), by striking the figures "1,500.00" and inserting in lieu thereof the figures "2,000.00".

(15). Amend section three (3), line one hundred and eight (108), of said bill by striking the figures "500.00" and inserting in lieu thereof the figures "750.00".

(16). Amend section three (3), line one hundred and ten (110), of said bill by striking the figures "1,750.00" and inserting in lieu thereof the figures "2,000.00".

(17). Amend section three (3), line one hundred and eleven (111), of said bill by striking the figures "20,000.00" and inserting in lieu thereof the figures "25,000.00".

(18). Amend section three (3), line one hundred and twelve (112), of said bill by striking the figures "30,000.00" and inserting in lieu thereof the figures "37,500.00".

(19). Amend section three (3) by inserting after line one hundred and twelve (112) of said section the following:

"7. One additional building, capacity 300. needed at once to relieve present overcrowding.....\$150,000.00".

(20). Amend section three (3) of said bill by striking from line one hundred and thirteen (113) the figures "56,750.00" and inserting in lieu thereof the figures "278,000.00".

(21). Amend section three (3) of said bill by striking therefrom lines one hundred twenty-six (126), one hundred twenty-seven (127) and inserting in lieu thereof the following:

"2. Two (2) small special cottages at \$12,500 each for small pre-school children\$ 12,500.00".

(22). Amend section three (3), line one hundred twenty-eight (128), by striking the figures "47,500.00" and inserting in lieu thereof the figures "83,750.00".

President pro tem Hoeven took the chair at 2:57.

By unanimous consent, Senator Berg presented to the Senate Dr. Robert Swain and Dr. H. C. Christiansen, both nationally prominent in pharmacy.

Roll call was requested on the amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22:

Augustine	Dewey	Hoeven	Moore
Baldwin	Donohue	Hopkins	Mowry
Beardsley	Geske	Lundy	Schadt
Berg	Gillette	Mighell	Shaw
Breen	Guernsey	Miller	Vrba
Dean	Henningsen		

Nays, 17:

Bekman	Elthon	Husted	Stewart
Byers	Evans	Leo	Talbott
Corwin	Faul	Martin	Whitehill
Cromwell	Hart	Pelzer	Zeigler
Edwards			

Absent or not voting, 11:

Benson	Forsling	Kirketeg	Sjulin
Doran	Harvey	Levis	Smith
Ellis	Hill	Parker	

The amendment was adopted.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Breen-Baldwin amendment to House File 647 was adopted. **E. P. DONOHUE.**

Senator Elthon moved that action on House File 647 be deferred and that the bill be allowed to retain its place on the calendar as unfinished business which motion prevailed.

Senator Mowry moved that all bills on the calendar, except bills by the committees on appropriations and consolidation and reorganization and legalizing bills, be referred to the sifting committee.

Senator Donohue offered as a substitute that all bills on the calendar at recess time tomorrow, except bills to be reported out by the sifting committee today, be referred to the sifting committee.

Senator Faul moved that action on the pending motions be deferred until after recess tomorrow.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 99 by striking therefrom all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. That Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly of Iowa be further amended by striking therefrom Sec. 19 (q) and inserting in lieu thereof the following: 'Sec. 19 (q). "Base Period" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year.'

"Sec. 2. That Sec. 3 (b) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly of Iowa be amended by striking from lines five (5) and six (6) the following words and figures: 'either five dollars (\$5.00), or his full-time weekly wage, whichever is the lesser', and inserting in lieu thereof the following words and figures: 'five dollars (\$5.00) per week'."

"Sec. 3. That Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly of Iowa be amended by striking therefrom Sec. 4 (e) and inserting in lieu thereof the following: 'Sec. 4 (e). He has within his base period earned wages in insured work equal to not less than thirty times his weekly benefit amount.'"

"Sec. 4. The provisions of this Act shall be and become effective as of July 1, 1939; provided, however, that all valid claims legally filed on or before June 30, 1939, shall be calculated, processed, determined, paid, and credited according to the law as it now appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa."

"Sec. 5. All Acts, or parts of Acts, in conflict herewith are hereby repealed in so far as they are inconsistent herewith."

"Sec. 6. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and in the Davis County Republican, a newspaper published at Bloomfield, Iowa."

E. K. BEKMAN.

MR. PRESIDENT: Amend House File 628 as follows:

1. Amend section one (1) by striking all of said section and inserting in lieu thereof the following:

"Section —. Strike all of section fifty-two hundred ninety-six-f ten (5296-f10), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly and insert in lieu thereof the following:

"The amount of assistance shall be fixed with due regard to the condition of the individual, household situation and community in each instance, subject to the rules, regulations and standards adopted by the state board, but in no instance shall it be an amount which, when added to the income of the applicant from all other sources, exclusive of the exemptions hereinafter provided, shall exceed a total of twenty-five dollars (\$25.00) a month. However, a further allowance not to exceed five dollars (\$5.00) per month may be allowed, when essential, to meet

additional expenses due to the individual's mental and/or physical condition'."

2. Amend said House File by adding thereto as a new section, the following:

"Sec. 7. Amend section one (1), Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by inserting in line twenty-seven (27), following the word 'gain' a comma (,).

"Further amend said section by inserting in line thirty (30), following the word 'person', the punctuation and word ', trustee'.

"Further amend said section by inserting in line thirty (30), following the word and punctuation 'entity,', the words and punctuation 'or gratuity received from whatever source,'"

3. Amend section eight (8) by striking from line eleven (11) the words "shall not be considered", and inserting in lieu thereof the words "may be disregarded".

4. Amend section seventeen (17) by striking all of lines thirteen (13) to twenty-five (25), inclusive, and inserting in lieu thereof the following:

"In the event that a child or other responsible relative neglects or refuses to contribute to the support of a claimant or recipient, an action in equity may be commenced in the district court of the county in which a responsible relative resides and there may be joined as defendants in said action any or all other responsible relatives. The court may decree the amount of contribution, if any, to be made by each child or other responsible relative with due regard to their separate incomes, financial ability and obligations."

5. Amend section fifteen (15) by striking from line six (6) the word "compromised" and inserting in lieu thereof the word "compromise".

6. Amend section twenty (20) by striking lines four (4), five (5), six (6) and seven (7) and inserting in lieu thereof the following:

"following: 'assistance fund, from time to time as available, the first seven million dollars (\$7,000,000.00) collected each year'."

7. Amend said House File by adding thereto as a new section, the following:

"Sec. —. Amend section fifty-two hundred ninety-six-f nineteen (5296-f19), Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding to said section, the following: 'The costs incurred in connection with any such hearing or examination shall be paid by the state board or county board, whichever issues the subpoenas; and witnesses shall be entitled to claim a two-dollar (\$2.00) fee and mileage expense at a rate of five cents (5c) per mile, except that responsible relatives as defined in sections fifty-two hundred ninety-eight (5298), fifty-three hundred one (5301) and ten thousand five hundred one-b six (10501-b6), Code, 1935, shall not be entitled to claim witness fees and mileage expense'."

8. Amend said House File by adding thereto as a new section, the following:

"Sec. —. Amend section fifty-two hundred ninety-six-g two (5296-g2), Chapter two hundred sixty-six-F1 (266-F1), Code, 1935, as amended by

Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding thereto, the following: 'When proceeds are received from any insurance policy which was not assigned to the state board and which states the beneficiary to be the administrator, or legal representatives or estate of the insured, such proceeds shall be subject to the claim against said estate for any old age assistance payments to or on behalf of such insured person or for any funeral claims paid and said claim shall be prior to the claim of the heirs thereto'."

9. Amend said House File by adding thereto as a new section, the following:

"Sec. —. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding thereto as a new section the following:

'The state board or the court in determining the responsibility of a child for the support of a claimant or recipient, shall deem liability to begin when said child is receiving a net income from whatever source, commensurate with that upon which he would make an income tax payment to this state. In no event shall assistance be granted when the contribution made by or required of responsible relatives attains the equivalent of the maximum assistance payable under this chapter'."

10. Amend said House File by adding thereto as a new section, the following:

"Sec. —. Amend Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by striking all of section twelve (12)."

11. Amend said House File by adding thereto as a new section the following:

"Sec. —. Amend section five thousand two hundred ninety-six-f fifteen, (5296-f15), Chapter two hundred sixty-six-F1 (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by striking lines one (1) to eighteen (18), inclusive, and inserting in lieu thereof, the following:

'On the death of a person receiving or who has received assistance under this Chapter or of the survivor of a married couple, either or both of whom were so assisted, the total amount paid as assistance, shall be allowed as a lien against the real estate in the estate of the decedent and as a claim of the second class against the personal estate of such decedent, in the event the estate is admitted to probate. Neither the homestead nor the proceeds therefrom of such decedent or his survivor, shall be exempt from the payment of said lien or claim, any act or statute to the contrary notwithstanding. The filing of its claim against the estate shall not constitute a waiver of the right of the state board, in behalf of the state, to maintain an action by equitable proceedings to foreclose upon its lien against a homestead left by the deceased recipient as well as any other real estate situated within the state of Iowa, and belonging to the estate of the deceased recipient. The proceeds of such claim shall be paid into the old age assistance revolving fund. In case of the death of either husband or wife, either or both of whom have been receiving or have received assistance under this Chapter, the estate of deceased shall

not be settled or the homestead sold until the surviving spouse shall die or cease to occupy the homestead as'."

12. Amend said House File by adding thereto as a new section the following:

"Sec. —. Amend section fifteen (15), Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by striking all of lines fifty-three (53), fifty-four (54), fifty-five (55), fifty-six (56), and fifty-seven (57) and inserting in lieu thereof the following:

"The district court shall act as an appellant court to review the decision of the state board to determine whether or not it has therein committed fraud or abused its discretion. The costs may be taxed to appellant where the appeal is affirmed or may be remitted'."

13. Section fifty-two hundred ninety-six-f twenty-three (5296-f23), Code, 1935, as amended by section nineteen (19), Chapter one hundred thirty-seven (137), Acts of the forty-seventh General Assembly, is amended by adding thereto the following:

"The state board may cancel the certificate of any recipient who is found by the state board to be acting in agreement with the authorities of any county charged with the duty of providing for the support of the poor if it shall appear to the state board that such agreement is with the intent to shift or would have the effect of shifting the responsibility of any such county or to evade the provisions of sections fifty-two hundred ninety-six-f twenty-seven (5296-f27), and fifty-two hundred ninety-six-f twenty-nine (5296-f29), Code, 1935".

14. Amend said House File by renumbering the sections.

E. K. BERMAN.

H. V. LEVIS.

MR. PRESIDENT: Amend House File 647, section 4, line 6, by inserting after the comma following the word "hall", the word "auditorium".

Further amend said House File 647, section 4, by striking the words and figures "fifteen thousand dollars (\$15,000.00)" in lines three, four, seven and eight, and inserting in lieu thereof the words and figures "thirty-seven thousand five hundred dollars (\$37,500.00)".

STANLEY L. HART.

MR. PRESIDENT: Amend House File 647 by adding as a new section the following:

"For the purchase of a suitable site and for the building and erection of a fifteen hundred (1,500) bed hospital for the treatment and care of the mentally ill there is hereby appropriated for each year of the bien-nium the sum of one million five hundred thousand dollars (\$1,500,000.00)."

EDWARD BREEN.

MR. PRESIDENT: Amend House File 647 by adding thereto the following section:

"Sec. 5. There is hereby appropriated from the general fund of the state treasury to the state board of education for each year of the bien-nium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred fifty thousand dollars (\$150,000.00) or so much thereof as may be necessary to be used in the following manner:

Iowa State College of Agriculture and Mechanic Arts	
For the Iowa State College of Agriculture and Mechanic Arts:	
For a women's new gymnasium.....	\$150,000.00
<hr/>	
Total each year.....	\$150,000.00

H. V. LEVIS.

MR. PRESIDENT: Amend House File 647 by adding at the end thereof the following:

Additional section—

“There is hereby appropriated from the general fund of the state not being otherwise appropriated to the state board of education for use at the Iowa State College at Ames, to be available for the first year of the biennium only, the following: \$50,000.00 for the construction and equipment of the building to be used for the development, laboratory, storage and drying of the hybrid seed corn.”

M. MOORE.

B. C. WHITEHILL.

PAUL P. STEWART.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 20, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Loras T. Lane, pastor of the Church of the Nativity, Dubuque.

The Journal of April 19th was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Talbott for the day, on request of Senator Harvey; Senator Ellis for part of the day, on request of Senator Henningsen.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Cromwell, from Plumbers and Steamfitters Local 212 of Burlington, favoring enactment of Senate File 146.

By Senator Gillette, from citizens of Palo Alto, Pocahontas, Clay, Kossuth, and Dickinson counties, favoring enactment of House File 601.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of House File 653, legalizing special election held in town of Wilton, Wilton Junction, authorizing construction and equipment of new town hall.

WALTER H. BEAM, *Secretary*.

INTRODUCTION OF BILLS

Senate File 505, by committee on appropriations, a bill for an act to create a fund for emergency relief during the ensuing biennium, providing for appropriations therefor and the administration thereof by the state board of social welfare.

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 concurred in Senate amendments to and passed House File 613, a bill for an act relating to the definition of a legal newspaper.

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

House File 653, a bill for an act to legalize a special election held in Wilton, Iowa, on the proposition of authorizing construction and equipment of a new town hall.

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

Senate Concurrent Resolution 17 providing for the appointment of a committee to study the tenancy problem.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 475, a bill for an act relating to powers and duties of the state board of social welfare.

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 appropriations to certain persons in settlement of damages sustained by them.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 489, a bill for an act relating to agricultural relief.

Also: That the House insists on its amendment to Senate File 166, a bill for an act creating governmental subdivisions of the state to be known as "Soil Conservation Districts", and requests a conference and the Speaker of the House has appointed as members of such conference committee on the part of the House, Representatives Dancer, Fishbaugh, Ritchie and Weichman.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 475

1. Amend by adding thereto the following sections:

Sec. 2. Section two (2) of Chapter one hundred eighteen (118), Acts 47th General Assembly, is hereby amended by striking all of lines five (5) to thirteen (13), inclusive.

Sec. 3. Section three (3) of Chapter one hundred eighteen (118), Acts 47th General Assembly, is hereby repealed.

Sec. 4. Section four (4) of Chapter one hundred eighteen (118), Acts 47th General Assembly, is hereby amended by striking lines three (3) to five (5), inclusive, and inserting in lieu thereof the following:

"(1) Administer and enforce the provisions of this Chapter."

Sec. 5. Section five (5) of Chapter one hundred eighteen (118), Acts

47th General Assembly, is hereby amended by striking all of lines one (1) and two (2) and inserting in lieu thereof the word "The";

Further amend said section by striking from line fourteen (14) the word "division" and inserting in lieu thereof the word "board";

Further amend said section by striking all of lines forty-four (44) and forty-five (45).

Sec. 6. Section six (6) of Chapter one hundred eighteen (118), Acts 47th General Assembly, is hereby amended by striking from lines two (2) and three (3) the words "subdivision of child welfare and with"; by striking from line five (5) the words, "or subdivision of child welfare"; by striking from lines seven (7) and eight (8) the words, "or the subdivision of child welfare"; and by striking from line thirteen (13) the words, "and the subdivision of child welfare".

Sec. 7. Sections seven (7), eight (8), nine (9), ten (10), and eleven (11) of Chapter one hundred eighteen (118), Acts 47th General Assembly, are hereby amended by striking therefrom the words, "subdivision of child welfare" where they appear and by inserting in each case the words "board of social welfare" or the words "state board" when appropriately referring to the board of social welfare.

Sec. 8. Section twelve (12) of Chapter one hundred eighteen (118), Acts 47th General Assembly, is hereby amended by striking from line six (6) the words, "subdivision of child welfare" and by inserting in lieu thereof the words, "state board of social welfare";

Also by striking from line seven (7) the words, "subdivision or".

Sec. 9. Section twelve (12) of Chapter one hundred forty-four (144), Acts 47th General Assembly, is hereby amended by striking from line two (2) the words, "or the state division".

Sec. 10. Section one (1) of Chapter one hundred eighty-six (186), Acts 47th General Assembly, is hereby amended by striking from line seven (7) the words, "old age assistance commission" and by inserting in lieu thereof the words, "state board of social welfare".

Sec. 11. Section eight (8) of Chapter one hundred thirty-seven (137), Acts 47th General Assembly, is hereby amended by striking from lines four (4) and five (5) the words, "following the words" and by inserting in lieu thereof the words, "the following words".

2. Amend the title by striking the period at the end thereof and adding thereto the following:

"; and to amend Chapter one hundred eighteen (118), Acts of the Forty-seventh General Assembly, relating to child welfare, section twelve (12) of Chapter one hundred forty-four (144), Acts of the Forty-seventh General Assembly, relating to aid to the blind, section one (1) of Chapter one hundred eighty-six (186), Acts of the Forty-seventh General Assembly, relating to suspension of taxes of persons receiving old-age assistance, and section eight (8) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, relating to old-age assistance."

HOUSE AMENDMENTS TO SENATE FILE 489

1. Amend section one (1) as follows:

(a) In line 4 strike the word "the" and insert the word "some".

(b) In line 6 strike the words "as claimed by the plaintiff".

(c) In line 14 strike the period after the word "controversy" and insert in lieu thereof the following: ", or when the governor of the state of Iowa by reason of a depression shall have by proclamation declared a state of emergency to exist within this state."

(d) In line 23 insert after the word "pests" the following: "or when the governor of the state of Iowa by reason of a depression shall have by proclamation declared a state of emergency to exist within this state,".

(e) Strike all of line 15 following the word "before" and that part of line 16 preceding the period, and insert in lieu thereof the words "final decree".

(f) In subsection c, line 43, insert after the word "equitable" the following: ", not to exceed one year".

2. Amend by striking all of section two (2).

3. Amend by inserting the following as section two (2):

"Sec. 2. If any section, subsection, clause, sentence, or phrase of this act is for any reason held to be unconstitutional and invalid such decision shall not affect the validity of the remaining portions of this act."

On motion of Senator Beardsley, House Concurrent Resolution 15 was taken up and considered.

HOUSE CONCURRENT RESOLUTION 15

Whereas, House Joint Resolution 138 has been introduced in the Congress of the United States making provision for the refund of the processing tax on hogs marketed for slaughter by the raisers and producers who in fact bore all or a part of the burden of such tax; and

Whereas, The Agricultural Adjustment Act, levying a processing tax has been held unconstitutional and said processing tax as previously assessed on hogs marketed for slaughter was in fact charged to the raisers and producers and was deducted from the market price of such hogs paid to such raisers and producers; and

Whereas, Congress has seen fit to refund that part of the processing tax that was borne by the packers and other processors; and

Whereas, Congress has seen fit to refund to the ginners and producers of cotton that portion of the penalty tax paid by them under the provisions of the Bankhead Cotton Control Act; and

Whereas, Congress has seen fit to refund the retirement fund to the one hundred fifty railroad corporations which had previously paid it under an unconstitutional act; and

Whereas, It is the recognized policy of the Congress of the United States to refund taxes levied or collected to those who were thus unjustly impoverished and bore the burden of such tax; and

Whereas, The hog producers of the nation are the only ones who have been discriminated against in not having been reimbursed by the govern-

ment of the United States on the processing tax which was in fact charged to the raisers and producers and was deducted from the market price of such hogs marketed for slaughter; now, therefore,

Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That the Congress now in session be memorialized to enact at this session House Joint Resolution 138 known as the Hog Processing Tax Refund Bill.

Be It Further Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That copies of this concurrent resolution be sent to the President of the United States and to the Representatives in Congress from this state and to Senator Lynn J. Frazier and Representative William Lemke.

Senators Gillette and Donohue offered the following amendment and moved its adoption:

Amend as follows:

Strike all after paragraph two (2) and add the following in lieu thereof:

“Whereas, It is universally conceded that the demand curve for hogs is of less than unit elasticity; and because of this fact, farmers do receive more net and gross income from raising fewer hogs than before a reduction program was put into effect, and farmers do benefit from a program similar to that employed by large industrial units in this country; and

“Whereas, The World War greatly increased the demand for agricultural products, with the result that some fifty million acres of grass land was broken up and put into crop production, and, since the export demand for farm produce is vitally affected by the self-sufficiency policies adopted by the dictatorial countries with the result that this country is now capable of producing more meat, milk, lard, grain and fibre than our national income will absorb at parity price, and, since it has been clearly shown that the individual decision of 6,400,000 farmers will not solve this problem, it is clearly evident that some kind of an agricultural policy designed to protect the farmer and promote the interests of the consumer must be followed if the prosperity of the country is to be fully developed and an independent rural citizenry maintained; and

“Whereas, The federal government, in relieving distress and stimulating business revival, has been unable to limit its expenditures to its receipts, and, since the National debt is now at an all time high and rapidly approaching the staggering sum of 50 billion dollars; now, therefore,

“Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That the Congress now in session be memorialized to amend and strengthen the Soil Conservation Act by giving duly elected local committees more local responsibility in administering the act, and to further provide for the development of some longtime method of making the program self-supporting so that it will not be a continual drain upon the public treasury, and that Congress be urged to so arrange the budget of these United States to the end that the continual piling up of annual deficits shall be averted, that stability and confidence shall be given the business interests of the nation, and that the future happiness of the citizens of our country shall be preserved.

Be It Further Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That copies of this concurrent resolution be sent to the President of the United States and to the Representatives in Congress from this state, and to Senator Lynn J. Frazier and Representative William Lemke."

The amendment was adopted.

The resolution as amended was adopted.

CONSIDERATION OF HOUSE FILE 566 RESUMED

On motion of Senator Donohue, consideration of House File 566, a bill for an act to validate all funds deposited by school corporations in banks which were not approved by the board of school directors, and to provide for the payment of such funds now on deposit in closed banks from the state sinking fund, was resumed.

Senators Breen and Kirketeg offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Where public bodies have heretofore deposited funds in banks without first complying with the provisions of Chapter Three Hundred fifty-two-D1 (352-D1), Code, 1935, and said banks have subsequently closed, such public bodies shall not be precluded, by their failure to so comply, from filing claims against the state sinking fund, and where such claims have been filed or are filed subsequently, such claims shall be allowed under the provisions of Chapter Three Hundred Fifty-two-A1 (352-A1), Code, 1935, the same as though there had been a complete compliance with the provisions of Chapter Three Hundred Fifty-two-D1 (352-D1), Code, 1935.

Sec. 2. Where public bodies have heretofore compromised their claims with the receivers of closed banks and no claims remain the property of such public bodies to which the treasurer of the state might be subrogated, and where claims have been filed or are filed subsequently against the state sinking fund, such claims shall be allowed under the provisions of Chapter Three Hundred Fifty-two-A-one (352-A1), Code, 1935, the same as though there had been a complete compliance with the provisions of Chapter Three Hundred Fifty-two-A1 (352-A1), Code, 1935.

By unanimous consent, on request of Senator Kirketeg, further action was deferred and the bill allowed to retain its place on the calendar as unfinished business.

HOUSE AMENDMENTS CONSIDERED

Senator Faul called up for consideration Senate File 248, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding thereto the following as section two (2):

Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Council Bluffs Nonpareil, a newspaper published at Council Bluffs, Iowa, and in the Wright County Monitor, a newspaper published at Clarion, Iowa.

The motion prevailed, and the Senate concurred in the House amendments.

THIRD READING OF BILLS

Senator Faul moved that Senate File 248, a bill for an act to amend Chapter one hundred twenty-two (122), Acts of the 46th General Assembly, relating to dangerous and concealed weapons, be read a third time now as amended, which motion prevailed and the bill was read a third time.

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

Ayes, 39:

Augustine	Dewey	Harvey	Mowry
Baldwin	Edwards	Henningsen	Parker
Beardsley	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Benson	Faul	Kirketeg	Shaw
Berg	Forsling	Leo	Sjulin
Breen	Geske	Martin	Stewart
Corwin	Gillette	Mighell	Vrba
Cromwell	Guernsey	Miller	Zeigler
Dean	Hart	Moore	

Nayes, none.

Absent or not voting, 11:

Byers	Ellis	Levis	Talbott
Donohue	Hill	Lundy	Whitehill
Doran	Husted	Smith	

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

Senator Faul 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 AMENDMENTS CONSIDERED

Senator Martin called up for consideration Senate File 15,

amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section one (1) by striking all of line seven (7) and line eight (8) up to the word "when".

2. Amend the title by striking the comma after the word "taxation" in line three (3) and inserting in lieu thereof a period, and by striking the remainder of the title.

The motion prevailed, and the Senate concurred in the House amendments.

THIRD READING OF BILLS

Senator Martin moved that Senate File 15, a bill for an act to amend section sixty-nine hundred forty-four (6944) of the Code of Iowa, 1935, relating to exemptions from taxation, and to provide for the exemption from taxation of certain interstate bridges, be read a third time now, as amended, 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	Harvey	Parker
Baldwin	Dewey	Henningsen	Pelzer
Beardsley	Donohue	Hoeven	Schadt
Bekman	Edwards	Hopkins	Shaw
Benson	Elthon	Kirketeg	Sjulin
Berg	Geske	Leo	Stewart
Byers	Gillette	Martin	Vrba
Corwin	Guernsey	Miller	Zeigler
Cromwell	Hart	Mowry	

Nays, none.

Absent or not voting, 15:

Breen	Faul	Levis	Smith
Doran	Forsling	Lundy	Talbott
Ellis	Hill	Mighell	Whitehill
Evans	Husted	Moore	

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

Senator Martin 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 AMENDMENTS CONSIDERED

Senator Bekman called up for consideration Senate File 101, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking the comma (,) after the word "misconduct" in line ten (10) of section one (1) and add after the word "misconduct" the following: "in connection with his employment,".

The motion prevailed and the Senate concurred in the House amendment.

THIRD READING OF BILLS

Senator Bekman moved that Senate File 101, a bill for an act to amend the law as it appears in Chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to specify and define certain disqualifications for unemployment benefits; to designate and describe employees engaged in their respective customary self-employments; and to repeal all acts, or parts of acts, in conflict herewith, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 32:

Beardsley	Donohue	Henningsen	Parker
Bekman	Edwards	Hoeven	Pelzer
Benson	Elthon	Hopkins	Schadt
Berg	Evans	Kirketeg	Shaw
Corwin	Geske	Leo	Sjullu
Cromwell	Gillette	Martin	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Mowry	Zeigler

Nays, 4:

Breen	Faul	Guernsey	Moore
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Absent or not voting, 14:

Augustine	Ellis	Levis	Smith
Baldwin	Forsling	Lundy	Stewart
Byers	Hill	Mighell	Talbott
Doran	Husted		

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

Senator Bekman 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 AMENDMENTS CONSIDERED

Senator Hoeven called up for consideration Senate File 322, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1), line seven (7), by inserting after the word "months" the following: "after the exoneration or discharge of the person arrested".

The motion prevailed and the Senate concurred in the House amendments.

THIRD READING OF BILLS

Senator Hoeven moved that Senate File 322, a bill for an act to amend subsection four (4) of section eleven thousand seven (11007), Code, 1935, relating to limitations of actions, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 41:

Baldwin	Donohue	Henningsen	Moore
Beardsley	Edwards	Hoeven	Mowry
Bekman	Elthon	Hopkins	Parker
Benson	Evans	Husted	Pelzer
Berg	Faul	Kirketeg	Schadt
Breen	Geske	Leo	Shaw
Byers	Gillette	Lundy	Sjulin
Corwin	Guernsey	Martin	Vrba
Cromwell	Hart	Mighell	Whitehill
Dean	Harvey	Miller	Zeigler
Dewey			

Nays, none.

Absent or not voting, 9:

Augustine	Forsling	Levis	Stewart
Doran	Hill	Smith	Talbott
Ellis			

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 Beardsley, House File 233, a bill for an act to amend section one hundred eighty-four (184), of the Code, 1935, by excluding binding, rebinding and repairs of library collections from term "printing", was taken up and considered.

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, 29:

Augustine	Dean	Guernsey	Miller
Beardsley	Dewey	Harvey	Schadt
Bekman	Edwards	Henningsen	Shaw
Benson	Faul	Hopkins	Sjulin
Berg	Forsling	Husted	Stewart
Breen	Geske	Lundy	Vrba
Byers	Gillette	Mighell	Whitehill
Cromwell			

Nays, 12:

Baldwin	Hoeven	Martin	Parker
Corwin	Kirketeg	Moore	Pelzer
Donohue	Leo	Mowry	Zeigler

Absent or not voting, 9:

Doran	Evans	Hill	Smith
Ellis	Hart	Levis	Talbot
Elthon			

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

Senator Faul 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 Forsling, Senate File 158, a bill for an act granting cities, including cities operating under special charter, authority to license and regulate by ordinance the installation and construction of warm air heating systems, ventilation work and the air distribution system to and from any air conditioning unit or units; and to provide for the licensing of master and journeymen installers of such plants, and permitting cities to fix penalties for the violation of such ordinances, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent, on request of Senator Forsling, further action was deferred and the bill allowed to retain its place on the calendar as unfinished business.

On motion of Senator Bekman, House File 628, a bill for an act to repeal section fifty-two hundred ninety-six-f ten (5296-f10), Code, 1935, as amended by section seven (7) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assem-

bly, and to enact a substitute in lieu thereof; to amend sections fifty-two hundred ninety-six-f twelve (5296-f12), fifty-two hundred ninety-six-f twenty-three (5296-f23), fifty-two hundred ninety-six-f twenty-seven (5296-f27), fifty-two hundred ninety-six-f thirty-four (5296-f34), fifty-two hundred ninety-six-f forty (5296-f40), Code, 1935; to amend sections three (3), eight (8), nine (9), fourteen-a (14-a), fifteen (15), twenty-five (25), twenty-eight (28), thirty-three (33), and thirty-seven (37) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, and section one (1) of Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly; and to further amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding new sections; relating to old age assistance, the amount thereof, and to whom granted; the liability of certain persons for support of a claimant or recipient of old age assistance; to the construction of the law governing old age assistance payments; to unredeemed warrants; to marking endorsements by use of fingerprints; to the powers and duties of the state board of social welfare and the duties of the county attorney; and to the amount of funds allocated to the payment of old age assistance, was taken up and considered.

Senators Bekman and Levis offered the following amendment and moved its adoption:

Amend as follows:

1. Amend section one (1) by striking all of said section and inserting in lieu thereof the following:

"Section —. Strike all of section fifty-two hundred ninety-six-f ten (5296-f10), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly and insert in lieu thereof the following:

"The amount of assistance shall be fixed with due regard to the condition of the individual, household situation and community in each instance, subject to the rules, regulations and standards adopted by the state board, but in no instance shall it be an amount which, when added to the income of the applicant from all other sources, exclusive of the exemptions hereinafter provided, shall exceed a total of twenty-five dollars (\$25.00) a month. However, a further allowance not to exceed five dollars (\$5.00) per month may be allowed, when essential, to meet additional expenses due to the individual's mental and/or physical condition'."

2. Amend by adding thereto as a new section, the following:

"Sec. 7. Amend section one (1), Chapter one hundred thirty-seven

(137), Acts of the Forty-seventh General Assembly, by inserting in line twenty-seven (27), following the word 'gain' a comma (,).

"Further amend said section by inserting in line thirty (30), following the word 'person', the punctuation and word ', trustee'.

"Further amend said section by inserting in line thirty (30), following the word and punctuation 'entity,', the words and punctuation 'or gratuity received from whatever source,'."

3. Amend section eight (8) by striking from line eleven (11) the words "shall not be considered", and inserting in lieu thereof the words "may be disregarded".

4. Amend section seventeen (17) by striking all of lines thirteen (13) to twenty-five (25), inclusive, and inserting in lieu thereof the following:

"In the event that a child or other responsible relative neglects or refuses to contribute to the support of a claimant or recipient, an action in equity may be commenced in the district court of the county in which a responsible relative resides and there may be joined as defendants in said action any or all other responsible relatives. The court may decree the amount of contribution, if any, to be made by each child or other responsible relative with due regard to their separate incomes, financial ability and obligations."

5. Amend section fifteen (15) by striking from line six (6) the word "compromised" and inserting in lieu thereof the word "compromise".

6. Amend section twenty (20) by striking lines four (4), five (5), six (6) and seven (7) and inserting in lieu thereof the following:

"following: 'assistance fund, from time to time as available, the first seven million dollars (\$7,000,000.00) collected each year'."

7. Amend by adding thereto as a new section, the following:

"Sec. —. Amend section fifty-two hundred ninety-six-f nineteen (5296-f19), Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding to said section, the following: 'The costs incurred in connection with any such hearing or examination shall be paid by the state board or county board, whichever issues the subpoenas; and witnesses shall be entitled to claim a two-dollar (\$2.00) fee and mileage expense at a rate of five cents (5c) per mile, except that responsible relatives as defined in sections fifty-two hundred ninety-eight (5298), fifty-three hundred one (5301) and ten thousand five hundred one-b six (10501-b6), Code, 1935, shall not be entitled to claim witness fees and mileage expense'."

8. Amend by adding thereto as a new section, the following:

"Sec. —. Amend section fifty-two hundred ninety-six-g two (5296-g2), Chapter two hundred sixty-six-F1 (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding thereto, the following: 'When proceeds are received from any insurance policy which was not assigned to the state board and which states the beneficiary to be the administrator, or legal representatives or estate of the insured, such proceeds shall be subject to the claim against said estate for any old age assistance payments to

or on behalf of such insured person or for any funeral claims paid and said claim shall be prior to the claim of the heirs thereto'."

9. Amend by adding thereto as a new section, the following:

"Sec. — Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding thereto as a new section the following:

"The state board or the court in determining the responsibility of a child for the support of a claimant or recipient, shall deem liability to begin when said child is receiving a net income from whatever source, commensurate with that upon which he would make an income tax payment to this state. In no event shall assistance be granted when the contribution made by or required of responsible relatives attains the equivalent of the maximum assistance payable under this Chapter'."

10. Amend by adding thereto as a new section, the following:

"Sec. — Amend Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by striking all of section twelve (12)."

11. Amend by adding thereto as a new section the following:

"Sec. — Amend section five thousand two hundred ninety-six-fifteen, (5296-f15), Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by striking lines one (1) to eighteen (18), inclusive, and inserting in lieu thereof, the following:

'On the death of a person receiving or who has received assistance under this Chapter or of the survivor of a married couple, either or both of whom were so assisted, the total amount paid as assistance, shall be allowed as a lien against the real estate in the estate of the decedent and as a claim of the second class against the personal estate of such decedent, in the event the estate is admitted to probate. Neither the homestead nor the proceeds therefrom of such decedent or his survivor, shall be exempt from the payment of said lien or claim, any act or statute to the contrary notwithstanding. The filing of its claim against the estate shall not constitute a waiver of the right of the state board, in behalf of the state, to maintain an action by equitable proceedings to foreclose upon its lien against a homestead left by the deceased recipient as well as any other real estate situated within the state of Iowa, and belonging to the estate of the deceased recipient. The proceeds of such claim shall be paid into the old age assistance revolving fund. In case of the death of either husband or wife, either or both of whom have been receiving or have received assistance under this Chapter, the estate of deceased shall not be settled or the homestead sold until the surviving spouse shall die or cease to occupy the homestead as'."

12. Amend by adding thereto as a new section the following:

"Sec. — Amend section fifteen (15), Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by striking all of lines fifty-three (53), fifty-four (54), fifty-five (55), fifty-six (56), and fifty-seven (57) and inserting in lieu thereof the following:

'The district court shall act as an appellant court to review the decision of the state board to determine whether or not it has therein com-

mitted fraud or abused its discretion. The costs may be taxed to appellant where the appeal is affirmed or may be remitted'."

13. Section fifty-two hundred ninety-six-f twenty-three (5296-f23), Code, 1935, as amended by section nineteen (19), Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, is amended by adding thereto the following:

"The state board may cancel the certificate of any recipient who is found by the state board to be acting in agreement with the authorities of any county charged with the duty of providing for the support of the poor if it shall appear to the state board that such agreement is with the intent to shift or would have the effect of shifting the responsibility of any such county or to evade the provisions of sections fifty-two hundred ninety-six-f twenty-seven (5296-f27), and fifty-two hundred ninety-six-f twenty-nine (5296-f29), Code, 1935".

14. Amend by renumbering the sections.

Senators Faul and Baldwin offered the following amendments to the amendment and moved their adoption:

1. Amend by striking the words and figures "twenty-five dollars (\$25.00)" found in line 13 of Sec. 1 and inserting in lieu thereof the words and figures "thirty dollars (\$30.00)".

2. Amend said section by striking the lines 13, 14, 15, and 16 after the period in line 13 beginning with the word "However" and inserting in lieu thereof the following: "In the event federal participation shall be granted in excess of fifteen dollars (\$15.00) per month for a recipient, the state maximum may be increased to such amount as will qualify the state for full federal participation."

3. Amend by striking the words and figures "seven million dollars (\$7,000,000.00)" found in line 31 and inserting in lieu thereof the words and figures "seven million five hundred thousand dollars (\$7,500,000.00)".

Roll call was requested on amendment 1:

President pro tem Hoeven took the chair at 10:39.

Senator Donohue moved the previous question on the amendment to the amendment, which motion prevailed.

President Hickenlooper took the chair at 11:18.

Senator Donohue moved that action be deferred until after the noon recess, which motion prevailed.

By unanimous consent, Senator Beardsley presented Miss Hendricks and the sixth grade of Indianola.

Senator Hopkins, on behalf of the Senate, presented Lieutenant-Governor Hickenlooper with a wrist watch.

Senator Donohue moved that the last paragraph of Rule 49 be suspended for the purpose of the executive session.

On motion of Senator Donohue, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the following nominations:

Karl Fischer of Vinton, for the position of safety commissioner for a term of four years ending June 30, 1943;

R. B. Laird of Fremont county, as a member of the state highway commission, for a term of four years ending June 30, 1943;

Leslie M. Eicher of Washington county, as a member of the state highway commission, for a term of four years ending June 30, 1943;

Randall Melson of Humboldt county, as a member of the state highway commission, for a term of four years ending June 30, 1943.

The Senate arose from executive session and resumed regular session.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 20, 1939, he had approved the following:

Senate File 104, relating to unemployment compensation and the methods of administration of such act.

Senate File 319, relating to unemployment compensation and the methods of administration of such act.

Senate File 334, relating to the segregation of funds from juvenile certificates.

Senate File 439, authorizing guardians to mortgage or encumber personal property and to obtain benefits by sealing grain.

Senate File 442, authorizing cities of the first class to levy emergency fund tax.

Senate File 483, relating to appropriations to Louisa county and others.

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

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 506, by committee on appropriations, a bill for an act making an appropriation for the payment of typewriter rental, miscellaneous expenses of the Forty-eighth General Assembly, and other expenses that are payable from the general fund of the state.

Read first and second times and placed on the calendar.

Senate Joint Resolution 10, by Senators Donohue, Geske, Corwin, Vrba, Henningsen, Forsling and Martin, a joint resolution creating a committee to investigate liquor control in the State of Iowa, including the regulation and control of licensing and sale of beer and the control of the sale of hard liquors, and to define the powers and duties of said commission, and to provide for the expenses of said commission.

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 House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 335, a bill for an act relating to federal bonds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 482, a bill for an act to make appropriations to certain named persons to cover refunds on motor vehicle registration fees.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 335

Amend the title to Senate File 335 by striking all of said title following the word "Act" in line one (1) and inserting in lieu thereof the following:

"to amend section eighty-eight hundred twenty-nine (8829), Code, 1935, relating to the investment of funds of fraternal beneficiary societies, orders, or associations organized under the laws of this state."

HOUSE AMENDMENTS TO SENATE FILE 482

Amend section one (1) by adding thereto, after line 137, the following:

S. P. Colby	Lake Mills, Iowa	T17-212	\$40.00
Clell Huffman	Bloomfield, Iowa	T26-73	25.00
F. E. Lorenz	Des Moines, Iowa	77-18584	15.00
Harry C. Snyder	Clinton, Iowa	23-9276	4.75

CONSIDERATION OF HOUSE FILE 628 RESUMED

Consideration of the amendment by Senator Faul to the amendment by Senators Bekman and Levis was resumed.

Rule 8 was invoked.

On the question "Shall amendment 1 be adopted?" the vote was:

Ayes, 18:

Augustine	Dean	Guernsey	Moore
Baldwin	Ellis	Hoeven	Mowry
Beardsley	Faul	Mighell	Shaw
Breen	Geske	Miller	Vrba
Byers	Gillette		

Nays, 29:

Bekman	Edwards	Hill	Parker
Benson	Elthon	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Corwin	Forsling	Kirketeg	Sjulin
Cromwell	Hart	Leo	Stewart
Dewey	Harvey	Levis	Whitehill
Donohue	Henningesen	Martin	Zeigler
Doran			

Absent or not voting, 3:

Lundy	Smith	Talbott
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The amendment was lost.

By unanimous consent, the written vote of Senator Husted was recorded.

By unanimous consent, on request of Senator Doran, the members of the conference committee on Substitute for House File 200 were excused.

By unanimous consent, on request of Senator Doran, Senate File 496 was placed on the calendar.

By unanimous consent, Senator Faul withdrew amendments 2 and 3.

Senators Shaw and Beardsley offered the following amendment to the amendment and moved its adoption:

Amend amendment six (6) by striking the words and figures "seven million dollars (\$7,000,000.00)" and inserting in lieu thereof the words and figures "five million five hundred thousand dollars (\$5,500,000.00)" and also by striking the period (.) at the end of said amendment and inserting the following "and to add thereto the sum of one million five hundred thousand dollars (\$1,500,000.00) to be taken out of the general fund."

By unanimous consent, Senators Shaw and Beardsley withdrew the amendment.

Senators Bekman and Levis offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding at the end of section one (1) thereof the following:

"In no case, however, shall the amount of assistance paid to an individual be less than five dollars (\$5.00) per month".

The amendment to the amendment was lost.

The amendment was adopted.

Senator Bekman moved that the bill be read a third 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	Henningsen	Moore
Baldwin	Donohue	Hoeven	Mowry
Beardsley	Edwards	Hopkins	Pelzer
Bekman	Elthon	Husted	Parker
Benson	Evans	Kirketeg	Schadt
Berg	Faul	Leo	Shaw
Breen	Geske	Levis	Sjulin
Byers	Gillette	Lundy	Stewart
Corwin	Guernsey	Martin	Vrba
Cromwell	Hart	Mighell	Whitehill
Dean	Harvey	Miller	Zeigler

Nays, none.

Absent or not voting, 6:

Doran	Forsling	Smith	Talbott
Ellis	Hill		

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

Senator Levis offered the following amendment to the title and moved its adoption:

Amend by striking all of said title and inserting in lieu thereof the following:

An Act to repeal section fifty-two hundred ninety-six-f ten (5296-f10), Code, 1935, as amended by section seven (7) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, and to enact a substitute in lieu thereof; to amend sections fifty-two hundred ninety-six-f twelve (5296-f12), fifty-two hundred ninety-six-f fifteen (5296-f15), as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, fifty-two hundred ninety-six-f nineteen (5296-f19), fifty-two hundred ninety-six-f twenty-three (5296-f23), fifty-two hundred ninety-six-f twenty-seven (5296-f27), fifty-two hundred ninety-six-f thirty-four (5296-f34), fifty-two hundred ninety-six-f forty (5296-f40), fifty-two hundred ninety-six-g two (5296-g2), as amended by Chapter one hundred thirty-seven, Acts of the Forty-seventh General Assembly, Code, 1935; to amend sections one (1), three (3), eight (8), nine (9), twelve (12), fourteen a (14a), fifteen (15), twenty-five (25), twenty-eight (28), thirty-three (33), and thirty-seven (37) of Chapter one hundred thirty-seven (137), acts of the Forty-seventh General Assembly; to amend section one (1) of Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly; and to further amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding thereto new sections; all relating to old age assistance, the amount thereof, and to whom granted; the liability of certain persons for the support of a claimant or recipient of old age assistance; to the power and duty of the court in determining the responsibility of a child for support; to the review by the court of the decisions of the state board of social welfare; to costs incurred in connection with hearings; to the deduction from the estate of a recipient and providing for a lien against said estate; to the right of the state board to cancel a certificate of assistance; to the construction of the law governing old age assistance payments; to unredeemed warrants; to marking endorsements by use of fingerprints; to the powers and duties of the state board of social welfare and the duties of the county attorney; and to the amount of funds allocated to the payment of old age assistance.

The amendment was adopted, and the title as amended was agreed to.

Senator Bekman 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 Harvey asked unanimous consent to have Senate File 399 made a special order of business for Friday at 10:00.

Objection was made.

On motion of Senator Berg, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel.

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 328, a bill for an act relating to oil and gas wells.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 328

1. Amend by striking all of section one (1) and inserting in lieu thereof the following:

"Section 1. Protection of underground fresh water strata. The driller, owner, or operator, drilling well or wells for oil and gas purposes, shall use such practical methods as pipe, cement, mud, or any other scientific method, known or commonly used in the oil industry, as will properly protect all contiguous underground fresh water strata from pollution or contamination to a depth of three hundred (300) feet. The provisions of this section shall not apply to hole or holes core-drilled for geological purposes. It shall be the duty of any such driller, owner, or operator to file with the state geologist a sworn report, on blanks to be furnished by the state geologist, which report shall contain a complete record of their compliance with this section. Said report shall be filed within sixty (60) days after the completion of said well."

2. Amend by striking all of section eleven (11).

3. Amend the title by striking from lines one (1) and two (2) the following: "prohibiting waste of fresh water strata, coal strata, or mineral strata;" and inserting in lieu thereof the following: "protection of underground fresh water strata;"

Further amend the title by striking from the last line thereof the following: "alienation of oil and gas and mineral rights;"

Senator Mowry renewed his motion that all bills on the calendar except bills by the appropriations and consolidation and reorganization committees and legalizing acts be referred to the sifting committee.

By unanimous consent, Senator Donohue withdrew his substitute motion of yesterday.

Senator Berg moved to amend the motion by Senator Mowry by adding House File 155 to the list of exempted bills under the motion.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 33:

Augustine	Dean	Hill	Moore
Baldwin	Elthon	Hoeven	Parker
Beardsley	Evans	Hopkins	Pelzer
Bekman	Faul	Kirketeg	Schadt
Benson	Geske	Leo	Shaw
Berg	Hart	Lundy	Vrba
Breen	Harvey	Mighell	Whitehill
Byers	Henningsen	Miller	Zeigler
Cromwell			

Nays, 11:

Corwin	Edwards	Husted	Sjulin
Dewey	Gillette	Martin	Stewart
Donohue	Guernsey	Mowry	

Absent or not voting, 6:

Doran	Forsling	Smith	Talbott
Ellis	Levis		

The amendment was adopted.

Senator Bekman moved to amend the motion by adding House Files 58, 138, and 57 to the exempted list.

Senator Dewey offered as a substitute for all pending motions that all bills be re-referred to the sifting committee and moved its adoption.

The substitution was made and the substitute motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Cromwell called up for consideration Senate File 482, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1) by adding thereto, after line 137, the following:			
S. P. Colby	Lake Mills, Iowa	T17-212	\$40.00
Clell Huffman	Bloomfield, Iowa	T26-73	25.00
F. E. Lorenz	Des Moines, Iowa	77-18584	15.00
Harry C. Snyder	Clinton, Iowa	23-9276	4.75

The motion prevailed, and the Senate concurred in the House amendment.

THIRD READING OF BILLS

Senator Cromwell moved that Senate File 482, a bill for an act to make appropriations to certain named persons to cover re-

funds on motor vehicle registration fees, be read a third time now, as amended, 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	Hoeven	Mowry
Baldwin	Elthon	Hopkins	Parker
Beardsley	Evans	Husted	Pelzer
Bekman	Faul	Kirketeg	Schadt
Berg	Geske	Leo	Shaw
Breen	Gillette	Lundy	Sjulin
Byers	Guernsey	Martin	Stewart
Corwin	Hart	Mighell	Vrba
Cromwell	Harvey	Miller	Whitehill
Dean	Henningsen	Moore	Zeigler
Dewey			

Nays, none.

Absent or not voting, 9:

Benson	Ellis	Hill	Smith
Donohue	Forsling	Levis	Talbott
Doran			

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

Senator Cromwell 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 MESSAGES CONSIDERED

House File 653, a bill for an act to legalize a special election held in the town of Wilton, Wilton Junction, Iowa, on the 26th day of September, 1938, on the proposition of authorizing said town to construct and equip a new town hall and contract indebtedness and issue bonds for such purpose and levy a tax annually upon the taxable property in said town for the payment of such bonds and the interest thereon and to legalize indebtedness incurred and taxes levied pursuant thereto and the proceedings providing for the issuance and sale of said bonds and to declare bonds issued pursuant to said election to be valid and enforceable obligations of said town.

Read first and second times and referred to sifting committee.

SENATE CONCURRENT RESOLUTION 18

Whereas, During the Spanish-American war the troops who were serving in the Philippine Islands in 1899 were requested by the War Department to remain in service for an additional six (6) months after the expiration of their enlistment period and until troops could be sent to replace them; and

Whereas, These troops were promised by the officers in charge that if they would so remain during the period of such emergency then existing that they would be given regular travel pay of soldiers whose enlistments expired and reenlisted in the service of the United States, as was authorized by section fifteen (15) of the army bill then in force; and

Whereas, These troops were held in service for said six (6) months' period under such agreement and these troops were never paid such travel pay so promised; and

Whereas, Numerous citizens of the state of Iowa would be greatly benefited by such payment; and

Whereas, H. R. 289 of the Federal Congress covering such payment has been passed by the House of Representatives and is now before the Senate; now, therefore,

Be It Resolved by the Senate, the House Concurring: That the Legislature of Iowa duly assembled in Des Moines, Iowa respectfully petition the members of the Senate of the National Congress to enact with all convenient speed H. R. 289; and

Be It Further Resolved: That the Secretary of the Senate cause copies of this resolution, duly certified, to be transmitted to the Senators and Representatives in Congress from the state of Iowa, and that they be urged to use their best offices to procure the enactment of H. R. 289.

B. C. WHITEHILL.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 57, 103, 303, 321, 368, 381, 389, 427, 436, 445, 448, 451, 467, 468, 469, 470, 471, 472, 480 and 484, and House Files 235 and 256.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 57, 103, 303, 321, 368, 381, 389, 427, 436, 445, 448, 451, 467, 468, 469, 470, 471, 472, 480 and 484, and House Files 235 and 256.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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, 1939, sent to the Governor for his approval, Senate Files 57, 103, 303, 321, 368, 381, 389, 427, 436, 445, 448, 451, 467, 468, 469, 470, 471, 472, 480 and 484.

RALPH E. BENSON, *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: House Files 647, and 566, Senate File 506; House Files 652 and 653, Senate Files 449, 450, 453, 454; House Files 540, 541, 542, 245; Senate Joint Resolutions 9, 10 and 8; House Files 121, 635, 633, 236, 89, 77, 159, 130, 376, 358, 575 and 84, and Senate Concurrent Resolution 18.

E. P. DONOHUE, *Chairman.*

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 373 as follows:

1. By adding after line 29 of Section 3 a new subsection as follows:

"(11) That part of the receipts from sales of tangible personal property accepted as part consideration in the sale in Iowa of other property which is not in excess of the original trade-in valuation, provided the seller keeps an accurate record of the identity of such tangible personal property so as to show the name and address of the persons from whom acquired and to whom sold and the exact trade-in and sale price."

2. By striking from line 3 of Section 4a the word "automobiles" and inserting in lieu thereof the words "new motor vehicles and new trailers" and by striking from lines 1 and 2 of Section 4a the words "and used automobiles, trucks and other vehicles" and inserting in lieu thereof the words "motor vehicles and new trailers".

A. J. SHAW.

MR. PRESIDENT: Amend House File 633 as follows:

1. By inserting after the comma (,) following the word "Illinois" in line twelve (12) the words "Minnesota, Missouri".

2. By inserting in Sec. 16 following the comma (,) after the word "season" in line five (5) "on which there is no daily catch limit".

3. By striking all of Sections 13, 14, 15 and 17.

4. By adding the following sections:

Section —. Section seventeen hundred four (1704) Code, 1935, is amended:

(1) By inserting "crayfish" after the word "clams" in line two (2);

(2) By inserting the words "land and" after the word "other" in line four (4);

(3) By inserting “, and all other wildlife” after the word “eggs” in line seven (7).

Section —. Section seventeen hundred five (1705), Code, 1935, is amended:

(1) By inserting “, crayfish” after the word “clams” in line three (3);

(2) By inserting “, or other wildlife” after the word “eggs” in line four (4).

Section —. Section seventeen hundred forty-five (1745), Code, 1935, is amended by adding after the period (.) in line twelve (12): “Undesirable or injurious fish shall mean any species that in the judgment of the commission exist in improper proportions to other aquatic life.”

5. By striking all of Sections 18 and 19.

A. CLAIRE DEWEY.

MR. PRESIDENT: Substitute for the Breen and Baldwin amendment to section three (3) of House File 647 the following: Amend House File 647, section three (3), by adding the following: “For a new psychopathic hospital including medical administration, physicians’ offices, examination room, record rooms and equipment, \$250,000.00”. LEO ELTHON.

Senator Beardsley moved that the Senate adjourn until 10:00 a. m. Friday.

Senator Bekman offered as a substitute that the Senate recess until 7:30 p. m.

The substitute motion was lost.

Senator Dewey moved to amend the motion by changing the hour from 10:00 to 9:00 a. m. Friday.

The amendment was lost.

The motion by Senator Beardsley prevailed and the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 21, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. George W. Robinson, pastor of Corinthian Baptist church, of Des Moines.

The Journal of April 20th was corrected and approved.

By unanimous consent, on request of Senator Whitehill, Senate Concurrent Resolution 18 was taken up and considered.

SENATE CONCURRENT RESOLUTION 18

Whereas, During the Spanish-American war the troops who were serving in the Philippine Islands in 1899 were requested by the War Department to remain in service for an additional six (6) months after the expiration of their enlistment period and until troops could be sent to replace them; and

Whereas, These troops were promised by the officers in charge that if they would so remain during the period of such emergency then existing that they would be given regular travel pay of soldiers whose enlistments expired and reenlisted in the service of the United States, as was authorized by section fifteen (15) of the army bill then in force; and

Whereas, These troops were held in service for said six (6) months' period under such agreement and these troops were never paid such travel pay so promised; and

Whereas, Numerous citizens of the state of Iowa would be greatly benefitted by such payment; and

Whereas, H. R. 289 of the Federal Congress covering such payment has been passed by the House of Representatives and is now before the Senate; now, therefore,

Be It Resolved by the Senate, the House Concurring: That the Legislature of Iowa duly assembled in Des Moines, Iowa, respectfully petition the members of the Senate of the National Congress to enact with all convenient speed H. R. 289; and

Be It Further Resolved: That the Secretary of the Senate cause copies of this resolution, duly certified, to be transmitted to the Senators and Representatives in Congress from the state of Iowa, and that they be urged to use their best offices to procure the enactment of H. R. 289.

The resolution was adopted.

By unanimous consent on request of Senator Whitehill, Senate Concurrent Resolution 18 was messaged to the House immediately.

By unanimous consent, on request of Senator Donohue, Senate File 490 was placed on the calendar for immediate consideration.

THIRD READING OF BILLS

On motion of Senator Breen, Senate File 490, a bill for an act to confirm, ratify, legalize and declare valid for all purposes the action of the board of supervisors of Webster county, Iowa, in erecting in the city of Fort Dodge, in said county of Webster and state of Iowa, a building for the purpose of housing welfare and juvenile agencies of said county, 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, 37:

Augustine	Ellis	Hoeven	Mowry
Baldwin	Evans	Hopkins	Pelzer
Bekman	Faul	Husted	Schadt
Breen	Geske	Kirketeg	Shaw
Byers	Gillette	Leo	Sjulin
Corwin	Guernsey	Martin	Stewart
Cromwell	Hart	Mighell	Talbott
Dean	Harvey	Miller	Whitehill
Dewey	Henningsen	Moore	Zeigler
Edwards			

Nays, none.

Absent or not voting, 13:

Beardsley	Doran	Hill	Parker
Benson	Elthon	Levis	Smith
Berg	Forsling	Lundy	Vrba
Donohue			

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, Senate File 490 was messaged to the House immediately.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 166

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House on Senate File 166 relating to the creation of sub-divisions of the state to be known as Soil Conservation Districts, beg leave to report that we have had the same under consideration and recommend the following:

That the Senate concur in House amendment 1, in the second paragraph of House amendment 2, and House amendment 11.

CARL O. SJULIN.

O. J. KIRKETEĠ.

RICHARD V. LEO.

EARL DEAN.

On the Part of the Senate.

DAVID A. DANCER.

EARL C. FISHBAUGH, JR.

FRED J. RITCHIE.

HARRY E. WEICHMAN.

On the Part of the House.

By unanimous consent, on request of Senator Sjulín, the report was taken up for consideration.

Senator Sjulín moved that the Senate adopt the committee report and concur in House amendment 1, in the second paragraph of House amendment 2, and in House amendment 11, which motion prevailed, and the Senate concurred in the House amendments.

Senator Sjulín moved that Senate File 166, a bill for an act to declare the necessity of creating governmental subdivisions of the state to be known as "soil conservation districts," to engage in conserving soil resources and preventing and controlling soil erosion; to establish the state soil conservation committee, and to define its powers and duties; to provide for the creation of soil conservation districts; to define the powers and duties of soil conservation districts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift, and otherwise; to provide for discontinuance of such soil conservation districts; to provide for financial assistance to such soil conservation districts, and making an appropriation for that purpose, and for otherwise effectuating the provisions of this Act, and for other purposes, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 29:

Beardsley
Bekman
Corwin
Cromwell

Dean
Dewey
Donohue
Edwards

Ellis
Evans
Faul
Geske

Guernsey
Hart
Harvey
Hopkins

Kirketeg	Miller	Shaw	Talbott
Leo	Mowry	Sjulin	Vrba
Levis	Schadt	Stewart	Whitehill
Martin			

Nays, 4:

Augustine	Gillette	Mighell	Moore
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Absent or not voting, 17:

Baldwin	Doran	Hill	Parker
Benson	Elthon	Hoeven	Pelzer
Berg	Forsling	Husted	Smith
Breen	Henningsen	Lundy	Zeigler
Byers			

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

Senator Sjulin 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.

EXPLANATION OF VOTE

MR. PRESIDENT: Since the House amendments to Senate File 166 prohibited tenant farmers from voting in the election held to decide the possibility of creating a soil district, and, since 70% of the agricultural land in Iowa is farmed by tenants, we feel it our duty to vote against any bill which denies a substantial majority of farmers the right to have a voice in the farm practices recommended for their farms.

L. S. GILLETTE
W. MIGHELL.

HOUSE AMENDMENTS CONSIDERED

Senator Kirketeg called up for consideration Senate File 328, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend by striking all of section one (1) and inserting in lieu thereof the following:

"Section 1. Protection of underground fresh water strata. The driller, owner, or operator, drilling well or wells for oil and gas purposes, shall use such practical methods as pipe, cement, mud, or any other scientific method, known or commonly used in the oil industry, as will properly protect all contiguous underground fresh water strata from pollution or contamination to a depth of three hundred (300) feet. The provisions of this section shall not apply to hole or holes core-drilled for geological purposes. It shall be the duty of any such driller, owner, or operator to file with the state geologist a sworn report, on blanks to be furnished by the state geologist, which report shall contain a complete record of their compliance with this section. Said report shall be filed within sixty (60) days after the completion of said well."

2. Amend by striking all of section eleven (11).

3. Amend the title by striking from lines one (1) and two (2) the following: "prohibiting waste of fresh water strata, coal strata, or mineral strata;" and inserting in lieu thereof the following: "protection of underground fresh water strata;"

Further amend the title by striking from the last line thereof the following: "alienation of oil and gas and mineral rights;"

The motion prevailed and the Senate concurred in the House amendments.

THIRD READING OF BILLS

Senator Kirketeg moved that Senate File 328, a bill for an act relating to oil and gas wells; protection of underground fresh water strata; offset drilling; notice to be given state geologist; plugging dry and abandoned wells; log, potential and plugging record to be filed; duty to have forfeited lease released, affidavit of non-compliance to be recorded, notice to land owner, remedies; same, action to obtain release, damages, costs and attorney's fees, attachment; extension upon contingency, affidavit; liens for labor or materials and of contractor and subcontractor, manner of perfecting liens, enforcement of liens; state or any municipality to have authority to execute leases; invalidation, as amended, be read a third 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	Hoeven	Pelzer
Beardsley	Evans	Hopkins	Schadt
Bekman	Faul	Husted	Shaw
Breen	Geske	Kirketeg	Sjulin
Corwin	Gillette	Leo	Stewart
Cromwell	Guernsey	Levis	Talbott
Dean	Hart	Martin	Vrba
Dewey	Harvey	Mighell	Whitehill
Edwards	Henningsen	Moore	Zeigler
Ellis	Hill	Mowry	

Nays, none.

Absent or not voting, 11:

Baldwin	Byers	Forsling	Parker
Benson	Donohue	Lundy	Smith
Berg	Doran	Miller	

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

Senator Kirketeg 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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 24, memorializing the Congress of the United States in the interest of the General Welfare Bill H. R. 2.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 24

Memorializing the Congress of the United States in the interest of the General Welfare Bill H. R. 2.

Whereas, The problems of unemployment and social security are two of the most vital economic issues now confronting the people of the State of Iowa, as well as other states of the union; and

Whereas, The United States government has incurred an enormous debt in providing a bare subsistence for millions of unemployed persons; and

Whereas, It will be impossible to continue such relief indefinitely without serious injury to the credit of the nation; and

Whereas, The economic problems of unemployment and social security cannot be properly handled by individual states but are national problems involving the general welfare of the whole nation;

Therefore, Be It Resolved By The House, The Senate Concurring: That the Legislature of Iowa duly assembled in Des Moines, Iowa, respectfully petition the members of the national Congress that bill H. R. 2, now pending in the present Congress, be brought out onto the floor for open and full discussion, to the end that the merits of the bill may be considered in open debate, and that a copy of this resolution be sent to each of the members of the committee on Ways and Means of the National House of Representatives, the Iowa Members of Congress, and the President of the United States.

HOUSE AMENDMENTS CONSIDERED

Senator Hoeven called up for consideration Senate File 489, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section one (1) as follows:

(a) In line 4 strike the word "the" and insert the word "some."

(b) In line 6 strike the words "as claimed by the plaintiff".

(c) In line 14 strike the period after the word "controversy" and insert in lieu thereof the following: ", or when the governor of the state

of Iowa by reason of a depression shall have by proclamation declared a state of emergency to exist within this state.”.

(d) In line 23 insert after the word “pests” the following: “or when the governor of the state of Iowa by reason of a depression shall have by proclamation declared a state of emergency to exist within this state.”.

(e) Strike all of line 15 following the word “before” and that part of line 16 preceding the period, and insert in lieu thereof the words “final decree”.

(f) In subsection c, line 43, insert after the word “equitable” the following: “, not to exceed one year”.

2. Amend by striking all of section two (2).

3. Amend by inserting the following as section two (2):

“Sec. 2. If any section, subsection, clause, sentence, or phrase of this act is for any reason held to be unconstitutional and invalid such decision shall not affect the validity of the remaining portions of this act.”

Roll call was requested.

On the question “Shall the Senate concur in the House amendments?” the vote was:

Ayes, 31:

Augustine	Elthon	Hopkins	Schadt
Beardsley	Faul	Husted	Shaw
Benson	Geske	Martin	Sjulin
Breen	Guernsey	Mighell	Stewart
Dean	Harvey	Miller	Talbott
Dewey	Henningsen	Moore	Vrba
Edwards	Hill	Mowry	Whitehill
Ellis	Hoeven	Pelzer	

Nays, 5:

Bekman	Cromwell	Doran	Kirketeg
Byers			

Absent or not voting, 14:

Baldwin	Evans	Leo	Parker
Berg	Forsling	Levis	Smith
Corwin	Gillette	Lundy	Zeigler
Donohue	Hart		

The motion prevailed and the Senate concurred in the House amendments.

Senator Hoeven moved that Senate File 489, a bill for an act to amend Chapter five hundred twenty-five (525), Code, 1935, and to grant additional power to courts of equity, to extend the time for entering judgments or decrees 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 for other inci-

dental and related matters, be read a third time now, as amended, 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	Hopkins	Pelzer
Beardsley	Faul	Husted	Schadt
Bekman	Geske	Levis	Shaw
Benson	Guernsey	Martin	Sjulin
Breen	Harvey	Mighell	Stewart
Dean	Henningsen	Miller	Talbott
Dewey	Hill	Moore	Vrba
Edwards	Hoeven	Mowry	Whitehill
Ellis			

Nays, 3:

Byers	Cromwell	Doran
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Absent or not voting, 14:

Baldwin	Evans	Kirketeg	Parker
Berg	Forsling	Leo	Smith
Corwin	Gillette	Lundy	Zeigler
Donohue	Hart		

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.

HOUSE AMENDMENTS CONSIDERED

Senator Faul called up for consideration Senate File 335, amended by the House, and moved that the Senate concur in the following amendment:

Amend the title by striking all of said title following the word "Act" in line one (1) and inserting in lieu thereof the following: "to amend section eighty-eight hundred twenty-nine (8829), Code, 1935, relating to the investment of funds of fraternal beneficiary societies, orders, or associations organized under the laws of this state."

The motion prevailed, and the Senate concurred in the House amendment.

Senator Faul moved that Senate File 335, a bill for an act to amend section eighty-eight hundred twenty-nine (8829), Code, 1935, relating to the investment of funds of fraternal beneficiary societies, orders, or associations organized under the laws of this

state, be read a third time now, as amended, 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	Mowry
Baldwin	Doran	Hoeven	Felzer
Beardsley	Edwards	Hopkins	Schadt
Bekman	Ellis	Husted	Shaw
Benson	Elthon	Kirketeg	Sjulin
Berg	Faul	Leo	Stewart
Breen	Guernsey	Martin	Talbott
Byers	Hart	Mighell	Vrba
Corwin	Harvey	Miller	Whitehill
Cromwell	Henningsen	Moore	Zeigler
Dean			

Nays, none.

Absent or not voting, 9:

Donohue	Geske	Levis	Parker
Evans	Gillette	Lundy	Smith
Forsling			

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

Senator Faul 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 Bekman called up for consideration Senate File 475, amended by the House, as follows:

1. Amend by adding thereto the following sections:

Sec. 2. Section two (2) of Chapter one hundred eighteen (118), Acts 47th General Assembly, is hereby amended by striking all of lines five (5) to thirteen (13), inclusive.

Sec. 3. Section three (3) of Chapter one hundred eighteen (118), Acts 47th General Assembly, is hereby repealed.

Sec. 4. Section four (4) of Chapter one hundred eighteen (118), Acts 47th General Assembly, is hereby amended by striking lines three (3) to five (5), inclusive, and inserting in lieu thereof the following:

"(1) Administer and enforce the provisions of this Chapter."

Sec. 5. Section five (5) of Chapter one hundred eighteen (118), Acts 47th General Assembly, is hereby amended by striking all of lines one (1) and two (2) and inserting in lieu thereof the word "The";

Further amend said section by striking from line fourteen (14) the word "division" and inserting in lieu thereof the word "board";

Further amend said section by striking all of lines forty-four (44) and forty-five (45).

Sec. 6. Section six (6) of Chapter one hundred eighteen (118), Acts

47th General Assembly, is hereby amended by striking from lines two (2) and three (3) the words "subdivision of child welfare and with"; by striking from line five (5) the words, "or subdivision of child welfare"; by striking from lines seven (7) and eight (8) the words, "or the subdivision of child welfare"; and by striking from line thirteen (13) the words, "and the subdivision of child welfare".

Sec. 7. Sections seven (7), eight (8), nine (9), ten (10), and eleven (11) of Chapter one hundred eighteen (118), Acts 47th General Assembly, are hereby amended by striking therefrom the words, "subdivision of child welfare" where they appear and by inserting in each case the words "board of social welfare" or the words "state board" when appropriately referring to the board of social welfare.

Sec. 8. Section twelve (12) of Chapter one hundred eighteen (118), Acts 47th General Assembly, is hereby amended by striking from line six (6) the words, "subdivision of child welfare" and by inserting in lieu thereof the words, "state board of social welfare";

Also by striking from line seven (7) the words, "subdivision or".

Sec. 9. Section twelve (12) of Chapter one hundred forty-four (144), Acts 47th General Assembly, is hereby amended by striking from line two (2) the words, "or the state division".

Sec. 10. Section one (1) of Chapter one hundred eighty-six (186), Acts 47th General Assembly, is hereby amended by striking from line seven (7) the words, "old age assistance commission" and by inserting in lieu thereof the words, "state board of social welfare".

Sec. 11. Section eight (8) of Chapter one hundred thirty-seven (137), Acts 47th General Assembly, is hereby amended by striking from lines four (4) and five (5) the words, "following the words" and by inserting in lieu thereof the words, "the following words".

2. Amend the title by striking the period at the end thereof and adding thereto the following:

"; and to amend Chapter one hundred eighteen (118), Acts of the Forty-seventh General Assembly, relating to child welfare, section twelve (12) of Chapter one hundred forty-four (144), Acts of the Forty-seventh General Assembly, relating to aid to the blind, section one (1) of Chapter one hundred eighty-six (186), Acts of the Forty-seventh General Assembly, relating to suspension of taxes of persons receiving old-age assistance, and section eight (8) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, relating to old-age assistance."

Senator Bekman offered the following amendment to the House amendments and moved its adoption:

Amend by inserting the word "state" before the word "board" in lines eighteen (18) and thirty-three (33) of amendment number one (1).

The amendment to the amendment was adopted.

Senator Bekman moved that the Senate concur in the House amendments as amended, which motion prevailed.

THIRD READING OF BILLS

Senator Bekman moved that Senate File 475, a bill for an act to amend section six (6), Chapter one hundred fifty-one (151), Acts of the Forty-seventh General Assembly, relating to powers and duties of the state board of social welfare; and to amend Chapter one hundred eighteen (118), Acts of the Forty-seventh General Assembly, relating to child welfare, section twelve (12) of Chapter one hundred forty-four (144), Acts of the Forty-seventh General Assembly, relating to aid to the blind, section one (1) of Chapter one hundred eighty-six (186), Acts of the Forty-seventh General Assembly, relating to suspension of taxes of persons receiving old-age assistance, and section eight (8) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, relating to old-age assistance, be read a third time now, as amended, 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	Hopkins	Mowry
Baldwin	Ellis	Husted	Schadt
Beardsley	Elthon	Kirketeg	Shaw
Bekman	Evans	Leo	Sjulin
Breen	Faul	Levis	Stewart
Corwin	Geske	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler
Donohue	Hill	Moore	

Nays, none.

Absent or not voting, 11:

Benson	Doran	Henningsen	Pelzer
Berg	Forsling	Hoeven	Smith
Byers	Gillette	Parker	

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

Senator Bekman 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 of the Senate, a quorum being present, which the President announced as two-thirds of the membership, the Senate took from the table Senator Bekman's motion to reconsider the vote by which House File 628 passed the Senate.

Senator Bekman moved to reconsider the vote by which House File 628 passed the Senate.

On the question "Shall the Senate reconsider the vote by which House File 628 passed the Senate?" the vote was:

Ayes, 37:

Augustine	Donohue	Harvey	Mowry
Baldwin	Doran	Hill	Parker
Beardsley	Edwards	Hopkins	Pelzer
Bekman	Ellis	Husted	Schadt
Berg	Evans	Kirketog	Stewart
Breen	Faul	Leo	Talbott
Byers	Geske	Levis	Vrba
Corwin	Guernsey	Lundy	Whitehill
Cromwell	Hart	Miller	Zeigler
Dewey			

Nays, none.

Absent or not voting, 13:

Benson	Gillette	Martin	Shaw
Dean	Henningsen	Mighell	Sjulin
Elthon	Hoeven	Moore	Smith
Forsling			

The motion prevailed and the Senate reconsidered the vote by which House File 628 passed the Senate.

Senator Bekman moved to reconsider the vote by which House File 628 went to its third reading, which motion prevailed.

Senator Bekman moved to reconsider the vote by which the amendment, found on pages 1300-1303 of the Journal, passed the Senate, which motion prevailed.

Senators Bekman and Levis offered the following amendments to the amendment and moved their adoption:

1. Amend by striking from amendment nine (9), the following:

"Amend by adding thereto as a new section, the following: "; and inserting in lieu thereof the following:

"Amend by striking all of section sixteen (16) and inserting in lieu thereof the following:".

2. Amend by striking all of amendment six (6) and inserting in lieu thereof the following:

"6. Amend section twenty (20) by striking lines four (4), five (5), six (6) and seven (7) and inserting in lieu thereof the following: "following: "pension fund, from time to time as available, the next five million five hundred thousand dollars (\$5,500,000.00) collected each year" and inserting in lieu thereof the words and punctuation, "assistance fund, from time to time as available, the first seven million dollars (\$7,000,000.00) collected each year" '."

3. Amend by striking from amendment eleven (11) the word "recipient" wherever it appears in said amendment.

4. Amend by striking from amendment thirteen (13), the following: "Section fifty-two hundred ninety-six-f twenty-three (5296-f 23), Code, 1935, as amended by section nineteen (19), Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, is amended by adding thereto the following: "; and by inserting in lieu thereof the following:

Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding thereto as a new section, the following:".

The amendments to the amendment were adopted.

The amendment as amended was adopted.

Senator Bekman moved that House File 628, a bill for an act to repeal section fifty-two hundred ninety-six-f ten (5296-f10), Code, 1935, as amended by section seven (7) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, and to enact a substitute in lieu thereof; to amend sections fifty-two hundred ninety-six-f twelve (5296-f12), fifty-two hundred ninety-six-f twenty-three (5296-f23), fifty-two hundred ninety-six-f twenty-seven (5296-f27), fifty-two hundred ninety-six-f thirty-four (5296-f34), fifty-two hundred ninety-six-f forty (5296-f40), Code, 1935; to amend sections three (3), eight (8), nine (9), fourteen-a (14-a), fifteen (15), twenty-five (25), twenty-eight (28), thirty-three (33), and thirty-seven (37) of Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, and section one (1) of Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly; and to further amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as amended by Chapter one hundred thirty-seven (137), Acts of the Forty-seventh General Assembly, by adding new sections; relating to old age assistance, the amount thereof, and to whom granted; the liability of certain persons for support of a claimant or recipient of old age assistance; to the construction of the law governing old age assistance payments; to unredeemed warrants; to marking endorsements by use of fingerprints; to the powers and duties of the state board of social welfare and the duties of the county attorney; and to the amount of funds allocated to the payment of old age assistance, be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 49:

Augustine	Doran	Henningsen	Moore
Baldwin	Edwards	Hill	Mowry
Beardsley	Ellis	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Parker
Benson	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Breen	Forsling	Leo	Sjulin
Byers	Geske	Levis	Stewart
Corwin	Gillette	Lundy	Talbott
Cromwell	Guernsey	Martin	Vrba
Dean	Hart	Mighell	Whitehill
Dewey	Harvey	Miller	Zeigler
Donohue			

Nays, none.

Absent or not voting, 1:

Smith

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

Senator Bekman 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 HOUSE FILE 647 RESUMED

On motion of Senator Donohue, consideration of House File 647, a bill for an act to appropriate to the state board of control for repairs, buildings, and equipment at the various state institutions the sum of six hundred ten thousand six hundred dollars (\$610,600.00) for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, providing for the manner of expenditure thereof, was resumed.

Senator Donohue called up for consideration his motion to reconsider the vote by which the amendment by Senators Breen and Baldwin, found on page 1283 of the Journal, was adopted.

Further action was deferred.

EXECUTIVE SESSION

On motion of Senator Donohue, the Senate resolved itself into executive session.

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 408, a bill for an act relating to inheritance tax on property passing to aliens.

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 restricted residence districts.

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 power and control of township trustees over township cemeteries.

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

Senate File 356, a bill for an act relating to the anticipation of special taxes and the issuance of certificates or bonds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 476, a bill for an act to provide for the administration of funds made available to the counties for emergency relief.

Also: 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 proposing an amendment to the constitution of the State of Iowa relating to the use of motor vehicle license fees.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 476

1. Amend section one (1), line four (4), by inserting after the word "funds" the words "coming into the hands of the state".

2. Amend section two (2) as follows:

(a) In line one (1) insert the word "state" before the word "board".

(b) In line nineteen (19) insert the word "state" before the word "board"; also, strike the word "shall" in said line and insert in lieu thereof the word "may".

(c) In line twenty (20) insert after the word "funds" the words "belonging to the state".

3. Amend by inserting the following as section five (5):

Sec. 5. The local county board of supervisors shall ascertain all necessary details concerning those seeking relief, shall determine the minimum amount of relief required for each such person or family, and shall ascertain which of such persons are employable.

The board of supervisors shall require that all employables contribute

as many hours of his or her labor as that employable's requirements, as estimated by the board, will buy at the prevailing rate of compensation for that class of labor in that community.

The board of supervisors shall determine on what projects of county-wide or community-wide nature such relief labor may be used. It may, however, delegate to its political subdivisions such authority as it deems advisable for administrative expediency.

The board of supervisors may permit such labor to be used on community projects for which tax contributors expressly petition.

The board of supervisors shall have authority to use employables who apply for county relief, in any capacity, in any place in the county it deems advisable and pay them out of any county funds.

It shall also have authority to impose such disciplinary measures as it deems necessary for those receiving relief as are not willing to comply with the board's work requirements.

To the board of supervisors is reserved all authority not expressly otherwise set out previously.

4. Amend by renumbering the following section.

5. Amend the title by striking the period at the end thereof and by adding the following: " , and relating to relief labor and the powers and duties of the board of supervisors in connection therewith."

HOUSE AMENDMENT TO SENATE JOINT RESOLUTION 1

Amend the title to Senate Joint Resolution 1 by striking lines four (4) and five (5) and inserting in lieu thereof the following: "registration fees and licenses".

Senator Doran moved that the Senate recess until 1:30 p. m.

Senator Baldwin offered as a substitute that the Senate recess until 1:45 p. m.

The substitute motion prevailed, and the Senate recessed until 1:45 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

By unanimous consent, Senator Shaw presented to the Senate Mr. Randall Melson, a new member of the highway commission.

By unanimous consent, Senator Schadt presented to the Senate the public speaking class of Marengo attending the conference of Future Farmers of America.

By unanimous consent, Senator Vrba presented to the Senate the president of the Howard County Chapter of the Future Farmers of America and three delegates.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned members of the Senate, request a call of the Senate on the motion to reconsider the vote by which the Baldwin-Breen amendment to House File 647 passed the Senate.

FRANK C. BYERS.

FRED CROMWELL.

O. J. KIRKETEG.

J. BERG.

LEO ELTHON.

E. K. BEKMAN.

B. C. WHITEHILL.

GEO. FAUL.

CHAS. B. HOEVEN.

SANFORD ZEIGLER, JR.

STANLEY L. HART.

G. R. HILL.

O. H. HENNINGSEN.

CONSIDERATION OF HOUSE FILE 647 RESUMED

Consideration of House File 647 was resumed.

Roll call disclosed that all Senators were present except Senator Lundy, and Senator Smith who had previously been excused.

Senator Kirketeg moved the previous question on the motion by Senator Donohue to reconsider the vote by which the amendment by Senators Breen and Baldwin was adopted.

The motion prevailed.

Senator Byers moved that the Senate proceed to ballot in the absence of Senator Lundy and that he be required to cast his vote upon his return, and that if his vote be the determining vote, proceedings shall be held up until his return when he shall be required to cast his ballot.

The motion prevailed.

Roll call was requested on the motion to reconsider.

On the question "Shall the vote be reconsidered?" the vote was:

Ayes, 34:

Bekman	Edwards	Hoeven	Parker
Benson	Elthon	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Byers	Faul	Kirketeg	Sjulin
Corwin	Forsling	Leo	Stewart
Cromwell	Hart	Levis	Talbott
Dewey	Harvey	Martin	Whitehill
Donohue	Henningsen	Mowry	Zeigler
Doran	Hill		

Nays, 14:

Augustine	Dean	Guernsey	Moore
Baldwin	Ellis	Mighell	Shaw
Beardsley	Geske	Miller	Vrba
Breen	Gillette		

Absent or not voting, 2:

Lundy Smith

The motion prevailed.

Senator Elthon offered the following as a substitute for the Breen-Baldwin amendment and moved its adoption:

Amend House File 647, section three (3), by adding the following: "For a new psychopathic hospital including medical administration, physicians' offices, examination room, record rooms and equipment, \$250,000.00".

Senator Byers moved the previous question on the substitute by Senator Elthon to the amendment by Senators Breen and Baldwin, which motion prevailed.

Roll call was requested.

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

Ayes, 29:

Bekman	Evans	Hopkins	Parker
Benson	Faul	Husted	Schadt
Berg	Hart	Kirketeg	Sjulin
Byers	Harvey	Leo	Stewart
Corwin	Henningsen	Levis	Talbott
Donohue	Hill	Martin	Whitehill
Edwards	Hoeven	Mowry	Zeigler
Elthon			

Nays, 18:

Augustine	Dean	Geske	Miller
Baldwin	Dewey	Gillette	Moore
Beardsley	Doran	Guernsey	Shaw
Breen	Ellis	Mighell	Vrba
Cromwell	Forsling		

Absent or not voting, 3:

Lundy Pelzer Smith

The motion prevailed and the substitution was made.

Roll call was requested on the amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 44:

Augustine	Corwin	Faul	Hoeven
Baldwin	Cromwell	Geske	Hopkins
Beardsley	Dewey	Gillette	Husted
Bekman	Donohue	Guernsey	Kirketeg
Benson	Edwards	Hart	Leo
Berg	Ellis	Harvey	Levis
Breen	Elthon	Henningsen	Martin
Byers	Evans	Hill	Mighell

Miller	Parker	Sjulin	Vrba
Moore	Schadt	Stewart	Whitehill
Mowry	Shaw	Talbott	Zeigler

Nays, 2:

Doran	Forsling
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Absent or not voting, 4:

Dean	Lundy	Pelzer	Smith
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The amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend by adding as a new section the following:

“For the purchase of a suitable site and for the building and erection of a fifteen hundred (1,500) bed hospital for the treatment and care of the mentally ill there is hereby appropriated for each year of the biennium the sum of one million five hundred thousand dollars (\$1,500,000.00).”

Roll call was requested.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 14:

Augustine	Dean	Guernsey	Moore
Baldwin	Ellis	Mighell	Shaw
Beardsley	Geske	Miller	Vrba
Benson	Gillette		

Nays, 31:

Bekman	Edwards	Hopkins	Pelzer
Berg	Elthon	Husted	Schadt
Breen	Evans	Kirketeg	Sjulin
Byers	Faul	Leo	Stewart
Corwin	Hart	Levis	Talbott
Cromwell	Harvey	Martin	Whitehill
Dewey	Henningesen	Mowry	Zeigler
Donohue	Hoeven	Parker	

Absent or not voting, 5:

Doran	Hill	Lundy	Smith
Forsling			

The amendment was lost.

Senator Hart offered the following amendment and moved its adoption:

Amend section 4, line 6, by inserting after the comma following the word “hall”, the word “auditorium”.

Further amend section 4 by striking the words and figures “fifteen thousand dollars (\$15,000.00)” in lines three, four, seven and eight, and

inserting in lieu thereof the words and figures "thirty-seven thousand five hundred dollars (\$37,500.00)".

The amendment was adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend by adding thereto the following section:

"Sec. 5. There is hereby appropriated from the general fund of the state treasury to the state board of education for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred fifty thousand dollars (\$150,000.00) or so much thereof as may be necessary to be used in the following manner:

Iowa State College of Agriculture and Mechanic Arts	
For the Iowa State College of Agriculture and Mechanic Arts:	
For a women's new gymnasium.....	\$150,000.00
	<hr/>
Total each year	\$150,000.00

The amendment was adopted.

Senators Moore, Whitehill and Stewart offered the following amendment and moved its adoption:

Amend by adding at the end thereof the following:
Additional section—

"There is hereby appropriated from the general fund of the state not being otherwise appropriated to the state board of education for use at the Iowa State College at Ames, to be available for the first year of the biennium only, the following: \$50,000.00 for the construction and equipmen of the building to be used for the development, laboratory, storage and drying of the hybrid seed corn."

Rule 8 was invoked.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 19:

Augustine	Ellis	Hopkins	Shaw
Baldwin	Geske	Mighell	Stewart
Benson	Gillette	Miller	Vrba
Breen	Hart	Moore	Whitehill
Dean	Henningsen	Mowry	

Nays, 24:

Bekman	Donohue	Harvey	Parker
Berg	Edwards	Hoeven	Pelzer
Byers	Elthon	Husted	Schadt
Corwin	Evans	Kirketeg	Sjulin
Cromwell	Faul	Leo	Talbott
Dewey	Guernsey	Martin	Zeigler

Absent or not voting, 7:

Beardsley	Forsling	Levis	Smith
Doran	Hill	Lundy	

The amendment was lost.

Senator Elthon offered the following amendment and moved its adoption:

Amend section three (3) subsection (a) line thirty (30) by striking the figures "\$54,950.00" and inserting in lieu thereof the following: "\$304,950.00".

Further amend by striking lines 167 and 168 from section three (3), subsection (n), and adding after section five (5) the following:

"Grand total of all capital improvements for each year of the biennium\$1,063,100.00".

Further amend by striking the title and inserting 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 eight hundred seventy-five thousand six hundred dollars (\$875,-600.00); to the state board of education the sum of one hundred fifty thousand dollars (\$150,000.00); and to the state fair board the sum of thirty-seven thousand five hundred dollars (\$37,500.00), all for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, and providing for the manner of expenditure thereof."

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, 39:

Augustine	Dewey	Hart	Moore
Baldwin	Donohue	Harvey	Mowry
Beardsley	Edwards	Henningsen	Parker
Bekman	Ellis	Hoeven	Schadt
Benson	Elthon	Hopkins	Shaw
Berg	Evans	Husted	Sjulin
Breen	Faul	Kirketeg	Talbott
Byers	Geske	Leo	Vrba
Cromwell	Gillette	Mighell	Whitehill
Dean	Guernsey	Miller	

Nays, 1:

Zeigler

Absent or not voting, 10:

Corwin	Hill	Martin	Smith
Doran	Levis	Pelzer	Stewart
Forsling	Lundy		

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

Senator Hart 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.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Corwin, House File 653, a bill for an act to legalize a special election held in the town of Wilton, Wilton Junction, Iowa, on the 26th day of September, 1938, on the proposition of authorizing said town to construct and equip a new town hall and contract indebtedness and issue bonds for such purpose and levy a tax annually upon the taxable property in said town for the payment of such bonds and the interest thereon and to legalize indebtedness incurred and taxes levied pursuant thereto and the proceedings providing for the issuance and sale of said bonds and to declare bonds issued pursuant to said election to be valid and enforceable obligations of said town, a committee bill, 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, 44:

Augustine	Edwards	Henningsen	Mowry
Beardsley	Ellis	Hill	Parker
Benson	Elthon	Hoeven	Pelzer
Berg	Evans	Hopkins	Schadt
Breen	Faul	Kirketeg	Shaw
Byers	Forsling	Leo	Sjulin
Corwin	Geske	Levis	Stewart
Cromwell	Gillette	Martin	Talbott
Dean	Guernsey	Mighell	Vrba
Donohue	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler

Nays, none.

Absent or not voting, 6:

Baldwin	Doran	Lundy	Smith
Bekman	Husted		

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.

By unanimous consent, on request of Senator Hoeven, House File 652, a bill for an act to legalize the proceedings of town council of the town of Orange City, Sioux county, Iowa, providing for the issuance of refunding bonds of said town in the amount of \$8,000 and the levy of taxes to pay said bonds and the interest thereon, and declaring bonds issued pursuant to said proceedings to be valid and enforceable obligations of said town, 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, 48:

Augustine	Doran	Henningsen	Mowry
Baldwin	Edwards	Hill	Parker
Beardsley	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Benson	Faul	Husted	Sjulin
Berg	Forsling	Kirketeg	Stewart
Byers	Geske	Leo	Talbott
Corwin	Gillette	Levis	Vrba
Cromwell	Guernsey	Martin	Whitehill
Dewey	Hart	Mighell	Zeigler
Donohue	Harvey	Moore	

Nays, none.

Absent or not voting, 7:

Breen	Ellis	Miller	Smith
Dean	Lundy	Shaw	

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.

INTRODUCTION OF BILLS

Senate File 507, by committee on judiciary 1, a bill for an act to amend section two hundred thirty-nine (239), Code, 1935, relating to the free distribution of the reports of the Supreme Court.

Read first and second times and referred to sifting committee.

Senate File 508, by committee on consolidation and co-ordination, a bill for an act to amend Senate File 424 of the Acts of the

Forty-eighth General Assembly of Iowa, relating to the legal work of the state of Iowa under the direction of the Attorney General.

Read first and second times and placed on the calendar.

By unanimous consent, on request of Senator Forsling, the rule providing that no bill shall have its second and third readings on the same day was suspended.

THIRD READING OF BILLS

On motion of Senator Forsling, Senate File 508, a bill for an act to amend Senate File 424 of the Acts of the Forty-eighth General Assembly of Iowa, relating to the legal work of the State of Iowa under the direction of the Attorney General, a committee bill, was taken up and considered.

Senator Forsling moved that the bill be read a third 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	Edwards	Hill	Parker
Beardsley	Ellis	Hoeven	Pelzer
Bekman	Elthon	Hopkins	Schadt
Benson	Evans	Kirketeg	Shaw
Berg	Faul	Leo	Sjulin
Byers	Forsling	Levis	Stewart
Corwin	Geske	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dewey	Hart	Miller	Whitehill
Donohue	Harvey	Moore	Zeigler
Doran	Henningsen	Mowry	

Nays, none.

Absent or not voting, 7:

Baldwin	Dean	Husted	Smith
Breen	Gillette	Lundy	

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

President pro tem Hoeven took the chair at 4:08.

By unanimous consent, on request of Senator Hopkins, House File 358, a bill for an act to amend section forty-two hundred twenty-six (4226), Code, 1935, relating to the length of the school year in the public schools, 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, 39:

Augustine	Edwards	Hoeven	Parker
Baldwin	Ellis	Hopkins	Pelzer
Beardsley	Elthon	Husted	Schadt
Berg	Evans	Kirketeg	Shaw
Breen	Faul	Leo	Stewart
Byers	Geske	Martin	Talbott
Cromwell	Guernsey	Mighell	Vrba
Dean	Hart	Miller	Whitehill
Dewey	Harvey	Moore	Zeigler
Donohue	Henningsen	Mowry	

Nays, none.

Absent or not voting, 11:

Bekman	Doran	Hill	Sjulin
Benson	Forsling	Levis	Smith
Corwin	Gillette	Lundy	

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.

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 563, a bill for an act providing for a license fee for operating coal mines.

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

Senate File 490, a bill for an act regarding a building for the purpose of housing welfare and juvenile agencies of Webster county.

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

Senate Concurrent Resolution 18, memorializing Congress to enact H. R. 289 respecting payment of traveling expenses for the Spanish American War troops.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Breen, House File 566, a bill for an act to validate all funds deposited by school corporations in banks which were not approved by the board of school directors, and to provide for the payment of such funds now on deposit in closed banks from the state sinking fund, was taken up and considered.

Senators Breen and Kirketeg offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Where public bodies have heretofore deposited funds in banks without first complying with the provisions of Chapter Three Hundred fifty-two-D1 (352-D1), Code, 1935, and said banks have subsequently closed, such public bodies shall not be precluded, by their failure to so comply, from filing claims against the state sinking fund, and where such claims have been filed or are filed subsequently, such claims shall be allowed under the provisions of Chapter Three Hundred Fifty-two-A1 (352-A1), Code, 1935, the same as though there had been a complete compliance with the provisions of Chapter Three Hundred Fifty-two-D1 (352-D1), Code, 1935.

Sec. 2. Where public bodies have heretofore compromised their claims with the receivers of closed banks and no claims remain the property of such public bodies to which the treasurer of the state might be subrogated, and where claims have been filed or are filed subsequently against the state sinking fund, such claims shall be allowed under the provisions of Chapter Three Hundred Fifty-two-A one (352-A1), Code, 1935, the same as though there had been a complete compliance with the provisions of Chapter Three Hundred Fifty-two-A1 (352-A1), Code, 1935.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 23:

Augustine	Edwards	Guernsey	Mighell
Baldwin	Ellis	Harvey	Miller
Breen	Evans	Hoeven	Moore
Byers	Faul	Hopkins	Schadt
Dean	Geske	Kirketeg	Whitehill
Donohue	Gillette	Martin	

Nays, 10:

Beardsley	Husted	Pelzer	Talbott
Cromwell	Leo	Sjulin	Zeigler
Henningsen	Mowry		

Absent or not voting, 17:

Bekman	Doran	Hill	Shaw
Benson	Elthon	Levis	Smith
Berg	Forsling	Lundy	Stewart
Corwin	Hart	Parker	Vrba
Dewey			

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, 29:

Augustine	Elthon	Harvey	Miller
Baldwin	Evans	Henningsen	Moore
Berg	Faul	Hoeven	Parker
Breen	Geske	Hopkins	Schadt
Byers	Gillette	Kirketeg	Shaw
Dean	Guernsey	Martin	Vrba
Edwards	Hart	Mighell	Whitehill
Ellis			

Nays, 10:

Cromwell	Husted	Pelzer	Talbott
Dewey	Leo	Stewart	Zeigler
Donohue	Mowry		

Absent or not voting, 11:

Beardsley	Corwin	Hill	Sjulin
Bekman	Doran	Levis	Smith
Benson	Forsling	Lundy	

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

Senator Breen offered the following amendment to the title and moved its adoption:

Amend by striking all of the present title, including the "Whereases", and by inserting in lieu thereof the following:

"An act to validate the claims of public bodies against the state sinking fund where funds have heretofore been deposited by such public bodies in banks now closed, and where there was first inadequate compliance with the provisions of Chapter three hundred fifty-two-D one (352-D1), Code, 1935, or where the claims of such public bodies have heretofore been compromised and no claims remain the property of such public bodies to which the treasurer of state might be subrogated."

The amendment was adopted and the title as amended 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 Dewey, Senate File 449, a bill for an act relating to and providing for the improvement of state-owned meandered lakes and streams and other waters under state jurisdiction, and providing an appropriation therefor, was taken up and considered.

Senator Dewey offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting therefor the following:

"Section 1. The conservation commission is hereby given jurisdiction over the state-owned meandered lakes and streams, other state waters, streams draining therein, and also lands tributary and adjacent thereto when the written consent of the owner thereof has been secured, for the improvement thereof by deepening and/or filling; widening and/or contracting; construction and protection of banks, spillways and discharge structures; the control of erosion on lands tributary and adjacent thereto; and providing structures and other works conducive to regulation of stream flow and/or the betterment of state waters for recreational and other conservation purposes and uses. Any land created under the provisions of this act in areas now under the jurisdiction of the state will remain thereunder unless otherwise disposed of.

Sec. 2. In addition to other funds available to the conservation commission, there is hereby appropriated out of the funds in the state treasury not otherwise appropriated, for the purpose of carrying out the provisions of this act, the sum of twenty-five hundred dollars (\$2,500.00) annually for each year of the biennium beginning July 1, 1939, and ending June 30, 1941."

Senator Dewey offered the following amendment to the amendment and moved its adoption:

Amend by striking section two (2) and amend the title by striking therefrom the following: ", and providing an appropriation therefor".

The amendment to the amendment was adopted.

By unanimous consent, the word "conductive" was stricken from line nine (9) and the word "conducive" inserted in lieu thereof.

The amendment as amended 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, 34:

Augustine	Edwards	Henningsen	Mowry
Baldwin	Elthon	Hoeven	Parker
Beardsley	Evans	Hopkins	Schadt
Berg	Faul	Husted	Shaw
Corwin	Geske	Kirketeg	Stewart
Cromwell	Gillette	Martin	Talbot
Dean	Guernsey	Mighell	Vrba
Dewey	Hart	Miller	Whitehill
Donohue	Harvey		

Nays, 1:

Pelzer

Absent or not voting, 15:

Bekman	Doran	Leo	Sjulin
Benson	Ellis	Levis	Smith
Breen	Forsling	Lundy	Zeigler
Byers	Hill	Moore	

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

By unanimous consent, on request of Senator Dewey, Senate File 449 was messaged to the House immediately.

HOUSE MESSAGES CONSIDERED

House File 408, a bill for an act to amend section seventy-three hundred fifteen (7315), Code, 1935, relating to inheritance tax on property passing to aliens.

Read first and second times and referred to sifting committee.

House File 544, a bill for an act to amend sections sixty-four hundred seventy-four (6474), sixty-four hundred seventy-five (6475), and sixty-four hundred seventy-six (6476), Code, 1935, relating to restricted residence districts.

Read first and second times and referred to sifting committee.

House File 563, a bill for an act to amend Chapter sixty-eight (68), Code, 1935, and to amend Chapter ninety-six (96), Acts of the Forty-seventh General Assembly, providing for a license fee for the opening and operating of coal mines, and providing for the collection and disposition of such fees; and providing for issuance of license for operation of coal mines and the cancellation

of such license; and providing for an appeal from orders of the state mine inspector or the board of mine examiners with reference to granting or cancelling licenses, and providing for penalties for opening or operating coal mines without license, and requiring reports from operators and providing for enforcement thereof.

Read first and second times and referred to sifting committee.

President Hickenlooper took the chair at 4:45.

COPIES OF SENATE FILE 489

By unanimous consent, on request of Senator Hoeven, 500 copies of Senate File 489 as passed were ordered printed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 15, 101, 198, 248, 322 and 481 and House File 613.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 15, 101, 198, 248, 322 and 481 and House File 613.

BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 21st day of April, 1939, sent to the Governor for his approval, Senate Files 15, 101, 198, 248, 322 and 481.

RALPH E. BENSON, *Chairman.*

Passed on file.

THIRD READING OF BILLS

On motion of Senator Faul, House File 245, a bill for an act to amend section sixty-five hundred nineteen (6519), Code, 1935,

relating to salaries of minor officers, assistants, and other employees of cities under the commission form of government, was taken up and considered.

Senator Faul moved that the bill be read a third 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	Hopkins	Schadt
Baldwin	Elthon	Husted	Shaw
Beardsley	Evans	Kirketeg	Sjulin
Berg	Faul	Martin	Stewart
Byers	Guernsey	Mighell	Talbott
Corwin	Hart	Miller	Vrba
Cromwell	Harvey	Moore	Whitehill
Dean	Henningsen	Mowry	Zeigler
Donohue	Hoeven		

Nays, none.

Absent or not voting, 16:

Bekman	Doran	Gillette	Lundy
Benson	Ellis	Hill	Parker
Breen	Forsling	Leo	Pelzer
Dewey	Geske	Levis	Smith

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 Joint Resolution 9, a joint resolution creating a commission to investigate and recommend a program for the State of Iowa including both primary and secondary roads and to define the powers and duties of said commission and to provide for the expense of said commission, was taken up and considered.

Senator Donohue 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 be adopted?" the vote was:

Ayes, 34:

Augustine	Edwards	Henningsen	Pelzer
Baldwin	Elthon	Hoeven	Schadt
Bekman	Evans	Hopkins	Sjulin
Berg	Faul	Husted	Stewart
Byers	Geske	Kirketeg	Talbott
Corwin	Gillette	Martin	Vrba
Cromwell	Guernsey	Mowry	Whitehill
Dewey	Hart	Parker	Zeigler
Donohue	Harvey		

Nays, 1:

Mighell

Absent or not voting, 15:

Beardsley	Doran	Leo	Moore
Benson	Ellis	Levis	Shaw
Breen	Forsling	Lundy	Smith
Dean	Hill	Miller	

The joint resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senator Donohue moved that the vote by which the joint resolution was adopted by 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, Senate Joint Resolution 9 was messaged to the House immediately.

On motion of Senator Beardsley, House File 121, a bill for an act to amend sections two (2), three (3), four (4), six (6), nine (9) and fourteen (14) of Chapter one hundred thirty-five (135), Acts of the Forty-seventh General Assembly, all relating to the licensing and regulation of persons engaged in the business of, at retail, selling, bartering, or otherwise dealing in new and used motor vehicles within this state; to define the place of business of such persons; to exempt retail sales made for the purpose of realizing on security; to provide for the withholding of motor vehicle dealer's license for a period not exceeding thirty days; to provide additional grounds for the denial of such license; and to change the penalties prescribed in such chapter for the violation of section three (3) thereof, 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:

1. In section five (5), line two (2), after "(135)," insert "Acts of the Forty-seventh General Assembly,".
2. In section six (6), line two (2), after "(135)," insert "Acts of the Forty-seventh General Assembly,".

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, 40:

Augustine	Dewey	Harvey	Mowry
Baldwin	Donohue	Henningsen	Pelzer
Beardsley	Edwards	Hoeven	Schadt
Bekman	Elthon	Hopkins	Shaw
Berg	Evans	Husted	Sjulin
Breen	Faul	Kirketeg	Stewart
Byers	Geske	Leo	Talbott
Corwin	Gillette	Levis	Vrba
Cromwell	Guernsey	Martin	Whitehill
Dean	Hart	Mighell	Zeigler

Nays, none.

Absent or not voting, 10:

Benson	Forsling	Miller	Parker
Doran	Hill	Moore	Smith
Ellis	Lundy		

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 Beardsley, House File 121 was messaged to the House immediately.

President pro tem Hoeven took the chair at 5:16.

By unanimous consent, on request of Senator Beardsley, House File 635, a bill for an act to provide for the future distribution of class "A" permit fees as provided for in section nineteen hundred twenty-one-f one hundred seventeen (1921-f117), Code, 1935, and the barrel tax as provided for in section nineteen hundred twenty-one-f one hundred eighteen (1921-f118), Code, 1935; and providing that from and after July 1, 1940, or as soon prior thereto as all claims filed against the state sinking fund as of January 1, 1939, have been paid, said fees and barrel tax shall accrue to the general fund of the state of Iowa, was taken up and considered.

Senator Evans offered the following amendment and moved its adoption:

Amend by striking from line one (1) of section one (1) the word "July", and inserting in lieu thereof the word "December"; and by striking from line three (3) of said section the figures "1939" and inserting in lieu thereof the figures "1940".

Further amend by striking from line one (1) of section two (2) the

word "July", and inserting in lieu thereof the word "December"; and by striking from line three (3) of said section the figures "1939" and inserting in lieu thereof the figures "1940".

Further amend by adding a new section to be known as section three (3) to read as follows:

"Sec. 3. No claim now outstanding but not yet filed, shall be a claim against the state sinking fund unless filed or or before January 1, 1940."

Further amend by renumbering the remaining section.

The amendment was 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, 29:

Augustine	Edwards	Henningsen	Mowry
Baldwin	Elthon	Hoeven	Pelzer
Bekman	Evans	Hopkins	Schadt
Berg	Faul	Kirketeg	Sjulin
Byers	Gillette	Leo	Talbott
Cromwell	Hart	Martin	Vrba
Dean	Harvey	Mighell	Zeigler
Donohue			

Nays, none.

Absent or not voting, 21:

Beardsley	Ellis	Husted	Parker
Benson	Forsling	Levis	Shaw
Breen	Geske	Lundy	Smith
Corwin	Guernsey	Miller	Stewart
Dewey	Hill	Moore	Whitehill
Doran			

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

Senator Evans offered the following amendment to the title and moved its adoption:

Amend by striking from line six (6) the word "July" and inserting in lieu thereof the word "December"; further amend by striking from line eight (8) the figures "1939" and inserting the figures "1940".

The amendment was adopted and the title as amended 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.

By unanimous consent, on request of Senator Evans, House File 635 was messaged to the House immediately.

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 91, a bill for an act to amend section 6014 of the Code of 1935.

Also: That the House has concurred in Senate amendments to House amendments to and passed Senate File 475, a bill for an act relating to powers and duties of the State Board of Social Welfare.

Also: That the House has adopted the conference committee report on and passed Senate File 166, a bill for an act to create soil conservation districts.
A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 91, a bill for an act to amend section six thousand fourteen (6014), Code, 1935, relating to the payment of the cost of reconstruction, replacement, or repair of roadways in certain cities and towns, including cities under special charter.

Read first and second times and referred to sifting committee.

SENATE CONCURRENT RESOLUTION 19

Be it Resolved by the Senate, the House Concurring:

Whereas, By long established custom each session of the legislature waits until the closing days thereof to do its most important work in connection with the passage of the general appropriation bill which is a cumbersome piece of legislation covering all of the major departments in state government, and

Whereas, Such work is generally performed under great pressure at a time when the legislature is anxious to adjourn and is otherwise occupied by efforts to consider last minute legislation, and

Whereas, By the continuation of this custom a situation has arisen in each session whereby the House of Representatives has passed an appropriation bill in one amount and the Senate has passed an appropriation bill in another amount and these bills have then been adjusted by conference committees so that the bill in its final form has been a compromise and in many cases contains items which the various members of the legislature object to, but which they are unable to vote against because of jeopardizing the fate of the entire appropriation bill thereby continuing at great expense the work of the session, and

Whereas, The responsibility placed upon the conference committees which finally agree upon a compromise figure is unfair both to the members of said committee and to the members of the legislature, and

Whereas, Many of the sub-committees of the appropriations committee

have been able to agree far in advance of the close of the legislature upon the appropriations that are justifiable for large numbers of the departments of the state government, and

Whereas, If separate appropriation bills were drawn for each department those which are easily arrived at and which have been previously agreed to could be adopted and disposed of from time to time during the session, and

Whereas, By proceeding in this manner it would also be possible for the Governor of the State to express his separate approval or disapproval upon the said appropriations previous to the time of adjournment so that they could be reconsidered or in the event that they were placed upon the Governor's desk after the adjournment of the session, he could likewise reject separate appropriations without jeopardizing the operations of the entire state government.

Now Therefore Be It Resolved by the Senate, the House Concurring;

Section 1. That future sessions of the General Assembly of Iowa introduce and adopt separate bills appropriating funds for the operation of the various branches and departments of the state government and that such bills be considered and passed throughout the session whenever agreement can be reached thereon instead of deferring such action until the closing days of the session and then acting upon one general appropriation bill.

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 392, 505 and 496; House Files 58 and 57, 138 and 564 and Senate Concurrent Resolution 19.

E. P. DONOHUE, *Chairman.*

AMENDMENTS FILED

MR. PRESIDENT: Amend House File 84 by adding to Section one (1) the following: "Before any such levy is made in excess of one-fourth mill a completely itemized statement of expenditures contemplated by such county shall be submitted to the state comptroller for his approval, and no levy in excess of one-fourth mill shall be made unless approved by him, and then only for the years 1939 and 1940." GEORGE M. FAUL.

MR. PRESIDENT: Amend Senate File 506 by adding thereto a new section to read as follows:

"Sec. —. There is hereby appropriated to the reporter of the supreme court and code editor the sum of seventy-five thousand dollars (\$75,000.00) or so much thereof as may be necessary to be used for salaries, support, maintenance and miscellaneous purposes in editing the code, annotations, advance sheets, skeleton digest, and parallel tables of corresponding sections."

Further amend by adding an additional section to read as follows:

"Sec. —. For the relief of Frederick M. Hull there is hereby appro-

appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three hundred sixty dollars (\$360.00) or so much thereof as may be necessary.

L. H. DORAN.

On motion of Senator Henningsen, the Senate adjourned until 9:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 22, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. S. L. Shenton, pastor of the Church of the Brethren of Des Moines.

The Journal of April 21st was corrected and approved.

LEAVE OF ABSENCE

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

PETITIONS AND MEMORIALS

The following petition was presented and placed on file.

By Senator Gillette, from truckers of Kossuth county, favoring enactment of House File 601.

President pro tem Hoeven took the chair at 9:40.

By unanimous consent, on request of Senator Donohue, House Concurrent resolution 25 was taken up for consideration.

HOUSE CONCURRENT RESOLUTION 25

Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring therein:

Section 1. There is hereby established a 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 none-voting member of this committee.

Sec. 2. There is hereby established a similar 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. 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 Interstate Cooperation. This Commission shall be composed of fifteen regular members, namely:

The five members of the House Committee on Interstate Cooperation,

The five members of the Senate Committee on Interstate Cooperation,
and,

The five members of the Governor's Committee on Interstate Cooperation.

The Governor, the Speaker of the House of Representatives and the President of the Senate 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 House of Representatives and the said standing committee of the Senate 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 House Council and Senate 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 a friendly contact by correspondence, by conference, and otherwise with official 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 committees 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 having 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 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 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 House Cooperation Committee, the Senate 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 House of Representatives and to the Senate, 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 resolution was adopted.

COPIES OF SENATE FILE 166

By unanimous consent, on request of Senator Sjulín, 300 copies of Senate File 166 as passed were ordered printed.

THIRD READING OF BILLS

On motion of Senator Dewey, Senate File 450, a bill for an act to amend section seventeen hundred ninety-four-e one (1794-e1), Chapter eighty-six-E one (86-E1), Code of 1935, relating to fish and game licenses and setting the amounts thereof and providing for certain new licenses; to amend section seventeen hundred ninety-four-e six (1794-e6), Chapter eighty-six-E one (86-E1), Code of 1935, providing for the issuing of a duplicate license where the original has been lost, destroyed or stolen and for the evidence necessary to secure such duplicate; to amend section seventeen hundred ninety-four-e ten (1794-e10), Chapter eighty-six-E one (86-E1), Code of 1935, providing for a holder for licenses issued by the commission and for its exhibition while the licensee is fishing, hunting or trapping and for the exhibition of said license to any officer and for punishment for violation thereof; to amend section seventeen hundred ninety-four-e fifteen (1794-e15), Chapter eighty-six-E one (86-E1), Code of 1935, providing for the necessity of a fishing license; to amend section seventeen hundred ninety-nine (1799), Chapter eighty-seven (87), Code of 1935, relating to the duties of the conservation commission as to parks and their development; to amend section seventeen hundred ninety-nine-b two (1799-b2), Chapter eighty-seven (87), Code of 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; to repeal section eighteen hundred twenty-one-e one (1821-e1), Chapter eighty-seven (87), 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, a committee bill, was taken up and considered.

By unanimous consent, Senator Faul withdrew the amend-

ments filed by him and found on pages 1206 and 1265 of the Journal.

Senator Gillette offered the following amendment and moved its adoption:

Amend section four (4) by striking from line five (5) the words "who is a resident of the state and". Strike the balance of the paragraph following the word "state" in line seven (7) and change the comma (,) to a period (.).

Senator Byers offered the following as a substitute for the amendment by Senator Gillette and moved its adoption:

Amend by striking all of section four (4) and renumbering the remaining sections.

Senator Stewart moved the previous question on the motion to substitute.

Roll call was requested.

Rule 8 was invoked.

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

Ayes, 19:

Augustine	Gillette	Miller	Shaw
Byers	Hart	Moore	Talbott
Dean	Hill	Mowry	Vrba
Donohue	Hoeven	Parker	Zeigler
Evans	Kirketeg	Pelzer	

Nays, 22:

Beardsley	Ellis	Henningsen	Mighell
Benson	Elthon	Hopkins	Schadt
Berg	Faul	Husted	Sjulin
Dewey	Geske	Leo	Stewart
Doran	Guernsey	Martin	Whitehill
Edwards	Harvey		

Absent or not voting, 9:

Baldwin	Corwin	Forsling	Lundy
Bekman	Cromwell	Levis	Smith
Breen			

The motion was lost.

The amendment was adopted.

Senator Dewey offered the following amendment and moved its adoption:

Amend as follows:

1. By inserting in line ten (10) of the title after "1935," the following:

"as amended by section one hundred nine (109), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly,"

2. By striking from line eight (8), of section one (1), the character "c" from ".15c".

3. By inserting in "Sec. 3":

a. line two (2), after "1935," "as amended by section one hundred nine (109), Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly,";

b. line three (3), after "ing" the word "thereto".

4. By writing in line four (4) of "Sec. 4." "no female" with a capital "N" ("No female").

5. By striking from "Sec. 6.":

a. line three (3) the word and figure "fourteen (14)" and inserting in lieu thereof the word and figure "thirteen (13)";

b. line sixteen (16), the word and figure "nineteen (19)" and inserting in lieu thereof the word and figure "eighteen (18)".

6. By striking from "Sec. 7.", line two (2), the period (.) after the word "repealed" and inserting in lieu thereof the following: "and the following is enacted as a substitute therefor:".

7. Strike line one (1) of "Sec. 8."

The amendment was adopted.

Senator Gillette offered the following amendment and moved its adoption:

Amend section three (3) as follows:

1. Insert after the figures "1935," in line two (2) the following, "as amended by Chapter ninety-nine (99), Acts of the 47th General Assembly,".

2. Strike all of lines four (4), five (5), six (6), and the words "any license" at the beginning of line seven (7).

The amendment was adopted.

Senator Gillette offered the following amendment and moved its adoption:

Amend by striking all of sections seven (7) and eight (8).

The amendment was lost.

Senator Gillette offered the following amendment and moved its adoption:

Amend section one (1) by striking all after the semicolon (;) in line four (4), all of lines five (5), six (6), seven (7) and eight (8) to and including the figures ".15c", and inserting in lieu thereof the following:

"by striking lines thirty (30) and thirty-one (31) of section seventeen hundred ninety-four-e one (1794-e1) Chapter eighty-six-E one (86-E1), Code, 1935, and inserting: 'Trapping license for legal resident of state using more than fifteen (15) traps per trip, including tax .15c'."

By unanimous consent, on request of Senator Gillette, the word "trip" was stricken from the last line and ", trap" inserted in lieu thereof, and a comma was inserted immediately following the word "tax".

The amendment was adopted.

Senator Shaw offered the following amendment and moved its adoption:

Amend by inserting immediately after section seven (7), the following: "Sec. 7a. Section sixty-three (63) of Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly is amended by changing the period (.) at the end of said section to a comma (,) and adding thereafter: 'and such rivers and streams north of said highway as may not have been stocked with trout.'"

The amendment was lost.

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	Edwards	Hoeven	Moore
Baldwin	Ellis	Hopkins	Mowry
Beardsley	Elthon	Husted	Schadt
Benson	Faul	Kirketeg	Shaw
Breen	Geske	Leo	Sjulin
Cromwell	Gillette	Martin	Stewart
Dean	Guernsey	Mighell	Vrba
Dewey	Harvey	Miller	Whitehill
Doran	Henningsen		

Nays, none.

Absent or not voting, 16:

Bekman	Donohue	Hill	Pelzer
Berg	Evans	Levis	Smith
Byers	Forsling	Lundy	Talbott
Corwin	Hart	Parker	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.

By unanimous consent, on request of Senator Dewey, Senate File 450 was messaged to the House immediately.

By unanimous consent, on request of Senator Dewey, House

File 633, a bill for an act to amend section seventeen hundred three-e two (1703-e2), Code, 1935, relating to licensing of boats; to amend sections seventeen hundred fourteen (1714), seventeen hundred forty-one (1741), seventeen hundred forty-two (1742), seventeen hundred eighty-five (1785), and seventeen hundred eighty-nine (1789), Code, 1935, and to repeal section seventeen hundred sixty-two (1762), Code, 1935, and to enact a substitute therefor, relating to fish and game; to amend section seventeen hundred ninety-four-e fifteen (1794-e15), Code, 1935, relating to fishing licenses; to amend Chapter ninety-nine (99), Acts of the Forty-seventh General Assembly, relating to fish and game and fur-bearing animals; and relating to game breeder's license, was substituted for Senate File 453, and was taken up and considered.

Senator Dewey offered the following amendment and moved its adoption:

Amend as follows:

1. By inserting after the comma (,) following the word "Illinois" in line twelve (12) the words "Minnesota, Missouri".

2. By inserting in Sec. 16 preceding the comma (,) after the word "season" in line five (5) "on which there is no daily catch limit".

3. By striking all of Sections 13, 14, 15 and 17.

4. By adding the following sections:

Section —. Section seventeen hundred four (1704) Code, 1935, is amended:

(1) By inserting "crayfish" after the word "clams" in line two (2);

(2) By inserting the words "land and" after the word "other" in line four (4);

(3) By inserting "and all other wildlife" after the word "eggs" in line seven (7).

Section —. Section seventeen hundred five (1705), Code, 1935, is amended:

(1) By inserting "crayfish" after the word "clams" in line three (3);

(2) By inserting "or other wildlife" after the word "eggs" in line four (4).

Section —. Section seventeen hundred forty-five (1745), Code, 1935, is amended by adding after the period (.) in line twelve (12): "Undesirable or injurious fish shall mean any species that in the judgment of the commission exist in improper proportions to other aquatic life."

5. By striking all of Sections 18 and 19.

By unanimous consent, on request of Senator Dewey, the following was struck from division 4 of the amendment:

"(1) By inserting "crayfish" after the word "clams" in line two (2);" and

"(1) By inserting "crayfish" after the word "clams" in line three (3);"

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend by adding thereto the following section:

"Section seventeen hundred ninety-four-e sixteen (1794-e16) Code, 1935, is hereby amended by adding thereto the following: 'Provided, however, no gun, fishing rod, fishing tackle or automobile shall be construed to be a public nuisance under this section.'"

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, 43:

Augustine	Donohue	Hill	Parker
Baldwin	Doran	Hoeven	Pelzer
Beardsley	Edwards	Hopkins	Schadt
Benson	Ellis	Husted	Shaw
Berg	Elthon	Kirkteg	Sjulin
Breen	Faul	Leo	Stewart
Byers	Geske	Martin	Talbott
Corwin	Gillette	Mighell	Vrba
Cromwell	Guernsey	Miller	Whitehill
Dean	Hart	Moore	Zeigler
Dewey	Harvey	Mowry	

Nays, none.

Absent or not voting, 7:

Bekman	Forsling	Levis	Smith
Evans	Henningsen	Lundy	

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

Senator Donohue offered the following amendment to the title and moved its adoption.

Amend by adding after the comma (,) following the figures "1935" in line ten (10) the following: "and to amend section seventeen hundred ninety-four-e sixteen (1794-e16), Code, 1935, as to what is a nuisance".

The amendment was adopted and the title as amended 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.

By unanimous consent, on request of Senator Dewey, House File 633 was messaged to the House immediately.

On motion of Senator Cromwell, Senate File 496, a bill for an act to make appropriations to Fannie Aliber, Alta M. Hamaker, and Alice M. O'Malley, was taken up and considered.

Senator Cromwell moved that the bill be read a third 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
Bekman	Ellis	Husted	Pelzer
Benson	Evans	Kirketeg	Schadt
Berg	Faul	Leo	Shaw
Breen	Geske	Martin	Stewart
Byers	Gillette	Mighell	Talbott
Corwin	Guernsey	Miller	Vrba
Cromwell	Harvey	Moore	Whitehill
Dean	Henningsen	Mowry	Zeigler
Doran	Hill		

Nays, 1:

Forsling

Absent or not voting, 11:

Baldwin	Donohue	Hoeven	Sjulin
Beardsley	Elthon	Levis	Smith
Dewey	Hart	Lundy	

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

Senator Cromwell 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 Cromwell, Senate File 496 was messaged to the House immediately.

On motion of Senator Doran, Senate File 506, a bill for an act making an appropriation for the payment of typewriter rental, miscellaneous expenses of the Forty-eighth General Assembly, and other expenses that are payable from the general fund of the state, was taken up and considered.

Senator Doran offered the following amendments and moved their adoption:

Amend by adding thereto new sections to read as follows:

"Sec. 7a. There is hereby appropriated to the reporter of the supreme

court and code editor the sum of seventy-five thousand dollars (\$75,000.00) or so much thereof as may be necessary to be used for salaries, support, maintenance and miscellaneous purposes in editing the code, annotations, advance sheets, skeleton digest, and parallel tables of corresponding sections.

"Sec. 7b. For the relief of Frederick M. Hull there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three hundred sixty dollars (\$360.00) or so much thereof as may be necessary.

"Sec. 7c. To the American Laundry Company, for laundering towels for the Forty-eighth General Assembly, the sum of one hundred twenty-five dollars (\$125.00).

"Sec. 7d. To the Townsend Studio, for photographs of the Forty-eighth General Assembly, for the Historical department, the sum of one hundred forty dollars (\$140.00)."

President Hickenlooper took the chair at 11:35.

The amendments were adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend section eighteen (18) by striking lines one (1), two (2), three (3), four (4), and the following from line five (5): "(\$61.12), and".

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, 43:

Augustine	Donohue	Henningsen	Parker
Baldwin	Doran	Hill	Pelzer
Beardsley	Edwards	Hoeven	Schadt
Bekman	Ellis	Hopkins	Shaw
Benson	Elthon	Husted	Sjulin
Berg	Faul	Kirketeg	Stewart
Breen	Geske	Leo	Talbott
Byers	Gillette	Martin	Vrba
Cromwell	Guernsey	Mighell	Whitehill
Dean	Hart	Miller	Zeigler
Dewey	Harvey	Moore	

Nays, none.

Absent or not voting, 7:

Corwin	Forsling	Lundy	Smith
Evans	Levis	Mowry	

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 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 Doran, Senate File 506 was messaged to the House immediately.

HOUSE AMENDMENTS CONSIDERED

Senator Baldwin called up for consideration Senate Joint Resolution 1, amended by the House, and moved that the Senate concur in the following amendment:

Amend the title by striking lines four (4) and five (5) and inserting in lieu thereof the following: "registration fees and licenses".

The motion prevailed, and the Senate concurred in the House amendment.

Senate Joint Resolution 1, a 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 registration fees 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 registration fees 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 exclusively within the state 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.

Senator Baldwin moved that the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question "Shall the joint resolution be adopted?" the vote was:

Ayes, 38:

Augustine	Donohue	Henningsen	Moore
Baldwin	Doran	Hill	Parker
Beardsley	Edwards	Hoeven	Pelzer
Benson	Ellis	Hopkins	Schadt
Berg	Elthon	Husted	Shaw
Breen	Faul	Kirketeg	Sjulin
Byers	Geske	Leo	Talbott
Cromwell	Gillette	Martin	Vrba
Dean	Guernsey	Mighell	Whitehill
Dewey	Harvey		

Nays, none.

Absent or not voting, 12:

Bekman	Forsling	Lundy	Smith
Corwin	Hart	Miller	Stewart
Evans	Levis	Mowry	Zeigler

The joint resolution having received a constitutional majority was declared to have been adopted by the Senate and the title, as amended, was agreed to.

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

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

AFTERNOON SESSION

The Senate reconvened, President pro tem Hoeven presiding.

INTRODUCTION OF BILLS

Senate File 509, by committee on judiciary 2, a bill for an act to repeal section thirty-nine (39) of Chapter two (2) of the Code of Iowa of 1935, and to provide for a standing committee on re-trenchment and reform.

Read first and second times and referred to sifting committee.

Senate File 510, by committee on social security, a bill for an act to amend Sec. 19 (q) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation.

Read first and second times and referred to sifting committee.

BILL SENT TO THE GOVERNOR

Senator Benson, 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 April, 1939, sent to the Governor for his approval, Senate File 133.

RALPH E. BENSON, *Chairman*.

Passed on file.

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 refuses to concur in Senate amendments to House File 647, a bill making an appropriation for buildings, repairs and equipments for various state institutions.

A. C. GUSTAFSON, *Chief Clerk*.

SENATE INSISTS UPON AMENDMENTS

By unanimous consent, on request of Senator Doran, House File 647 was taken up and considered.

Senator Doran moved that the Senate insist upon its amendments and request a conference committee.

The motion prevailed.

CONFERENCE COMMITTEE ON HOUSE FILE 647

The Chair announced the appointment of Senators Doran, Evans, Henningsen, and Guernsey as members of the conference committee on the part of the Senate, on House File 647.

THIRD READING OF BILLS

On motion of Senator Doran, House File 540, a bill for an act to amend Chapter one hundred seventy-eight (178), Code of Iowa, 1935, and to amend section three thousand five hundred ninety-five (3595), section three thousand five hundred ninety-eight (3598), Code, 1935, and to repeal section three thousand five hundred ninety-seven (3597), Code, 1935, and to enact a substitute therefor; relating to persons legally liable for the support of insane or idiotic persons; providing for the collection of sums advanced by the county for their support, and the power of the board of supervisors to compromise said liability; and creating a lien on real estate owned by any person receiving assist-

ance under said chapter, or husband or wife of such person, and relating to the record of such lien, and the release or compromise of such lien, and relating to claims against estates of persons who have received such assistance, 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, 36:

Augustine	Doran	Henningsen	Miller
Baldwin	Edwards	Hill	Parker
Bekman	Ellis	Hoeven	Pelzer
Berg	Elthon	Hopkins	Schadt
Breen	Evans	Husted	Stewart
Corwin	Gillette	Kirketeg	Talbott
Cromwell	Guernsey	Leo	Vrba
Dean	Hart	Martin	Whitehill
Dewey	Harvey	Mighell	Zeigler

Nays, none.

Absent or not voting, 14:

Beardsley	Faul	Lundy	Shaw
Benson	Forsling	Moore	Sjulin
Byers	Geske	Mowry	Smith
Donohue	Levis		

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 Doran, House File 541, a bill for an act to amend Chapter one hundred seventy-two (172) of the Code, 1935, relating to the hospital for epileptics and the school for feeble minded; providing liability for, collection, and payment of the cost of supporting patients of said institution; and repealing section thirty-four hundred seventy-four (3474) of the Code, 1935, 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, 31:

Augustine	Cromwell	Doran	Elthon
Bekman	Dewey	Edwards	Evans
Benson	Donohue	Ellis	Gillette

Hart	Husted	Miller	Stewart
Harvey	Kirketeg	Parker	Talbott
Henningsen	Leo	Pelzer	Whitehill
Hill	Martin	Schadt	Zeigler
Hopkins	Migheill	Sjulin	

Nays, 7:

Baldwin	Corwin	Faul	Mowry
Breen	Dean	Guernsey	

Absent or not voting, 12:

Beardsley	Forsling	Levis	Shaw
Berg	Geske	Lundy	Smith
Byers	Hoeven	Moore	Vrba

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.

By unanimous consent, on request of Senator Doran, action on House File 542 and Senate File 454 was deferred and the bills allowed to retain their places on the calendar.

By unanimous consent, on request of Senator Donohue, action on Senate Joint Resolution 10 was deferred and the resolution allowed to retain its place 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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 28, authorizing the joint committee on retrenchment and reform to inquire into the needs of an office building.

Also: That the House has concurred in Senate amendments to and passed House File 121, a bill for an act relating to persons engaged in the business of motor vehicles.

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

House File 381, a bill for an act to provide for the sealing of adoption records.

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

House File 422, a bill for an act permitting an honorably discharged disabled war veteran to operate a news stand in the State Capitol.

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

Senate File 203, a bill for an act relating to the termination of agricultural leases.

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 to create an agricultural land credit fund.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 255, a bill for an act to provide for control and eradication of Bang's disease in cattle.

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 relating to the legal work of the state of Iowa under the direction of the attorney general.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 28

Be It Resolved by the House, the Senate Concurring: That the joint interim committee in collaboration with the state executive council shall cause to be made an exhaustive study of the needs for an office building for the state of Iowa taking into consideration present rentals paid for office space; other suitable available quarters for rent or for sale, and all factors involved and present such findings together with their recommendations to the elected members of the 49th General Assembly not later than January 1, 1941.

HOUSE AMENDMENTS TO SENATE FILE 227

1. Amend section one (1), line three (3), by striking the words and figures "Six hundred Sixty Thousand Dollars (\$660,000.00)" and inserting in lieu thereof the words and figures "five hundred thousand dollars (\$500,000.00)".

2. Amend section two (2) as follows:

(a) In line five (5) insert after the word "levied" the following: "for the general school fund".

(b) In line seven (7) insert after the word "levy" the following: "for the general school fund".

3. Amend by striking section nine (9) and inserting in lieu thereof the following:

Sec. 9. The agricultural land credit as provided in this act shall not be made to any taxpayer on any portion of his property upon which a homestead credit as provided by Chapter one hundred ninety-five (195), Acts of the 47th General Assembly, has been allowed for the year in which the agricultural credit is claimed.

HOUSE AMENDMENTS TO SENATE FILE 255

1. Amend section nineteen (19) as follows:

(a) In line two (2), after the word "shall" insert the following: " , until May 1, 1940,".

(b) In line three (3), after the word "Act" insert the following: " , and after May 1, 1940, shall certify a claim for the owner for each animal slaughtered in accordance with this Act for".

(c) In line six (6) strike the words and figures "twelve dollars and fifty cents (\$12.50)" and insert in lieu thereof the words and figures "eight dollars (\$8.00)".

(d) In line seven (7) strike the words and figures "twenty-five dollars (\$25.00)" and insert in lieu thereof the words and figures "twelve dollars and fifty cents (\$12.50)".

2. Amend section twenty (20) by striking therefrom the following: "one hundred seventy-five thousand dollars (\$175,000.00)" and inserting in lieu thereof the following: "one hundred thousand dollars (\$100,000.00)".

3. Amend section twenty (20) by adding as a new paragraph the following:

"The department shall administer said fund in accordance with the rules adopted by it. Any unexpended balance remaining in said fund shall revert to the general fund of the state."

4. Amend section twenty-one (21), line six (6), by striking the word "three-fourths" and inserting in lieu thereof the word "one-half".

5. Amend section twenty-seven (27), line three (3), by adding after the comma following the word "Hampton" the following: "Iowa,".

6. Amend by inserting the following as section 27:

Sec. 27. The provisions of this act shall be in full force and effect only from the effective date hereof to and including December 31, 1943.

7. Amend by renumbering section 27 as section 28.

8. Amend the title by adding thereto after the word "cattle" in the last line the following: " ; to provide for an appropriation for one year for the purpose of carrying out the provisions of this act; and to provide for the levy in each county of a tax to be placed in a fund to be known as the county Bang's disease eradication fund".

HOUSE MESSAGES CONSIDERED

House File 381, a bill for an act to provide for the sealing of adoption records.

Read first and second times and referred to sifting committee.

House File 422, a bill for an act to permit an honorably discharged disabled veteran of certain of the nation's wars to operate a news stand in the state capitol, and prescribing the duties of the executive council on application for such privilege.

Read first and second times and referred to sifting committee.

On motion of Senator Donohue, Senate Joint Resolution 8,

A JOINT RESOLUTION

Joint Resolution proposing an amendment to Article IX, division 2nd, section 7, of the constitution of the state of Iowa to change the method of determining the proportion and manner of distribution of money subject to the support and maintenance of common schools.

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

Section 1. Article IX of the constitution of the state of Iowa is hereby amended by striking therefrom section 7 of division 2nd thereof and by inserting in lieu thereof the following:

“Sec. 7. The money subject to the support and maintenance of common schools shall be distributed to the districts in such proportion and in such manner as may be provided by the general assembly.”

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, was taken up and considered.

Senator Donohue moved that the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question “Shall the joint resolution be adopted?” the vote was:

Ayes, 36:

Baldwin	Doran	Hill	Mowry
Bekman	Edwards	Hoeven	Parker
Benson	Ellis	Hopkins	Pelzer
Berg	Elthon	Husted	Schadt
Breen	Evans	Kirketeg	Shaw
Byers	Geske	Leo	Stewart
Corwin	Guernsey	Martin	Talbott
Cromwell	Hart	Miller	Whitehill
Donohue	Harvey	Moore	Zeigler

Nays, none.

Absent or not voting, 14:

Augustine	Faul	Levis	Sjulin
Beardsley	Forsling	Lundy	Smith
Dean	Gillette	Mighell	Vrba
Dewey	Henningesen		

The joint resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senator Donohue moved that the vote by which the resolution was adopted by 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, Senate Joint Resolution 8 was messaged to the House immediately.

On motion of Senator Leo, House File 236, a bill for an act amending section fifty-six hundred thirty-two (5632), Code, 1935, relating to officers in cities and towns, was taken up and considered.

Senator Leo moved that the bill be read a third 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	Pelzer
Baldwin	Elthon	Hopkins	Schadt
Bekman	Evans	Husted	Shaw
Benson	Faul	Kirketeg	Sjulin
Berg	Gillette	Leo	Stewart
Byers	Guernsey	Martin	Talbott
Corwin	Hart	Miller	Vrba
Dean	Harvey	Moore	Whitehill
Doran	Henningesen	Mowry	Zeigler
Edwards	Hill	Parker	

Nays, none.

Absent or not voting, 11:

Beardsley	Dewey	Geske	Mighell
Breen	Donohue	Levis	Smith
Cromwell	Forsling	Lundy	

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

Senator Leo 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 House File 89 be re-referred to the sifting committee.

Senator Elthon moved as a substitute that action on House File 89 be deferred until Monday and that the bill retain its place on the calendar.

The substitution was made, and the substitute motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Gillette called up for consideration Senate File 255, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section nineteen (19) as follows:

(a) In line two (2), after the word "shall" insert the following: "until May 1, 1940."

(b) In line three (3), after the word "Act" insert the following: "and after May 1, 1940, shall certify a claim for the owner for each animal slaughtered in accordance with this Act for".

(c) In line six (6) strike the words and figures "twelve dollars and fifty cents (\$12.50)" and insert in lieu thereof the words and figures "eight dollars (\$8.00)".

(d) In line seven (7) strike the words and figures "twenty-five dollars (\$25.00)" and insert in lieu thereof the words and figures "twelve dollars and fifty cents (\$12.50)".

2. Amend section twenty (20) by striking therefrom the following: "one hundred seventy-five thousand dollars (\$175,000.00)" and inserting in lieu thereof the following: "one hundred thousand dollars (\$100,000.00)".

3. Amend section twenty (20) by adding as a new paragraph the following:

"The department shall administer said fund in accordance with the rules adopted by it. Any unexpended balance remaining in said fund shall revert to the general fund of the state."

4. Amend section twenty-one (21), line six (6), by striking the word "three-fourths" and inserting in lieu thereof the word "one-half".

5. Amend section twenty-seven (27), line three (3), by adding after the comma following the word "Hampton" the following: "Iowa,".

6. Amend by inserting the following as section 27:

Sec. 27. The provisions of this act shall be in full force and effect only from the effective date hereof to and including December 31, 1943.

7. Amend by renumbering section 27 as section 28.

8. Amend the title by adding thereto after the word "cattle" in the last line the following: "; to provide for an appropriation for one year for the purpose of carrying out the provisions of this act; and to provide for the levy in each county of a tax to be placed in a fund to be known as the county Bang's disease eradication fund".

The motion prevailed, and the Senate concurred in the House amendments.

THIRD READING OF BILLS

Senator Gillette moved that Senate File 255, a bill for an act to provide for control and eradication of Bang's disease in cattle; to provide for an appropriation for one year for the purpose of carrying out the provisions of this act; and to provide for the levy in each county of a tax to be placed in a fund to be known as the county Bang's disease eradication fund, be read a third time now, as amended, 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	Parker
Baldwin	Ellis	Hopkins	Pelzer
Benson	Elthon	Husted	Schadt
Berg	Evans	Kirketeg	Shaw
Breen	Faul	Leo	Sjulin
Byers	Gillette	Martin	Stewart
Cromwell	Guernsey	Mighell	Talbott
Dean	Hart	Miller	Vrba
Donohue	Harvey	Moore	Whitehill
Doran	Hill	Mowry	Zeigler

Nays, none.

Absent or not voting, 10:

Beardsley	Dewey	Henningsen	Lundy
Bekman	Forsling	Levis	Smith
Corwin	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 Faul, House File 77, a bill for an act to amend sections fifty-eight hundred seventy-four (5874), fifty-eight hundred seventy-five (5875), fifty-eight hundred seventy-six (5876), and fifty-eight hundred eighty (5880), Code, 1935, relating to bridges, viaducts and grade crossing separations, was taken up and considered.

Senator Faul moved that the bill be read a third 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	Elthon	Hoeven	Parker
Baldwin	Evans	Hopkins	Pelzer
Bekman	Faul	Husted	Schadt
Benson	Forsling	Kirketeg	Shaw
Berg	Gillette	Leo	Sjulin
Byers	Guernsey	Martin	Stewart
Cromwell	Hart	Mighell	Talbott
Dean	Harvey	Miller	Vrba
Doran	Henningsen	Moore	Whitehill
Edwards	Hill	Mowry	Zeigler
Ellis			

Nays, none.

Absent or not voting, 9:

Beardsley	Dewey	Geske	Lundy
Breen	Donohue	Levis	Smith
Corwin			

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

Senator Faul 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 Faul, House File 159, a bill for an act to amend section sixty-two hundred nine (6209), Code, 1935, relating to the levy of an annual tax for bridge purposes, was taken up and considered.

Senator Faul moved that the bill be read a third 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	Henningsen	Mowry
Baldwin	Ellis	Hill	Pelzer
Bekman	Elthon	Hoeven	Schadt
Berg	Evans	Hopkins	Shaw
Byers	Faul	Husted	Sjulin
Corwin	Forsling	Kirketeg	Stewart
Cromwell	Gillette	Leo	Talbott
Dean	Guernsey	Martin	Vrba
Dewey	Hart	Miller	Whitehill
Donohue	Harvey	Moore	Zeigler

Nays, none.

Absent or not voting, 10:

Beardsley	Doran	Lundy	Parker
Benson	Geske	Mighell	Smith
Breen	Levis		

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

Senator Faul 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, House File 130, a bill for an act to amend sections fifteen hundred forty-six-a one (1546-a1) and fifteen hundred forty-six (1546), Code, 1935, relating to the limitation of fee to be charged or exacted by any person, firm, or corporation engaged in the furnishing or procurement of any situation or employment, including registration and other incidentals, and the conditions under which a fee may be charged for registration, 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, 42:

Augustine	Ellis	Hoeven	Parker
Baldwin	Elthon	Hopkins	Pelzer
Bekman	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Breen	Forsling	Leo	Sjulin
Byers	Gillette	Martin	Stewart
Cromwell	Guernsey	Mighell	Talbott
Dean	Hart	Miller	Vrba
Dewey	Harvey	Moore	Whitehill
Doran	Henningsen	Mowry	Zeigler
Edwards	Hill		

Nays, none.

Absent or not voting, 8:

Beardsley	Corwin	Geske	Lundy
Benson	Donohue	Levis	Smith

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 Byers, House File 376, a bill for an act to amend section fifty-three hundred ninety-six-a one (5396-a1), Code, 1935, relating to payment for care and maintenance of veterans graves, 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:

Baldwin	Edwards	Hill	Mowry
Bekman	Ellis	Hoeven	Parker
Benson	Elthon	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Byers	Faul	Kirketeg	Shaw
Corwin	Forsling	Leo	Sjulin
Cromwell	Gillette	Martin	Talbott
Dean	Guernsey	Mighell	Vrba
Donohue	Hart	Miller	Whitehill
Doran	Henningsen	Moore	Zeigler

Nays, none.

Absent or not voting, 10:

Augustine	Dewey	Levis	Smith
Beardsley	Geske	Lundy	Stewart
Breen	Harvey		

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 Husted, House File 575, a bill for an act to amend Chapter four hundred twenty-six (426), Code, 1935, relating to bonded warehouses for agricultural products; providing for a broadening of the permissible storage commodities to include items used in the production of agricultural products; providing rules and regulations by which grain elevators may conform to the requirements of the United States government and its various departments and agencies in the storage of grain; and to provide penalties for noncompliance with and for violation of the provisions of this act, 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, 39:

Augustine	Byers	Donohue	Elthon
Baldwin	Corwin	Doran	Evans
Benson	Cromwell	Edwards	Faul
Berg	Dean	Ellis	Forsling

Gillette	Hopkins	Miller	Shaw
Guernsey	Husted	Moore	Talbott
Hart	Kirketeg	Mowry	Vrba
Henningsen	Leo	Parker	Whitehill
Hill	Martin	Pelzer	Zeigler
Hoeven	Mighell	Schadt	

Nays, none.

Absent or not voting, 11:

Beardsley	Dewey	Levis	Smith
Bekman	Geske	Lundy	Stewart
Breen	Harvey	Sjulin	

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 Martin, House File 84, a bill for an act to amend section thirty-six hundred forty-one-b one (3641-b1), Code, 1935, relating to levies in certain counties for aid to widows with dependent children, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend by adding to section one (1) the following: "Before any such levy is made in excess of one-fourth mill a completely itemized statement of expenditures contemplated by such county shall be submitted to the state comptroller for his approval, and no levy in excess of one-fourth mill shall be made unless approved by him, and then only for the years 1939 and 1940."

The amendment was adopted.

Senator Martin moved that the bill be read a third 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	Henningsen	Mowry
Baldwin	Edwards	Hoeven	Parker
Bekman	Ellis	Hopkins	Pelzer
Benson	Elthon	Husted	Schadt
Berg	Evans	Kirketeg	Shaw
Breen	Faul	Leo	Sjulin
Byers	Forsling	Martin	Talbott
Corwin	Gillette	Mighell	Vrba
Cromwell	Guernsey	Miller	Whitehill
Dean	Hart	Moore	Zeigler
Donohue			

Nays, none.

Absent or not voting, 9:

Beardsley	Harvey	Levis	Smith
Dewey	Hill	Lundy	Stewart
Geske			

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

Senator Martin 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 Bekman, Senate File 392, a bill for an act to amend and revise Chapter one hundred eighteen (118), Acts of the Forty-seventh General Assembly, relating to unified supervision of child welfare activities in the state, the promotion and establishment of child welfare services and the licensing, inspection and supervision of private institutions and agencies for the care and placing of children; to amend section thirty-six hundred sixty-one-a forty-three (3661-a43), Code, 1935, relating to the definition of children's boarding homes to be licensed and inspected hereunder; to amend section thirty-six hundred sixty-one-a eighty (3661-a80), Code, 1935, relating to annual reports of child placing agencies; to amend section ten thousand five hundred one-b two (10501-b2), Code, 1935, relating to investigation and residence in adoption; to amend section ten thousand five hundred one-b seven (10501-b7), relating to the commitment of children when adoptions are annulled, was taken up and considered.

Senator Bekman moved that the bill be read a third 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	Mowry
Baldwin	Ellis	Hoeven	Parker
Bekman	Elthon	Hopkins	Pelzer
Benson	Evans	Husted	Schadt
Berg	Faul	Kirketeg	Shaw
Byers	Forsling	Leo	Sjulin
Corwin	Gillette	Martin	Talbott
Dean	Guernsey	Mighell	Vrba
Donohue	Hart	Miller	Whitehill
Doran	Henningsen	Moore	Zeigler

Nays, none.

Absent or not voting, 10:

Beardsley	Dewey	Levis	Smith
Breen	Geske	Lundy	Stewart
Cromwell	Harvey		

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

Senator Bekman 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 APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 19, 1939, he had approved the following:

Senate File 288, relating to the providing and maintaining of homes for dependent, neglected and delinquent children.

Senate File 305, providing an exemption of personal earnings of blind persons eligible to assistance.

Senate File 320, relating to unemployment compensation, making the provisions thereof conform to the provisions of the railroad unemployment insurance act of the United States.

Senate File 400, amending the law relating to the powers and duties of the superintendent of each of the institutions operated under the board of control; providing for the appointment of a business manager for such institutions, and providing for the change of the name of the institution for the feeble-minded at Glenwood to the Glenwood State School.

Senate File 411, making appropriations to Amana Society, et al.

Senate File 424, providing that legal work of the state shall be under the direction of the Attorney General.

Senate File 438, amending Senate File 2, Acts of the 48th General Assembly, relating to the audit of counties, cities and towns, and school districts and providing for the payment of expense of State Auditors.

Senate File 441, legalizing the action of the board of supervisors of Floyd County.

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 File 155; Senate Files 510, 509; House Files 408, 381, 422, 544, 122, 90 and 614.

E. P. DONOHUE, *Chairman.*

REPORT OF CONFERENCE COMMITTEE ON SUBSTITUTE FOR HOUSE FILE 200

MR. PRESIDENT: Your conference committee to which was referred Substitute for House File 200 recommends as follows:

That the Senate amendment be amended as follows, and that, when so amended, it be concurred in by the House and the Senate:

Sec. 2:

Lines 3 and 4, strike "three hundred forty-four thousand two hundred dollars (\$344,200.00)", insert "two hundred ninety-five thousand two hundred ten dollars (\$295,210.00)",

Line 10, strike "137,100.00"; insert "125,000.00",

Line 12, strike "\$142,100.00"; insert "\$130,000.00",

Line 20, strike "130,000.00"; insert "100,000.00",

Line 22, strike "5,000.00"; insert "4,500.00",

Line 24, strike "2,500.00"; insert "2,250.00",

Line 26, strike "5,000.00"; insert "4,500.00",

Line 30, strike "6,300.00"; insert "6,000.00",

Line 30a, strike "1,500.00"; insert "1,350.00",

Line 32, strike "19,500.00"; insert "18,000.00",

Line 34, strike "400.00"; insert "360.00",

Line 36, strike "5,000.00"; insert "4,500.00",

Line 38, strike "5,000.00"; insert "4,000.00",

Line 42, strike "5,000.00"; insert "4,500.00",

Line 45, strike "7,500.00"; insert "7,000.00",

Line 49, strike "2,500.00"; insert "1,250.00",

Line 52, strike "344,200.00"; insert "295,210.00".

Sec. 3:

Line 4, strike "ninety-six thousand seven hundred twenty dollars (\$96,720.00)"; insert "ninety thousand dollars (\$90,000.00)",

Lines 8 to 11 inclusive, strike out entirely; insert "Salaries, support, maintenance and miscellaneous purposes 82,500.00",

Line 19, strike "\$96,720.00"; insert "\$90,000.00".

Sec. 3a:

Strike the entire section.

Sec. 4:

Lines 3 and 4, strike "twenty thousand dollars (\$20,000.00)"; insert "fifteen thousand dollars (\$15,000.00)",

Line 11, strike "10,000.00"; insert "\$5,000.00",

Line 14, strike "\$20,000.00"; insert "\$15,000.00".

Sec. 5:

Lines 4 and 5, strike "sixty-four thousand three hundred fifty dollars (\$64,350.00)"; insert "one hundred eighty thousand fifty dollars (\$180,050.00)",

Lines 13 to 24 inclusive, strike out entirely,

Line 25, strike the word "and"; insert after the word "truck" the words "and Warehouse",

Line 34, strike "\$190,050.00"; insert "\$180,050.00".

Line 30, strike the word "and"; insert after word "truck" the words "and Warehouse",

Sec. 6:

Line 4, strike "sixty thousand dollars (\$60,000.00)"; insert "fifty-six thousand six hundred dollars (\$56,600.00)",

Line 7, strike "54,000.00"; insert "50,600.00",

Line 11, strike "\$60,000.00"; insert "\$56,600.00".

Sec. 7:

Lines 3 and 4, strike "one hundred ninety thousand dollars (\$190,000.00)"; insert "one hundred thirty-nine thousand five hundred dollars (\$139,500.00)",

Line 10, strike "\$190,000.00"; insert "\$139,500.00",

Line 14, strike "\$190,000.00"; insert "\$139,500.00",

Sec. 8:

Lines 3 and 4, strike "seventy-four thousand three hundred forty-four dollars (\$74,344.00)"; insert, "seventy-two thousand dollars (\$72,000.00)",

Line 7, strike the entire line,

Line 11, strike "62,794.00"; insert "60,450.00",

Line 15, strike "\$74,344.00"; insert "\$72,000.00".

Sec. 9:

Line 4, strike "eighty thousand two hundred sixty dollars (\$80,260.00)"; insert "seventy-seven thousand four hundred dollars (\$77,400.00)",

Line 9, strike, "77,860.00"; insert "75,000.00",

Line 14, strike "\$80,260.00"; insert "\$77,400.00".

Sec. 11:

Line 4, strike "fifty-four thousand dollars (\$54,000.00)" insert "fifty-one thousand five hundred dollars (\$51,500.00)",

Line 12, strike "45,200.00"; insert "42,700.00",

Line 20, strike "\$54,000.00"; insert "\$51,500.00".

Sec. 13:

Lines 4 and 5, strike "two hundred sixty thousand two hundred thirty-five dollars (\$260,235.00)"; insert "two hundred fifty thousand dollars (\$250,000.00)",

Line 9, strike "\$260,235.00"; insert "\$250,000.00",

Line 13, strike "\$260,235.00"; insert "\$250,000.00".

Sec. 14:

Line 4, strike "sixty thousand dollars (\$60,000.00)"; insert "fifty thousand dollars (\$50,000.00)",

Line 7, strike "\$50,000.00"; insert "\$40,000.00",

Line 12, strike "\$60,000.00"; insert "\$50,000.00".

Sec. 15:

Line 4, strike "one hundred forty-one thousand dollars (\$141,000.00)"; insert "one hundred forty thousand dollars (\$140,000.00)",

Line 8, strike "\$141,000.00"; insert "\$140,000.00".

Sec. 16:

Line 4, strike "eighteen thousand four hundred five dollars (\$18,405.00)"; insert "sixteen thousand dollars (\$16,000.00)",

Line 8, strike "\$18,405.00"; insert "\$11,500.00",

Insert as line 8a the following:

"Stream gaging\$ 4,500.00"

Line 13, strike "\$18,405.00"; insert "\$16,000.00".

Sec. 17:

Lines 3 and 4, strike "twenty-two thousand five hundred sixty-six dollars (\$22,566.00)"; insert "nineteen thousand one hundred fifty dollars (\$19,150.00)",

Line 10, strike "12,066.00"; insert "8,650.00",

Line 14, strike "\$22,566.00"; insert "\$19,150.00".

Sec. 19:

Lines 3 and 4, strike "one hundred twenty-nine thousand two hundred eighty dollars (\$129,280.00)"; insert "one hundred fifty-nine thousand five hundred dollars (\$159,500.00)",

Line 11, strike "74,280.00"; insert "75,000.00",

Line 12, after the word "for" insert "purchase, distribution and",

Line 13, strike "50,000.00"; insert "40,000.00",

Line 15, strike "\$129,280.00"; insert "\$120,000.00",

Lines 19 and 20, strike "sixteen thousand nine hundred dollars (\$16,900.00)"; insert "sixteen thousand dollars (\$16,000.00)",

Line 23, strike "\$16,900.00"; insert "\$16,000.00",

Lines 25 to 27 inclusive, strike out entirely; insert

"Total for the board of barbers' examiners.....\$ 16,000.00",

Lines 31 and 32, strike "two thousand one hundred twenty dollars (\$2,120.00)"; insert "one thousand two hundred dollars (\$1,200.00)",

Line 35, strike "2,120.00"; insert "1,200.00",

Lines 37 to 39 inclusive, strike out entirely; insert

"Total for board of chiropractic examiners.....\$ 1,200.00",

Lines 43 and 44, strike "fifteen thousand three hundred forty dollars (\$15,340.00)"; insert "sixteen thousand dollars (\$16,000.00)",

Line 47, strike "\$15,340.00"; insert "\$16,000.00",

Lines 49 to 51, strike out entirely; insert

"Total for board of cosmetology examiners.....\$ 16,000.00",

Line 55, strike "two thousand four hundred dollars (\$2,400.00)", insert "two thousand dollars (\$2,000.00)",

Lines 58 to 61 inclusive, strike out entirely; insert

"For board members and expense.....\$ 2,000.00",

Lines 63 to 65, strike out entirely; insert

"Total for board of dental examiners.....\$ 2,000.00",

Lines 69 and 70, strike "one thousand three hundred fifty dollars (\$1,350.00)"; insert "one thousand two hundred fifty dollars (\$1,250.00)",

Lines 72 to 75, strike out entirely; insert

"For board members and expense.....\$ 1,250.00",

Lines 77 to 79 inclusive, strike out entirely; insert

"Total for board of embalmers' examiners.....\$ 1,250.00",

Lines 86 to 89, strike out entirely; insert

"For board members and expense.....\$ 1,200.00",

Lines 91 to 93 inclusive, strike out entirely; insert

"Total for board of medical examiners.....\$ 1,200.00",
Line 97, strike "five hundred dollars (\$500.00);" insert "four hundred fifty dollars (\$450.00)",

Lines 99 to 102, strike out entirely; insert

"Total for board members and expense.....\$ 450.00",
Line 104 to 106, strike out entirely; insert

"Total for board of optometry examiners.....\$ 450.00",
Lines 110 and 111, strike out "one thousand six hundred dollars (\$1,600.00)"; and insert "one thousand two hundred dollars (\$1,200.00)",

Lines 113 to 117 inclusive, strike out entirely; insert

"For board members, secretary's salary and expenses.....\$ 1,200.00",
Lines 119 to 121 inclusive, strike out entirely; insert

"Total for board of osteopathic examiners.....\$ 1,200.00",
Line 125, strike out "three hundred dollars (\$300.00)"; insert "two hundred dollars (\$200.00)",

Lines 128 to 131 inclusive, strike out entirely; insert

"For board members and expense.....\$ 200.00",
Lines 133 to 135 inclusive, strike out entirely; insert

"Total for board of podiatry examiners.....\$ 200.00",
Add after line 135 the following:

"Grand total of all appropriations for all purposes for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, for the department of health.....\$159,500.00".

Sec. 20:

Line 4, strike "twenty-eight thousand dollars (\$28,000.00)"; insert "twenty-seven thousand dollars (\$27,000.00)",

Line 10, strike "\$25,600.00"; insert "\$24,600.00",

Line 15, strike "\$28,000.00"; insert "\$27,000.00".

Sec. 21:

Lines 3 and 4, strike "forty thousand dollars (\$40,000.00)", insert "thirty-six thousand dollars (\$36,000.00)",

Line 7, strike "\$36,500.00"; insert "\$32,500.00",

Line 13, strike "\$40,000.00"; insert "\$36,000.00".

Sec. 22:

Line 4, strike "forty-three thousand dollars (\$43,000.00)"; insert "thirty-eight thousand three hundred dollars (\$38,300.00)",

Line 7, strike "\$3,600.00"; insert "\$3,300.00",

Line 9, strike "\$39,400.00"; insert "\$35,000.00",

Line 14, strike "\$43,000.00"; insert "\$38,300.00".

Sec. 23:

Lines 3 and 4, strike "sixty-six thousand dollars (\$66,000.00)"; insert "fifty-six thousand dollars (\$56,000.00)",

Line 12, strike the words "supervisor and",

Line 13, strike "\$4,000.00"; insert "\$3,000.00",

Line 15, strike "\$16,000.00"; insert "\$7,000.00",

Line 17, strike "\$20,000.00"; insert "\$10,000.00",

Line 20, strike "\$66,000.00"; insert "\$56,000.00".

Sec. 24:

Lines 3 and 4, strike "thirty-two thousand six hundred dollars (\$32,600.00); insert "thirty thousand dollars (\$30,000.00)",

Line 8, strike "\$26,600.00"; insert "\$24,000.00",

Line 12, strike "\$32,600.00"; insert "\$30,000.00".

Sec. 25:

Line 4, strike "eighteen thousand two hundred fifty dollars (\$18,250.00)"; insert "fifteen thousand dollars (\$15,000.00)",

Line 9, strike "15,250.00"; insert "12,000.00",

Line 14, strike "\$18,250.00"; insert "\$15,000.00".

Sec. 26:

Strike out entirely.

Sec. 27:

Strike out entirely.

Sec. 28:

Strike out entirely.

Sec. 25:

Insert a new section immediately following section 25.

BOARD OF LIBRARY COMMISSIONERS

"Sec. 26. For the board of library commissioners, for use in the law, medical and traveling divisions of the state library, there is hereby appropriated for each year of the biennium beginning July 1, 1939 and ending June 30, 1941, the sum of fifty-eight thousand dollars (\$58,000.00) or so much thereof as may be necessary, to be used in the following manner:

For salary of law librarian	\$ 2,400.00
For salary of medical librarian	2,400.00
For salary of traveling librarian	2,400.00
For salaries, support, maintenance and miscellaneous purposes	50,800.00

Grand total of all appropriations for all divisions of the state library, for all purposes, for each year of the biennium....\$ 58,000.00"

Sec. 30:

Lines 3 and 4, strike "twenty thousand dollars (\$20,000.00)" insert "eighteen thousand six hundred dollars (\$18,600.00)",

Line 7, strike "\$15,000.00"; insert "\$14,600.00",

Line 8, strike "5,000.00"; insert "4,000.00",

Line 12, strike "\$20,000.00"; insert "\$18,600.00".

Sec. 31:

Line 4, strike "two hundred fifty-four thousand five hundred fifty-nine dollars (\$254,559.00)"; insert "two hundred fifty thousand dollars (\$250,000.00)".

Line 7, strike "\$3,300.00"; insert "\$3,000.00",

Line 9, strike "249,759.00"; insert "247,000.00",

Lines 9a and 9b, strike out entirely,

Line 13, strike "\$254,559.00"; insert "\$250,000.00".

Sec. 32:

Line 4, strike "thirty-five thousand dollars (\$35,000.00)"; insert "thirty-one thousand five hundred fifty dollars (\$31,550.00)",

Line 10, strike "26,000.00"; insert "23,150.00",

Line 14, strike "\$35,000.00"; insert "\$31,550.00".

Sec. 36, strike out entirely.

Sec. 37:

Line 4, strike "sixteen thousand six hundred seventy dollars (\$16,670.00)"; insert "eighteen thousand dollars (\$18,000.00)",

Line 8, strike "\$3,120.00"; insert "\$3,300.00",

Line 10, strike "\$13,550.00"; insert "\$14,700.00",

Line 15, strike "\$16,670.00"; insert "\$18,000.00".

Sec. 38:

Line 4, strike "one hundred eighty-five thousand dollars (\$185,000.00)"; insert "one hundred fifty thousand dollars (\$150,000.00)",

Line 11, strike "\$185,000.00"; insert "\$150,000.00",

Line 16, strike "\$185,000.00"; insert "\$150,000.00",

Line 63, strike "banking department, \$2,400.00;";

Line 65, strike "for printing code and annotations, \$35,000.00;";

Line 68, strike "horticulture,"

Line 69, strike "\$3,000.00;".

Sec. 39:

Strike the entire section; insert in lieu thereof:

"Sec. 39. For the department of public safety there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of six hundred sixty-two thousand four hundred twenty-two dollars (\$662,422.00) or so much thereof as may be necessary to be used in the following manner:

For salary of commissioner of public safety.....	\$ 4,000.00
For salary of chief of highway patrol.....	3,200.00
For salary of chief of bureau of criminal investigation.....	3,600.00
For salary of superintendent of radio broadcasting stations	2,400.00
For salary of superintendent of operators and chauffeurs license division	2,000.00
For salary of fire marshal.....	2,500.00
For salaries, support, maintenance and miscellaneous pur- poses	613,512.00

Total for the department of public safety for use of the highway patrol, bureau of criminal investigation, radio broadcasting stations, operators and chauffeurs licenses and fire marshal's office for each year of the biennium.....\$631,212.00

(2) Public Safety and Education

For the division of public safety and education there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of thirty-one thousand two hundred ten dollars (\$31,210.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous pur- poses	\$ 31,210.00
--	--------------

Grand total of all appropriations for all purposes for all

divisions of the department of public safety for each year
of the biennium\$662,422.00

(3) Liquor Control Enforcement

For the division of liquor control enforcement there is hereby transferred from the liquor control commission funds to the department of public safety for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of twenty-six thousand dollars (\$26,000.00) or so much thereof as may be necessary.

Sec. 41:

Lines 4 and 5, strike "four hundred sixteen thousand four hundred fifty dollars (\$416,450.00)"; insert "four hundred six thousand four hundred fifty dollars (\$406,450.00)",

Line 17, strike "25,000.00"; insert "15,000.00",

Line 30, strike "\$416,450.00"; insert "\$406,450.00".

Sec. 42:

Strike this section out entirely.

Sec. 43:

Line 4, strike "three hundred three thousand one hundred dollars (\$303,100.00)"; insert "two hundred eighty-six thousand five hundred dollars (\$286,500.00)",

Line 10, strike "15,600.00"; insert "13,500.00",

Line 12, strike "\$20,600.00"; insert "\$18,500.00",

Line 17, strike "256,300.00"; insert "247,300.00",

Line 20, strike "\$259,000.00"; insert "\$250,000.00",

Insert immediately following line 20, the following:

"In case of legislative transfer of the above department, the appropriation is to be transferred and made available to the department of transfer."

Line 22, strike "\$3,300.00"; insert "\$3,000.00",

Line 24, strike "20,200.00"; insert "15,000.00",

Line 26, strike "\$23,500.00"; insert "\$18,000.00",

Line 30, strike "\$303,100.00"; insert "\$286,500.00".

Sec. 44:

Line 4, strike "two hundred sixty-five thousand dollars (\$265,000.00)"; insert "two hundred sixty thousand dollars (\$260,000.00)",

Line 7, strike "\$50,000.00"; insert "\$45,000.00",

Line 14, strike "\$265,000.00"; insert "\$260,000.00".

Sec. 47:

Line 5, strike "(\$10,850.00)"; insert "(\$12,850.00)",

Lines 9 to 11 inclusive, strike out entirely; insert as follows:

"Salary of deputy....."	\$ 1,800.00
Salary of assistant	2,400.00
Salary of proofreader, two at \$1,500.00 each.....	3,000.00
For miscellaneous purposes.....	1,800.00

Line 13, strike the words "paragraph b"; insert "section 7a of Senate File 506, 48th G. A.",

Lines 17 to 24, strike out entirely.

Sec. 48:

Lines 3 and 4, strike "six hundred three thousand nine hundred twenty dollars (\$603,920.00)"; insert "five hundred seventy thousand two hundred dollars (\$570,200.00)".

Line 13, strike "\$3,800.00"; insert "\$4,000.00",

Lines 14, 15, and 16, strike out entirely and insert the following:

"For salaries, support, maintenance and miscellaneous purposes for all divisions of the state tax commission.....\$552,700.00

Grand total of all appropriations for all purposes for each year of the biennium for all divisions of the state tax commission\$570,200.00

Lines 17 to 62 inclusive, strike out entirely.

Sec. 49:

Lines 4 and 5, strike "forty-two thousand eight hundred and twenty dollars (\$42,820.00)"; insert "forty-two thousand dollars (\$42,000.00)",

Line 9, strike "\$33,020.00"; insert "\$32,200.00",

Line 17, strike "\$42,820.00"; insert "\$42,000.00".

Sec. 50:

Lines 3 and 4, strike "four hundred dollars (\$400.00)"; insert "three hundred dollars (\$300.00)",

Line 7, strike "\$400.00"; insert "\$300.00",

Line 10, strike "\$400.00"; insert "\$300.00".

Sec. 51.

Lines 3 and 4, strike "sixty-two thousand four hundred dollars (\$62,400.00)"; insert "sixty thousand dollars (\$60,000.00)",

Line 10, strike "\$60,150.00"; insert "\$57,750.00",

Line 15, strike "\$62,400.00"; insert "\$60,000.00".

Sec. 52:

Lines 20, 21, and 22, strike "four million three hundred twelve thousand three hundred ninety-eight dollars (\$4,312,398.00)"; insert "three million nine hundred eighty-seven thousand four hundred seven dollars (\$3,987,407.00)",

Lines 31 and 32, strike "three hundred sixty-eight thousand three hundred sixty-eight dollars (\$368,368.00)"; insert "two hundred eighty-seven thousand three hundred eighty-five dollars (\$287,385.00)",

Line 34, strike "\$361,368.00"; insert "\$281,385.00",

Line 35, strike "\$7,000.00"; insert "\$6,000.00",

Line 38, strike "\$368,368.00"; insert "\$287,385.00",

Lines 42 and 43, strike "four hundred sixty-seven thousand eight hundred sixty-eight dollars (\$467,868.00)"; insert "three hundred seventy-two thousand seven hundred seventy dollars (\$372,770.00)",

Line 46, strike "\$455,868.00"; insert "\$364,770.00",

Line 47, strike "\$12,000.00"; insert "\$8,000.00",

Line 50, strike "\$467,868.00"; insert "\$372,770.00",

Lines 54 and 55, strike "four hundred forty-two thousand four hundred sixteen dollars (\$442,416.00)"; insert "four hundred four thousand two hundred seventy-one dollars (\$404,271.00)",

Line 58, strike "\$430,416.00"; insert "\$396,271.00",

Line 59, strike "\$12,000.00"; insert "\$8,000.00",

Line 62 strike "\$442,416.00"; insert "\$404,271.00",

Lines 66 and 67, strike "four hundred twenty-seven thousand ninety-two dollars (\$427,092.00)"; insert "three hundred ninety-six thousand three hundred ninety-five dollars (\$396,395.00)",

Line 69, strike "\$421,092.00"; insert "\$390,395.00",

Line 72, strike "\$427,092.00"; insert "\$396,395.00";

Lines 76 and 77, strike "four hundred forty-five thousand four hundred seventy-six dollars (\$445,476.00)"; insert "four hundred twenty-three thousand two hundred fifty-two dollars (\$423,252.00)",

Line 80, strike "\$437,976.00"; insert "\$416,752.00",

Line 81, strike "\$7,500.00"; insert "\$6,500.00",

Line 84, strike "\$445,476.00"; insert "\$423,252.00",

Line 88, strike "three hundred eighty-five thousand two hundred sixty dollars (\$385,260.00)"; insert "three hundred fifty-one thousand one hundred twenty-four dollars (\$351,124.00)",

Line 91, strike "\$379,260.00"; insert "\$345,124.00",

Line 95, strike "\$385,260.00"; insert "\$351,124.00",

Lines 99 and 100, strike "one hundred thirteen thousand five hundred fifty dollars (\$113,550.00)" insert "one hundred sixteen thousand five hundred fifty dollars (\$116,550.00)",

Line 102, strike "\$110,000.00"; insert "\$113,000.00",

Line 105, strike "\$113,550.00"; insert "\$116,550.00",

Lines 107 to 110 inclusive, strike out entirely; insert "(8) For the state penitentiary, Ft. Madison, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of four hundred three thousand dollars (\$403,000.00), which is hereby appropriated from the following funds: \$390,500.00 from the general fund of the state of Iowa, and \$12,500.00 from the industries fund of said institution, which sum is hereby transferred to the support, maintenance and improvement fund of said institution, or so much thereof as may be necessary, to be",

Lines 121 to 124 inclusive, strike out entirely; insert "(9) For the men's reformatory, Anamosa, there is hereby appropriated for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, the sum of three hundred five thousand dollars (\$305,000.00), which is hereby appropriated from the following funds: \$230,000.00 from the general fund of the state of Iowa, and \$75,000.00 from the industries fund of the said institution, which is hereby transferred to the support, maintenance, and improvement fund of the said institution, or so much thereof as may be necessary to be used in",

Lines 137 and 138, strike "forty-eight thousand dollars (\$48,000.00); insert "forty-two thousand dollars (\$42,000.00)",

Line 140, strike "\$46,000.00"; insert "\$40,000.00",

Line 144, strike "\$48,000.00"; insert "\$42,000.00",

Lines 158 and 159, strike "one hundred ninety-two thousand three hundred seventy-one dollars (\$192,371.00)"; insert "one hundred seventy-one thousand one hundred sixty-three dollars (\$171,163.00)",

Line 161, strike \$188,371.00"; insert "\$167,163.00",

Line 164, strike "\$192,371.00"; insert "\$171,163.00",

Lines 168 and 169, strike "one hundred ninety-seven thousand seven

hundred fifty dollars (\$197,750.00)"; insert "two hundred thousand seven hundred fifty dollars (\$200,750.00)",

Line 171, strike "\$190,000.00"; insert "\$193,000.00",

Line 175, strike "\$197,750.00"; insert "\$200,750.00",

Line 201, strike "ten thousand dollars (\$10,000.00)"; insert "seven thousand five hundred dollars (\$7,500.00)",

Line 205, strike "\$10,000.00"; insert "\$7,500.00",

Line 207, strike "\$10,000.00"; insert "\$7,500.00",

Line 210, strike "\$4,312,398.00"; insert "\$3,987,407.00".

Sec. 58:

Lines 11 and 12, strike "seven million three hundred forty-four thousand dollars (\$7,344,000.00)"; insert "six million eight hundred twenty-one thousand dollars (\$6,821,000.00)",

Lines 19 and 20, strike "two million five hundred thousand dollars (\$2,500,000.00)"; insert "two million three hundred forty thousand dollars (\$2,340,000.00)",

Line 23, strike "\$2,350,000.00"; insert "\$2,277,500.00",

Line 25, strike "\$150,000.00"; insert "\$62,500.00",

Line 27, strike "\$2,500,000.00"; insert "\$2,340,000.00",

Line 31, strike "two million five hundred forty thousand dollars (\$2,540,000.00)"; insert "two million three hundred twenty-five thousand dollars (\$2,325,000.00)",

Line 34, strike "\$2,315,000.00"; insert "\$2,215,000.00",

Line 36, strike "\$175,000.00"; insert "\$110,000.00",

Line 37, strike out entirely,

Line 40, strike "\$2,540,000.00"; insert "\$2,325,000.00",

Lines 43 and 44, strike "six hundred seventy-five thousand dollars (\$675,000.00)"; insert "six hundred forty-eight thousand five hundred dollars (\$648,500.00)",

Line 47, strike "\$670,000.00"; insert "\$648,500.00",

Insert a new line immediately following line 47 to read

"Total for Iowa state teachers' college.....\$648,500.00"

Line 56, strike out entirely,

Line 60, strike "twenty-nine thousand dollars (\$229,000.00)"; insert "twenty-five thousand dollars (\$225,000.00)",

Line 62, strike "\$225,000.00"; insert "\$221,000.00",

Line 65, strike "\$229,000.00"; insert "\$225,000.00",

Line 79, strike "one hundred thousand (\$1,100,000.00)"; insert "(\$1,000,000.00)",

Line 92, strike the word "university"; insert "Department of Health",

Line 94, strike the word "university"; insert "department of health",

Lines 95 and 96, strike "fifty-five thousand dollars (\$55,000.00)"; insert "thirty-seven thousand five hundred dollars (\$37,500.00)",

Line 108, insert following the "," after the word "City" the following: "the State Teachers' College at Cedar Falls,"

Line 114, strike "\$7,344,000.00"; insert "\$6,821,000.00".

Sec. 54:

Lines 3 and 4, strike "three thousand seven hundred fifty dollars (\$3,750.00)"; insert "four thousand two hundred fifty dollars (\$4,250.00)",

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

THIRD READING OF BILLS

On motion of Senator Berg, committee substitute for House File 155, a bill for an act to define, regulate, license, and tax itinerant merchants; to provide for the administration and enforcement of this act by the motor vehicle department of the office of the secretary of state, and by peace officers and magistrates; to provide for the disposition of the revenues derived from said license fees and taxes; to require itinerant merchants to obtain and carry motor vehicle liability and property damage insurance, and bonds conditioned to pay damages for civil liability incurred and conditioned to pay taxes; to provide for exemptions from this act; to provide criminal penalties and civil liabilities for violation of this act; to provide for restraining by injunction violation of this act; and to provide that this act shall take effect upon publication, was taken up and considered.

Senators Corwin, Berg, and Forsling offered the following amendments and moved their adoption:

Amend by striking paragraph four (4), subsection (a), section one (1), lines fourteen (14) to nineteen (19) inclusive.

Further amend by striking the words "office of the secretary of" in line twenty-one (21) of paragraph five (5), subsection (a), section one (1).

Further amend by striking paragraph six (6), subsection (a), section one (1) lines twenty-two (22) to thirty-seven (37) inclusive and substitute in lieu thereof the following: "(6) 'Established place of business' shall mean any permanent warehouse, building, or structure, at which a permanent business is carried on throughout the year or usual production or marketing season in good faith, and at which stocks of the property being transported are produced, stored, or kept in quantities reasonably adequate for, and usually carried for the requirements of such business, and which is recognized as a permanent place of business. It shall not mean tents, temporary stands or other temporary quarters."

Further amend by striking paragraph seven (7), subsection (a), section one (1) lines forty-one (41) to forty-five (45) inclusive and insert in lieu thereof the following: "(7) 'Itinerant merchant' shall mean any person who transports personal property for sale by him within this state, by use of a motor vehicle, except as herein otherwise provided."

Further amend by striking the words "owned by him, whether" in line forty-eight (48), paragraph one (1), subsection (b), section one (1).

Further amend by inserting in line fifty-two (52) following the words "operated by him", in paragraph one (1), subsection (b), section one

(1) the following: "including those instances in which an entire crop or field is purchased from a producer,".

Further amend by striking lines sixty-five (65) and sixty-six (66) which is paragraph three (3), subsection (b), section one (1).

Further amend by inserting in line sixty-eight (68), paragraph four (4), subsection (b), section one (1) following the figures "3148" the word "or".

Further amend by striking the words and figures "twenty-five (25)" in line seventy (70), paragraph five (5), subsection (b), section one (1), and inserting in lieu thereof the words and figures "fifty (50)".

Further amend by striking the period in line sixteen (16) section three (3) and insert in lieu thereof the following: "; such application shall be sworn to."

Further amend by striking after the period in line sixteen (16), section three (3), the balance of said section up to and including line thirty-seven (37) and insert in lieu thereof the following: "Upon payment of the license fee as hereinafter determined, the department shall issue a license which shall entitle the applicant to be an itinerant merchant. The fee shall be based upon the maximum weight of the load which said merchant may transport at any one time and shall be as follows: On not to exceed one thousand (1000) pounds at one time, ten dollars (\$10.00); on not to exceed three thousand (3000) pounds at one time, twenty-five dollars (\$25.00); on a load in excess of three thousand (3000) pounds at one time, forty dollars (\$40.00). Provided however that the license fee of an itinerant merchant for transportation of property in a motor vehicle which is licensed under Chapter 134, Acts of the Forty-seventh General Assembly shall be the sum of two dollars (\$2.00) regardless of the weight of the load. The fee shall be reduced twenty-five (25%) per cent if the license is obtained after March 31st and before July 1st in any year; fifty (50%) per cent if after June 30th and before October 1st; and seventy-five (75%) per cent if after September 30th. Each license shall expire at the end of the calendar year."

Further amend by adding after the figures "(\$250.00)" in line eight (8), section four (4), the following: "for an itinerant merchant operating with more than twenty-five hundred (2500) pounds actual load".

Further amend by striking the word "may" in line twenty-six (26), paragraph one (1), subsection (a), section four (4), and insert in lieu thereof the word "shall".

Further amend by striking the word "thirty" in line fifty-one (51) subsection (b), section four (4), and insert in lieu thereof the word "ten".

Further amend by adding the words "or permit" immediately following the word "license" in line one (1), section nine (9).

Further amend by striking the period in line eight (8) subsection (a), section nine (9) and insert in lieu thereof the following: "or misrepresentation of the source, condition, quality, weight or measure of the products sold by the itinerant merchant."

Further amend by renumbering sections, subsections and paragraphs to conform with these amendments.

Further amend by striking the word and figures "or 1794-e1" in line sixty-eight (68), paragraph four (4), subsection (b), section one (1).

Further amend section one (1), subsection (b), by adding after paragraph five (5) of said subsection (b) the following: "(5) A salesman selling manufactured articles produced by his employer who sells the same to retail dealers for the purpose of resale."

The amendments were adopted.

By unanimous consent, on request of Senator Berg, all amendments except the one filed by Senator Corwin, found on page 1392, were withdrawn.

Senator Corwin offered the following amendment and moved its adoption:

Amend the amendment filed by Senators Corwin, Berg and Forsling by adding thereto the following amendment:

Amend section three (3), line two (2), after the word "department" by adding thereto the words "or county auditor".

Further amend by striking the word "from" in line seventy-one (71), paragraph five (5), section one (1) and insert in lieu thereof the following: "to be issued him without charge on application to the county auditor or".

By unanimous consent, the amendment was changed to conform to the provisions of the bill in place of the amendment which had previously been adopted.

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, 46:

Augustine	Edwards	Hoeven	Mowry
Baldwin	Ellis	Hopkins	Parker
Bekman	Evans	Husted	Pelzer
Berg	Faul	Kirketeg	Schadt
Breen	Forsling	Leo	Shaw
Byers	Geske	Levis	Sjulin
Corwin	Gillette	Lundy	Stewart
Cromwell	Guernsey	Martin	Talbott
Dean	Hart	Mighell	Vrba
Dewey	Harvey	Miller	Whitehill
Donohue	Henningsen	Moore	Zeigler
Doran	Hill		

Nays, none.

Absent or not voting, 4:

Beardsley	Benson	Elthon	Smith
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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 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.

By unanimous consent, on request of Senator Berg, House File 155 was messaged to the House immediately.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

By unanimous consent, on request of Senator Doran, the report of the conference committee, on Substitute for House File 200, found on pages 1380 to 1390 inclusive, of the Journal, was taken up and considered.

Senator Forsling moved that the Senate adopt the report of the conference committee and the amendments to Substitute for House File 200 as set out in the report.

Roll call was requested.

On the question "Shall the report of the conference committee and the amendments to Substitute for House File 200 as set out in the report be adopted?" the vote was:

Ayes, 27:

Berg	Faul	Hopkins	Parker
Byers	Forsling	Husted	Pelzer
Corwin	Hart	Kirketeg	Schadt
Cromwell	Harvey	Leo	Sjulin
Donohue	Henningsen	Levis	Talbott
Edwards	Hill	Martin	Whitehill
Evans	Hoeven	Mowry	

Nays, 19:

Augustine	Dewey	Gillette	Shaw
Baldwin	Doran	Lundy	Stewart
Beardsley	Ellis	Mighell	Vrba
Breen	Elthon	Miller	Zeigler
Dean	Geske	Moore	

Absent or not voting, 4:

Bekman	Benson	Guernsey	Smith
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The motion prevailed and the Senate adopted the conference committee report and amendments therein.

THIRD READING OF BILLS

Senator Forsling moved that Substitute for House File 200, a bill for an act to establish the general fund for the state of Iowa, for

the biennium beginning July 1, 1939, and ending June 30, 1941, 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, be read a third time now, as amended, which motion prevailed and the bill was read a third time.

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

Ayes, 32:

Augustine	Elthon	Hoeven	Parker
Bekman	Evans	Hopkins	Pelzer
Berg	Faul	Husted	Schadt
Byers	Forsling	Kirketeg	Sjulin
Corwin	Hart	Leo	Stewart
Cromwell	Harvey	Levis	Talbott
Donohue	Henningsen	Martin	Whitehill
Edwards	Hill	Mowry	Zeigler

Nays, 14:

Baldwin	Dewey	Gillette	Moore
Beardsley	Doran	Mighell	Shaw
Breen	Ellis	Miller	Vrba
Dean	Geske		

Absent or not voting, 4:

Benson	Guernsey	Lundy	Smith
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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 Forsling 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 Doran, House File 542, a bill for an act to repeal sections thirty-four hundred six (3406), thirty-four hundred seven (3407), thirty-four hundred eight (3408), thirty-four hundred nine (3409), and thirty-four hundred ten (3410), of the Code, 1935, relating to the institution for feeble minded and to enact a substitute therefor, providing liability for, collection, and payment of the costs of supporting inmates of said institution, 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.

Rule 8 was invoked.

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

Ayes, 21:

Berg	Gillette	Kirkteg	Shaw
Dewey	Hill	Leo	Sjulin
Doran	Hoeven	Mowry	Talbott
Edwards	Hopkins	Pelzer	Whitehill
Elthon	Husted	Schadt	Zeigler
Evans			

Nays, 24:

Augustine	Corwin	Forsling	Lundy
Baldwin	Cromwall	Geske	Martin
Beardsley	Dean	Guernsey	Mighell
Bekman	Donohue	Hart	Miller
Breen	Ellis	Harvey	Moore
Byers	Faul	Henningesen	Vrba

Absent or not voting, 5:

Benson	Parker	Smith	Stewart
Levis			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Donohue moved to reconsider the vote by which House File 542 failed to pass 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 concurred in Senate amendments to and passed House File 84, a bill for an act relating to levies in certain counties for aid to widows with dependent children.

Also: That the House has concurred in Senate amendments to and passed House File 633, a bill for an act relating to fish and game and fur-bearing animals; and relating to game breeder's license.

Also: That the House has amended and concurred in Senate amendments to and passed House File 566, a bill for an act to validate all funds deposited by school corporations in banks not approved by the board of school directors.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE AMENDMENTS TO
HOUSE FILE 566

Amend the Senate amendments to House File 566 as follows:

1. Strike section two (2) and insert a new sentence at the end of section one (1) as follows:

"No such claim as provided by this act shall be allowed or paid until after July 1, 1941."

2. Amend the title by striking all after the figures "1935" in line five (5), and inserting in lieu thereof the following: ", and providing that such claims shall not be allowed or paid until after July 1, 1941.".

HOUSE FILE 433 RECONSIDERED

Senator Byers called up for consideration his motion to reconsider House File 433, found on page 1204 of the Journal.

On the question "Shall the Senate reconsider the vote by which House File 433 failed to pass the Senate?" the vote was:

Ayes, 32:

Augustine	Ellis	Hill	Miller
Baldwin	Evans	Hoeven	Moore
Bekman	Faul	Hopkins	Pelzer
Berg	Gillette	Husted	Schadt
Byers	Guernsey	Kirkteq	Shaw
Dean	Hart	Leo	Sjulin
Doran	Harvey	Levis	Whitehill
Edwards	Henningsen	Lundy	Zeigler

Nays, 8:

Cromwell	Forsling	Mighell	Stewart
Donohue	Martin	Mowry	Vrba

Absent or not voting, 10:

Beardsley	Corwin	Geske	Smith
Benson	Dewey	Parker	Talbott
Breen	Elthon		

The motion prevailed.

House File 433, a bill for an act to make an appropriation for the first producing oil well in Iowa, was up for passage.

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

Ayes, 28:

Augustine	Ellis	Henningsen	Miller
Baldwin	Elthon	Hopkins	Moore
Bekman	Evans	Husted	Pelzer
Benson	Faul	Kirkteq	Schadt
Dean	Guernsey	Leo	Shaw
Doran	Hart	Levis	Sjulin
Edwards	Harvey	Lundy	Whitehill

Nays, 12:

Beardsley	Hill	Mighell	Talbott
Cromwell	Hoeven	Mowry	Vrba
Donohue	Martin	Stewart	Zeigler

Absent or not voting, 10:

Berg	Corwin	Geske	Parker
Breen	Dewey	Gillette	Smith
Byers	Forsling		

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

THIRD READING OF BILLS

By unanimous consent, on request of Senator Geske, Senate Joint Resolution 10, a joint resolution creating a committee to investigate liquor control in the State of Iowa, including the regulation and control of licensing and sale of beer and the control of the sale of hard liquors, and to define the powers and duties of said commission, and to provide for the expenses of said commission, was taken up and considered.

Senator Hoeven moved the previous question on the resolution and all amendments, which motion prevailed.

Senator Bekman offered the following amendment and moved its adoption:

Amend by striking all of section two (2) after the word "beer" in line five (5) and inserting in lieu thereof a period(.).

By unanimous consent, on request of Senator Bekman, the rules were suspended and the following added to his amendment immediately preceding the period:

"and to submit a written report to the attorney general of the state of Iowa".

The amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend by adding the following:

Sec. 4. In no event shall more than twenty-five hundred dollars (\$2,500.00) be expended under this act.

The amendment was adopted.

Senator Donohue moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

Rule 8 was invoked.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 12:

Baldwin
Byers
Corwin

Donohue
Forsling
Geske

Henningsen
Martin
Moore

Schadt
Vrba
Zeigler

Nays, 37:

Augustine	Edwards	Hill	Miller
Beardsley	Ellis	Hoeven	Mowry
Bekman	Elthon	Hopkins	Parker
Benson	Evans	Husted	Pelzer
Berg	Faul	Kirketeg	Shaw
Breen	Gillette	Leo	Sjulin
Cromwell	Guernsey	Levis	Stewart
Dean	Hart	Lundy	Talbott
Dewey	Harvey	Mighell	Whitehill
Doran			

Absent or not voting, 1:

Smith

The resolution was lost.

Senator Husted moved that the vote by which the resolution failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Whitehill moved that House File 400 be taken from the sifting committee and placed on the calendar as a special order of business for Tuesday at 1:30 p. m.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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, 335, 356, 328, 475, 482, 489 and 490, and House Files 121, 233, 245, 358, 652 and 653.

RALPH E. BENSON, *Chairman Senate Committee.*
ALBERT STEINBERG, *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, 328, 335, 356, 475, 482, 489 and 490, and House Files 121, 233, 245, 358, 652 and 653.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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 April, 1939, sent to the Governor for his approval, Senate Files 89, 328, 335, 356, 475, 482, 489 and 490.

RALPH E. BENSON, *Chairman*.

Passed on file.

SENATE CONCURRENT RESOLUTION 20

Whereas, It is now the twenty-fourth (24th) day of April, 1939, and the one hundred and sixth (106th) day of the Forty-eighth (48th) General Assembly of the State of Iowa; now, therefore,

Be It Resolved by the Senate, the House Concurring: That the Forty-eighth (48th) General Assembly adjourn sine die at five (5) o'clock p. m. Wednesday, April 26, 1939.

ED. BREEN.

EARL DEAN.

M. MOORE

E. P. CORWIN.

GEORGE FAUL.

ORA E. HUSTED.

H. W. EDWARDS.

H. C. BALDWIN.

AMENDMENTS FILED

MR. PRESIDENT: Amend section 1 of House File 57 by inserting after the word "father" in line twenty-two (22) the following: "other children by the same mother,"

M. MOORE.

MR. PRESIDENT: Amend House File 57 by striking section 2 and re-numbering section 3 as section 2.

M. MOORE.

MR. PRESIDENT: Amend House File 58 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section two thousand three hundred and sixteen (2316) is hereby amended by striking in line two (2) of section two thousand three hundred and sixteen (2316) the words and figures five hundred (500) and substituting in lieu thereof the words and figures one hundred (100).

Further amend by striking in line five (5) of section two thousand three hundred and sixteen (2316) the words 'six months' and substituting in lieu thereof the words 'thirty days.'

M. MOORE.

MR. PRESIDENT: Amend Senate File 509 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section thirty-nine (39) of Chapter two (2) of the Code of Iowa of 1935 is hereby amended by striking the word "chairmen" from line one (1) and inserting in lieu thereof the words "chairman of each".

Sec. 2. Section thirty-nine (39) of Chapter two (2) of the Code of Iowa of 1935 is further amended by adding thereto the following: 'Any vacancy occurring on the committee while the legislature is not in session shall be filled by the Presiding Officer of the House in the event the vacancy occurs in the membership of said committee from the House and by the Lieutenant-Governor in the event the vacancy occurs in the membership of said committee from the Senate.'

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in The New Hampton

Tribune, a newspaper published at New Hampton, Iowa, and the Nashua Reporter, a newspaper published at Nashua, Iowa." E. P. DONOHUE.

MR. PRESIDENT: Amend the title to Senate File 509 by striking from line one (1) the word "repeal" and substituting in lieu thereof the word "amend" and further amend by striking all following the figures "1935" in line two (2) and inserting in lieu thereof the following: "and to provide the manner in which vacancies on the committee on retrenchment and reform shall be filled when the legislature is not in session."

E. P. DONOHUE.

MR. PRESIDENT: Amend House File six hundred one (601) by striking all after the enacting clause and substituting in lieu thereof the following:

Division I.

Section 1. That section one (1) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be amended by striking subsection twenty-two (22) and inserting in lieu thereof the following:

"22. 'Gross weight' shall mean the empty weight of a vehicle plus the maximum load to be carried thereon. The maximum load to be carried by a passenger carrying vehicle shall be determined by multiplying one hundred fifty (150) pounds by the number of passenger seats carried by such vehicle.

"22-a. 'Combined gross weight' shall mean the gross weight of a motor vehicle plus the gross weight of a trailer or semi-trailer to be drawn thereby."

Sec. 2. That section one hundred fifty (150) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be repealed and the following enacted in lieu thereof:

"Sec. 150. Trucks with pneumatic tires. For motor trucks equipped with all pneumatic tires, the annual registration fee shall be:

For a gross weight of 3 tons or less	\$ 15.00 per annum
For gross weights exceeding 3 and not exceeding 5 tons	25.00 per annum
For gross weights exceeding 5 and not exceeding 6 tons	60.00 per annum
For gross weights exceeding 6 and not exceeding 7 tons	80.00 per annum
For gross weights exceeding 7 and not exceeding 8 tons	100.00 per annum
For gross weights exceeding 8 and not exceeding 9 tons	130.00 per annum
For gross weights exceeding 9 and not exceeding 10 tons	160.00 per annum
For gross weights exceeding 10 and not exceeding 11 tons	190.00 per annum
For gross weights exceeding 11 and not exceeding 12 tons	225.00 per annum"

Sec. 3. That section one hundred fifty-one (151) of Chapter one hun-

dred thirty-four (134), Acts of the 47th General Assembly, be repealed and the following enacted in lieu thereof:

"Sec. 151. Trucks with solid rubber tires. For motor trucks equipped with two or more solid rubber tires, the annual registration fee shall be the fee provided in section one hundred fifty (150) of this chapter plus twenty-five percent (25%) thereof."

Sec. 4. That section one hundred fifty-two (152) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be repealed and the following enacted in lieu thereof:

"Sec. 152. Trucks exceeding twelve (12) tons gross weight. The registration fee on all trucks of gross weight in excess of twelve (12) tons shall be the fee for twelve (12) tons and in addition thereto twenty dollars for each ton over twelve (12) tons."

Sec. 5. That section one hundred fifty-three (153) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly be repealed and the following enacted in lieu thereof:

"Sec. 153. Truck tractors, road tractors, and semi-trailers.

(a) For a truck tractor or for a road tractor the annual registration fee shall be:

For each truck tractor or road tractor drawing a trailer having a combined gross weight of six tons or less, thirty dollars per annum.

For each truck tractor or road tractor drawing a trailer having a combined gross weight exceeding six tons and not exceeding eight tons, seventy dollars per annum.

For each truck tractor or road tractor drawing a trailer having a combined gross weight exceeding eight tons and not exceeding ten tons, one hundred thirty dollars per annum.

For each truck tractor or road tractor drawing a trailer having a combined gross weight exceeding ten tons and not exceeding twelve tons, one hundred ninety-five dollars per annum.

The registration fee for a truck tractor or road tractor drawing a trailer with a combined gross weight of exceeding twelve (12) tons shall be the fee for twelve (12) tons and in addition thereto twenty dollars for each ton over twelve (12) tons.

(b) For semi-trailers the annual registration fee shall be:

For each semi-trailer drawn by a truck, road tractor or truck tractor, with a combined gross weight of twelve tons or less.....\$ 30.00 per annum

For each semi-trailer drawn by a truck, road tractor or truck tractor, with a combined gross weight exceeding twelve tons..... 60.00 per annum"

Sec. 6. That section one hundred fifty-four (154) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be repealed and the following enacted in lieu thereof:

"Sec. 154. Trailers. All trailers except those defined as semitrailers shall be subject to a registration fee to be fixed in accordance with the following schedule:

When equipped with pneumatic tires:

Wagon box trailers used by a farmer in connection with the oper-

ation of his farm	\$ 1.00
Trailers with a gross weight of one thousand (1,000) pounds or less	1.00
Trailers with a gross weight exceeding one thousand (1,000) pounds and not exceeding two thousand (2,000) pounds.....	3.00
Trailers with a gross weight exceeding one ton and not exceeding two tons	10.00
Trailers with a gross weight exceeding two tons and not exceeding four tons	25.00
Trailers with a gross weight exceeding four tons and not exceeding six tons	30.00
Trailers with a gross weight exceeding six tons and not exceeding eight tons	35.00
Trailers with a gross weight exceeding eight tons and not exceeding ten tons	40.00
Trailers with a gross weight exceeding ten tons and not exceeding twelve tons	50.00
Trailers with a gross weight exceeding twelve tons and not exceeding fourteen tons	60.00
When equipped with two or more solid rubber tires:	
Trailers with a gross weight exceeding one ton and not exceeding two tons	20.00
Trailers with a gross weight exceeding two tons and not exceeding four tons	30.00
Trailers with a gross weight exceeding four tons and not exceeding six tons	35.00
Trailers with a gross weight exceeding six tons and not exceeding eight tons	50.00
Trailers with a gross weight exceeding eight tons and not exceeding ten tons	60.00
Trailers with a gross weight exceeding ten tons and not exceeding twelve tons	70.00
Trailers with a gross weight exceeding twelve tons and not exceeding fourteen tons	80.00"

Sec. 7. That section four hundred ninety (490) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be repealed and the following enacted in lieu thereof:

"Sec. 490. Loading capacity. An increased gross weight registration may be obtained for any vehicle by payment of the difference between the annual fee for the higher gross weight and the amount of the fee for the gross weight at which it is registered. It shall be unlawful for any person to operate a motor truck, trailer, truck tractor, road tractor, semi-trailer or combination thereof, on the public highways with a gross weight exceeding that for which it is registered by more than five per cent (5%) of the gross weight for which it is registered, provided, however, that any vehicle or vehicle combination referred to herein, while carrying a load of raw farm products, raw dairy products or livestock, may be operated with a gross weight of twenty-five per cent (25%) in excess of the gross weight for which it is registered."

Sec. 8. That section one hundred sixty-four (164) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be amended by adding thereto the following:

"Provided, however, that the annual registration fee for trucks, truck motors, road tractors, trailers and semitrailers, as provided in sections one hundred fifty (150), one hundred fifty-one (151), one hundred fifty-two (152), one hundred fifty-three (153), and one hundred fifty-four (154) of this Chapter, may be payable in two equal semi-annual installments. The penalties provided in the preceding paragraph shall be computed on the amount of the first installment only, and on August 1st of each year and on the first day of each month thereafter the same rate of penalty shall be added to the amount of the second installment, until the same is paid."

Sec. 9. That section one hundred ninety-seven (197) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be amended by inserting a new paragraph after the word "department" in line seven (7) to read as follows:

"Number plates for vehicles on which the annual registration fee is payable in two installments shall prior to the payment of the second installment be of a distinctively different color than the plates used for other motor vehicles during the same year."

Sec. 10. That Chapter two hundred fifty-two-a2 (252-a2), Code, 1935, be amended by striking all of said Chapter following the word "tax" in line five (5) of section five thousand one hundred five-a41 (5105-a41), Code, 1935, and substituting in lieu thereof the following:

"as compensation for the use of the highways to carry on business and for the repair and maintenance of the highways:

"For each motor vehicle or combination of tractor and semi-trailer with a gross weight in excess of sixteen (16) tons, \$250.00.

"For each motor vehicle or combination of tractor and semi-trailer with a gross weight in excess of twelve (12) tons and not to exceed sixteen (16) tons, \$200.00.

"For each motor vehicle or combination of tractor and semi-trailer with a gross weight in excess of eight (8) tons and not to exceed twelve (12) tons, \$150.00.

"For each motor vehicle or combination of tractor and semi-trailer with a gross weight of eight (8) tons or less, \$75.00.

"'Gross weight' shall mean the registered weight of a vehicle except in the case of motor vehicles registered outside of this state, the gross weight shall mean the empty weight of the vehicle plus the actual weight of the load carried thereon."

Sec. 11. Payment of tax. The annual compensation tax shall be paid on or before the first day of January in each year; provided, however, the same may be paid in equal quarterly installments which shall be due on the first day of January, April, July and October of each year.

Sec. 12. Penalties. If payment of compensation tax is not made within thirty (30) days after the date upon which it is due, it shall become delinquent and there shall be added as a penalty a sum equal

to one tenth of the amount of the original tax for each month or fraction thereof that the tax remains delinquent.

Sec. 13. Rebate. If during any year a motor vehicle ceases to be used for compensation the operator thereof, upon satisfactory proof to the commission of cessation of such use, shall be exempted from the payment of the quarterly installments of the annual tax thereafter and shall be entitled to a refund of any subsequent quarterly installments previously paid. The tax to be assessed on any motor vehicle placed in service for compensation after February first shall be computed on the basis of one-twelfth of the annual tax multiplied by the number of unexpired months in the current quarter, and in succeeding quarters shall be computed on the basis of the regular quarterly payment as provided in section eleven (11) of this act.

Sec. 14. Plates. The commission shall issue distinguishing identification plates for each motor vehicle upon the payment of the taxes herein assessed, which plates shall be affixed to each such vehicle in a conspicuous place.

Sec. 15. Lien. Taxes and penalties imposed by this division shall be a first lien upon all property of the carrier.

Sec. 16. Sale of property. If payment is not made on or before sixty (60) days after the date when the tax became delinquent, the property of the motor vehicle carrier, or so much thereof as may be necessary, may be sold to satisfy the said taxes and penalties, interest and costs of sale.

Sec. 17. Duty to collect—Procedure. All taxes and penalties imposed by this division shall be paid to the commission, and it shall be the duty of the commission to enforce the collection of all taxes and penalties, and notice of sale, and procedure thereunder shall, so far as may be, accord with the provisions of the law for the collection of taxes upon general property.

Sec. 18. Travel orders. Nonresident owners and resident owners of motor vehicles registered outside of this state subject to tax under Section 10 of this act, and operated within this state only occasionally or on specified trips into or across the state for the interstate transportation of persons or property for compensation shall be exempt from the annual compensation tax imposed by this division upon obtaining from the commission an order for each such trip any such vehicle is so operated into or across the state. The commission shall issue such orders upon application therefor, giving a description of such vehicle, and upon the payment to the commission of the sum of five dollars (\$5.00) for each order for motor vehicles with a gross weight in excess of 34,000 pounds and three dollars (\$3.00) for each order for motor vehicles with a gross weight of 34,000 pounds or less. Such order shall be conspicuously displayed on such vehicle at all times while such vehicle is being operated upon the highways of this state in the manner prescribed by the commission.

Sec. 19. Accounting by commission. The commission shall remit to the Treasurer of State all monies collected under this division.

Sec. 20. Distribution of proceeds. All of the monies received under the provisions of this division shall be distributed as follows:

(1) One-half shall be allocated by the commission to the various counties in the proportion that the area of the respective county bears to the total area of the state, to be used by the county board of supervisors for the maintenance of secondary roads.

(2) One-half shall be placed in the primary road fund of the state.

Sec. 21. Payment to counties. The commission shall certify the amount due to each county to the State Comptroller, who shall draw warrants upon the Treasurer of State to be transmitted to the respective county treasurers.

Sec. 22. The provisions of this act shall become effective on December 31, 1939.

E. P. DONOHUE.
L. B. FORSLING.
H. C. BALDWIN.
G. R. HILL.

JOHN E. TALBOTT.
CHAS. B. HOEVEN.
WM. S. BEARDSLEY.
E. K. BEKMAN.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 647

MR. PRESIDENT: Your conference committee to which was referred House File 647 has had the same under consideration and wishes to report the following:

1. Strike all Senate amendments.
2. Amend subsection (k) of section three (3) by inserting between lines 142 and 143 the following:

“New power house building.....\$30,000.00”

Further amend subsection (k) by striking the figures “10,000.00” in line 145 and inserting “40,000.00”.

3. Amend section four (4) by striking the figures “\$15,000.00” in lines 4, 9, 10, and inserting in lieu thereof the figures “\$25,000.00”.

4. Amend by adding a new section five (5) as follows:

“Sec. 5. There is hereby appropriated from the general fund of the state treasury to the state board of education for each year of the bienium beginning July 1, 1939, and ending June 30, 1941, the sum of one hundred twenty-five thousand dollars (\$125,000.00), or so much thereof as may be necessary, to be used in the following manner:

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS

For the Iowa State College of Agriculture and Mechanic Arts:

For the women’s new gymnasium.....\$125,000.00

Total each year.....\$125,000.00

5. Amend by striking the figures “\$595,600.00” in line 168 of the original bill and inserting in lieu thereof “\$625,600.00”.

6. Strike lines 3, 4, 5, and 6 of the title and insert in lieu thereof the

following: "the sum of six hundred twenty-five thousand six hundred dollars (\$625,600.00), and to appropriate to the state fair board for the construction of a combination 4-H club dining hall and dormitory the sum of twenty-five thousand dollars (\$25,000.00), and to appropriate to the state board of education for the construction of a women's gymnasium at the Iowa State College of Agriculture and Mechanic Arts the sum of one hundred twenty-five thousand dollars (\$125,000.00), all for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, and providing for the manner of expenditure thereof."

The conference committee in its deliberation considered the matter of making additional capital improvements such as dormitories and psychopathic hospitals at the four state hospitals for the insane, but after due deliberation it was the consensus of opinion that the best thing for the state would be to build a new centralized hospital for the care and treatment of the mentally ill, and it is the recommendation of this committee that the board of control, executive council and committee on retrenchment and reform make recommendation to the 49th General Assembly with respect to such a program.

On the part of the Senate,

L. H. DORAN.
K. A. EVANS.
O. H. HENNINGSEN.
HUGH G. GUERNSEY.

On the part of the House,

O. N. HULTMAN.
HAROLD B. CLAYPOOL.
J. T. DYKHOUSE.
J. R. HALL.

Senator Baldwin moved that the Senate adjourn until 10:00 a. m. Tuesday.

Senator Henningsen offered as a substitute that the Senate adjourn until 9:00 a. m. Tuesday.

The substitution was made.

Roll call was requested.

On the question "Shall the Senate adjourn until 9:00 a. m. Tuesday?" the vote was:

Ayes, 24:

Baldwin	Ellis	Hart	Moore
Berg	Evans	Henningsen	Pelzer
Breen	Forsling	Hill	Schadt
Byers	Geske	Husted	Sjulin
Corwin	Gillette	Kirketeg	Vrba
Donohue	Guernsey	Miller	Zeigler

Nays, 22:

Augustine	Doran	Hopkins	Parker
Beardsley	Edwards	Leo	Shaw
Bekman	Elthon	Lundy	Stewart
Cromwell	Faul	Mighell	Talbott
Dean	Harvey	Mowry	Whitehill
Dewey	Hoeven		

Absent or not voting, 4:

Benson

Levis

Martin

Smith

The motion prevailed and the Senate adjourned until 9:00 a. m.
Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 25, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. Carl R. Frankhauser, pastor of the First Evangelical church of Des Moines.

The Journal of April 24th was corrected and approved.

PETITIONS AND MEMORIALS

The following petition was presented and placed on file:

By Senator Mighell, from citizens of LeMars, favoring enactment of House File 601.

On motion of Senator Donohue, House Concurrent Resolution 21 was taken up and considered.

HOUSE CONCURRENT RESOLUTION 21

Be It Resolved by the House, the Senate Concurring: That the Forty-eighth General Assembly adjourn sine die at four (4) o'clock p. m., Tuesday, April 18, 1939.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking the words and figures "four (4) o'clock p. m., Tuesday" and inserting in lieu thereof the following: "twelve (12) o'clock noon, Wednesday".

Further amend by striking the figures "18" and inserting in lieu thereof the figures "26".

The amendment was adopted.

The resolution as amended was adopted.

By unanimous consent, on request of Senator Donohue, House Concurrent Resolution 21 was messaged to the House immediately.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Baldwin, House File 564, a bill for an act to amend section sixty-six hundred fifty-

two (6652), Code, 1935, relating to the powers, compensation, and duties of officers of cities under the city manager plan, 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, 39:

Augustine	Dean	Harvey	Miller
Baldwin	Donohue	Henningsen	Mowry
Beardsley	Doran	Hill	Pelzer
Bekman	Edwards	Hoeven	Schadt
Benson	Ellis	Hopkins	Shaw
Berg	Evans	Husted	Stewart
Breen	Faul	Kirketeg	Talbott
Byers	Geske	Leo	Vrba
Corwin	Gillette	Martin	Whitehill
Cromwell	Guernsey	Mighell	

Nays, none.

Absent or not voting, 11:

Dewey	Hart	Moore	Smith
Elthon	Levis	Parker	Zeigler
Forsling	Lundy	Sjulin	

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.

By unanimous consent, Senator Donohue withdrew Senate File 226, a companion bill.

By unanimous consent, on request of Senator Donohue, Senate File 509, a bill for an act to repeal section thirty-nine (39) of Chapter two (2) of the Code of Iowa of 1935, and to provide for a standing committee on retrenchment and reform, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section thirty-nine (39) of Chapter two (2) of the Code of Iowa of 1935 is hereby amended by striking the word 'chairmen' from line one (1) and inserting in lieu thereof the words 'chairman of each'.

Sec. 2. Section thirty-nine (39) of Chapter two (2) of the Code of Iowa of 1935 is further amended by adding thereto the following: 'Any vacancy occurring on the committee while the legislature is not in session shall be filled by the Presiding Officer of the House in the event the vacancy occurs in the membership of said committee from the House and by the Lieutenant Governor in the event the vacancy occurs in the membership of said committee from the Senate.'

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in The New Hampton Tribune, a newspaper published at New Hampton, Iowa, and the Nashua Reporter, a newspaper published at Nashua, Iowa."

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, 36:

Augustine	Donohue	Harvey	Mowry
Baldwin	Doran	Henningsen	Pelzer
Beardsley	Edwards	Hoeven	Schadt
Bekman	Ellis	Husted	Shaw
Benson	Elthon	Kirketeg	Sjulin
Berg	Evans	Leo	Stewart
Byers	Faul	Martin	Talbott
Cromwell	Forsling	Highell	Vrba
Dewey	Hart	Miller	Whitehill

Nays, none.

Absent or not voting, 14:

Breen	Gillette	Levis	Parker
Corwin	Guernsey	Lundy	Smith
Dean	Hill	Moore	Zeigler
Geske	Hopkins		

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

Senator Donohue offered the following amendment to the title and moved its adoption:

Amend by striking from line one (1) the word "repeal" and substituting in lieu thereof the word "amend" and further amend by striking all following the figures "1935" in line two (2) and inserting in lieu thereof the following: "and to provide the manner in which vacancies on the committee on retrenchment and reform shall be filled when the legislature is not in session."

The amendment to the title was adopted, and the title as amended 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.

By unanimous consent, on request of Senator Donohue, Senate File 509 was messaged to the House immediately.

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 486, a bill for an act to make an appropriation for the use of the state conservation commission.

Also: That the House has amended and concurred in Senate amendments to and passed House File 155, a bill for an act relating to the regulation of itinerant merchants.

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

House File 604, a bill for an act relating to the practice of pharmacy.

Also: That the House has adopted the conference committee report on, and adopted the amendments proposed therein, and passed House File 327, a bill for an act to transfer to and vest in the governor authority to assign motor vehicles to state officers and employees.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE AMENDMENTS TO HOUSE FILE 155

Amend Senate amendments to House File 155 by adding to said amendments the following:

Amend the title by striking from lines three and four thereof the following words: "office of the secretary of".

THIRD READING OF BILLS

On motion of Senator Donohue, Senate File 510, a bill for an act to amend section 19 (q) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation, was taken up and considered.

Senator Bekman moved that the bill be read a third 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
Baldwin
Beardsley

Bekman
Benson
Berg

Byers
Corwin
Cromwell

Donohue
Doran
Edwards

Ellis	Harvey	Levis	Shaw
Elthon	Henningsen	Lundy	Sjulin
Evans	Hoeven	Martin	Stewart
Forsling	Hopkins	Mighell	Talbott
Geske	Husted	Mowry	Vrba
Gillette	Kirketeg	Schadt	Whitehill
Hart	Leo		

Nays, none.

Absent or not voting, 12:

Breen	Faul	Miller	Pelzer
Dean	Guernsey	Moore	Smith
Dewey	Hill	Parker	Zeigler

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

Senator Bekman 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 Berg, House File 58, a bill for an act to amend section twenty-two hundred eighty-five (2285), twenty-three hundred five (2305), and twenty-two hundred eighty-seven (2287), Code, 1935, relating to reports by the state department of health to local boards of health of those persons infected with venereal diseases who have failed to report for treatment; and to amend Chapter one hundred nine (109), Code, 1935, by exempting certain persons from the operation of said law; and to provide penalties for violation of the provisions of this act, was taken up and considered.

Senator Moore offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section two thousand three hundred and sixteen (2316) is hereby amended by striking in line two (2) of section two thousand three hundred and sixteen (2316) the words and figures five hundred (500) and substituting in lieu thereof the words and figures one hundred (100).

Further amend by striking in line five (5) of section two thousand three hundred and sixteen (2316) the words 'six months' and substituting in lieu thereof the words 'thirty days'."

The amendment was 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, 41:

Beardsley	Edwards	Henningsen	Parker
Bekman	Ellis	Hill	Pelzer
Benson	Elthon	Hoeven	Schadt
Berg	Evans	Hopkins	Shaw
Byers	Faul	Husted	Sjulin
Corwin	Forsling	Kirketeg	Stewart
Cromwell	Gillette	Leo	Talbott
Dean	Guernsey	Mighell	Vrba
Dewey	Hart	Miller	Whitehill
Donohue	Harvey	Mowry	Zeigler
Doran			

Nays, 2:

Baldwin Moore

Absent or not voting, 7:

Augustine	Geske	Lundy	Smith
Breen	Levis	Martin	

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, House File 57, a bill for an act to amend Chapter one hundred nine (109), Code, 1935, relating to venereal diseases, requiring licensed physicians or other authorized persons attending pregnant women to take a blood sample of each woman so attended at the time of first examination, and in certain instances, of the father or person responsible for pregnancy, submitting such sample for standard serological tests for syphilis to the state bacteriological laboratory of the State University of Iowa at Iowa City or such other laboratories cooperating with and approved by the state department of health; and further amending said Chapter by exempting certain persons from the operation of said law, was taken up and considered.

Senator Moore offered the following amendment and moved its adoption:

Amend Division One (1) of Section One (1) by striking in line four (4) the words "at the time" and substituting in lieu thereof the words "within fourteen days".

The amendment was adopted.

Senator Moore offered the following amendment:

Amend by striking section 2 and renumbering section 3 as section 2.

By unanimous consent, Senator Moore withdrew his amendment.

Senator Moore offered the following amendment and moved its adoption:

Amend section 1 by inserting after the word "father" in line twenty-two (22) the following: ", other children by the same mother,".

The amendment was adopted.

Senator Moore offered the following amendment and moved its adoption:

Amend by striking section 2 and renumbering section 3 as section 2.

The amendment was 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	Edwards	Hoeven	Mowry
Beardsley	Ellis	Hopkins	Parker
Bekman	Elthon	Husted	Pelzer
Benson	Faul	Kirketeg	Schadt
Berg	Forsling	Leo	Sjulin
Byers	Gillette	Levis	Stewart
Corwin	Hart	Lundy	Talbott
Cromwell	Harvey	Martin	Vrba
Donohue	Henningsen	Mighell	Whitehill
Doran	Hill	Miller	Zeigler

Nays, 4:

Baldwin	Breen	Geske	Moore
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Absent or not voting, 6:

Dean	Evans	Shaw	Smith
Dewey	Guernsey		

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.

By unanimous consent, on request of Senator Berg, House File 57 was messaged to the House immediately.

By unanimous consent, on request of Senator Ellis, House File

544, a bill for an act to amend sections sixty-four hundred seventy-four (6474), sixty-four hundred seventy-five (6475), and sixty-four hundred seventy-six (6476), Code, 1935, relating to restricted residence districts, was taken up and considered.

Senator Ellis moved that the bill be read a third 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	Henningsen	Miller
Baldwin	Edwards	Hill	Moore
Beardsley	Ellis	Hoeven	Mowry
Bekman	Elthon	Hopkins	Pelzer
Benson	Faul	Husted	Schadt
Berg	Forsling	Kirketeg	Shaw
Breen	Geske	Leo	Stewart
Byers	Gillette	Levis	Talbott
Corwin	Guernsey	Lundy	Vrba
Cromwell	Hart	Martin	Whitehill
Dean	Harvey	Mighell	Zeigler
Donohue			

Nays, none.

Absent or not voting, 5:

Dewey	Parker	Sjulin	Smith
Evans			

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

Senator Ellis 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 Berg, Senate File 333 was withdrawn from further consideration of the Senate.

By unanimous consent, on request of Senator Hoeven, House File 408, a bill for an act to amend section seventy-three hundred fifteen (7315), Code, 1935, relating to inheritance tax on property passing to aliens, 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, 44:

Augustine	Bekman	Berg	Corwin
Baldwin	Benson	Byers	Cromwell

Dean	Geske	Kirketeg	Parker
Dewey	Gillette	Leo	Pelzer
Donohue	Guernsey	Levis	Schadt
Edwards	Hart	Lundy	Shaw
Ellis	Harvey	Martin	Sjulin
Elthon	Henningsen	Mighell	Talbott
Evans	Hill	Miller	Vrba
Faul	Hoeven	Moore	Whitehill
Forsling	Hopkins	Mowry	Zeigler

Nays, none.

Absent or not voting, 6:

Beardsley	Doran	Smith	Stewart
Breen	Husted		

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.

HOUSE AMENDMENTS CONSIDERED

Senator Berg called up for consideration committee substitute for House File 155, amended by the Senate and House, and moved that the Senate concur in the following House amendment to Senate amendments:

Amend by adding to said amendments the following:

Amend the title by striking from lines three (3) and four (4) thereof the following words: "office of the secretary of".

The motion prevailed, and the Senate concurred in the House amendment to Senate amendments.

Senator Berg moved that committee substitute for House File 155, a bill for an act to define, regulate, license, and tax itinerant merchants; to provide for the administration and enforcement of this act by the motor vehicle department of the state and by peace officers and magistrates; to provide for the disposition of the revenues derived from said license fees and taxes; to require itinerant merchants to obtain and carry motor vehicle liability and property damage insurance, and bonds conditioned to pay damages for civil liability incurred and conditioned to pay taxes; to provide for exemptions from this act; to provide criminal penalties and civil liabilities for violation of this act; to provide for restraining by injunction violation of this act; and to provide that

this act shall take effect upon publication, be read a third 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	Donohue	Harvey	Mighell
Baldwin	Doran	Henningsen	Miller
Beardsley	Edwards	Hill	Mowry
Bekman	Ellis	Hoeven	Pelzer
Benson	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Breen	Faul	Kirketeg	Stewart
Byers	Forsling	Leo	Talbott
Corwin	Geske	Levis	Vrba
Cromwell	Gillette	Lundy	Whitehill
Dean	Guernsey	Martin	Zeigler
Dewey	Hart		

Nays, none.

Absent or not voting, 4:

Moore	Parker	Sjulin	Smith
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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 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.

By unanimous consent, on request of Senator Forsling, House File 90, a bill for an act to amend section sixty-two hundred eleven (6211), Code, 1935, relating to the annual levy of a special tax for police maintenance fund in cities having a population of twelve thousand (12,000) or more, regardless of the form of government, and relating to the total millage levy in such cities, was taken up and considered.

Senator Forsling moved that the bill be read a third 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	Guernsey	Martin
Baldwin	Dewey	Hart	Mighell
Beardsley	Donohue	Harvey	Miller
Bekman	Ellis	Henningsen	Mowry
Benson	Elthon	Hoeven	Schadt
Berg	Evans	Hopkins	Shaw
Breen	Faul	Kirketeg	Talbott
Byers	Forsling	Levis	Vrba
Corwin	Geske	Lundy	Zeigler
Cromwell	Gillette		

Nays, none.

Absent or not voting, 12:

Doran	Husted	Parker	Smith
Edwards	Leo	Pelzer	Stewart
Hill	Moore	Sjulin	Whitehill

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

Senator Forsling 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 Senate File 454 be re-referred to the sifting committee.

The motion prevailed.

Senator Levis asked unanimous consent to take up the House amendments to the Senate amendments to House File 566.

Objection was made.

Senator Levis moved that he be granted permission to take up the House amendments to the Senate amendments to House File 566.

The motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Levis called up for consideration House File 566, amended by the Senate and House, and moved that the Senate concur in the following House amendments to Senate amendments:

1. Strike section two (2) and insert a new sentence at the end of section one (1) as follows:

"No such claim as provided by this act shall be allowed or paid until after July 1, 1941."

2. Amend the title by striking all after the figures "1935" in line five (5), and inserting in lieu thereof the following: ", and providing that such claims shall not be allowed or paid until after July 1, 1941."

The motion was lost and the Senate refused to concur.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Faul, House File 422, a bill for an act to permit an honorably discharged disabled veteran of certain of the nation's wars to operate a news stand in the state capitol, and prescribing the duties of the executive

council on application for such privilege, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend by adding after the word "candies" in line nine (9) the following: "and may upon such application permit installation of merchandise vending machines."

The amendment was adopted.

Senator Faul moved that the bill be read a third 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	Henningsen	Miller
Baldwin	Ellis	Hill	Moore
Beardsley	Elthon	Hoeven	Mowry
Bekman	Evans	Hopkins	Pelzer
Benson	Faul	Husted	Schadt
Berg	Forsling	Kirketeg	Shaw
Breen	Geske	Leo	Sjulin
Byers	Gillette	Levis	Stewart
Corwin	Guernsey	Lundy	Talbott
Cromwell	Hart	Martin	Vrba
Dean	Harvey	Mighell	Zeigler
Dewey			

Nays, none.

Absent or not voting, 5:

Donohue	Parker	Smith	Whitehill
Edwards			

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

Senator Faul 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 Faul, House File 422 was messaged to the House immediately.

By unanimous consent, on request of Senator Gillette, House File 381, a bill for an act to provide for the sealing of adoption records, was taken up and considered.

Senator Beardsley moved the previous question, which motion prevailed.

Senator Gillette 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, 22:

Augustine	Ellis	Harvey	Miller
Baldwin	Evans	Henningsen	Parker
Byers	Forsling	Hill	Pelzer
Corwin	Gillette	Hopkins	Stewart
Dean	Guernsey	Mighell	Zeigler
Donohue	Hart		

Nays 25:

Beardsley	Doran	Husted	Moore
Bekman	Edwards	Kirketeg	Mowry
Benson	Elthon	Leo	Schadt
Berg	Faul	Levis	Shaw
Breen	Geske	Lundy	Talbott
Cromwell	Hoeven	Martin	Vrba
Dewey			

Absent or not voting, 3:

Sjulin	Smith	Whitehill
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

By unanimous consent, on request of Senator Doran, the rules were suspended, and House File 639, a bill for an act to provide an emergency appropriation for salaries of assistants in the office of the state planning board in the discharge of their official duties, and for other expenses of said office, for the period from March 1, 1939, to April 10, 1939, both dates inclusive; and to repeal Chapter two hundred thirty-five (235), Acts of the Forty-seventh General Assembly relating to the state planning board, was taken up and considered.

Senator Doran offered the following amendment and moved its adoption:

Amend by striking from lines two (2) and three (3) of section one (1) the words and figures "three thousand dollars (\$3000)" and inserting in lieu thereof "four thousand dollars (\$4000.00)."

Further amend section one (1) by striking from lines seven (7) and eight (8) the word and figures "April 10" and inserting in lieu thereof "May 1".

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, 34:

Augustine	Donohue	Henningsen	Moore
Baldwin	Doran	Hill	Mowry
Bekman	Edwards	Hopkins	Schadt
Benson	Ellis	Husted	Shaw
Berg	Elthon	Kirketeg	Stewart
Byers	Evans	Leo	Talbott
Corwin	Forsling	Martin	Whitehill
Cromwell	Hart	Miller	Zeigler
Dewey	Harvey		

Nays, 4:

Beardsley	Breen	Faul	Levis
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Absent or not voting, 12:

Dean	Guernsey	Mighell	Sjulin
Geske	Hoeven	Parker	Smith
Gillette	Lundy	Pelzer	Vrba

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

Senator Doran offered the following amendment to the title and moved its adoption:

Amend by striking from line five (5) the word and figure "April 10" and inserting in lieu thereof "May 1".

The amendment was adopted, and the title as amended 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.

By unanimous consent, on request of Senator Doran, House File 639 was messaged to the House immediately.

Senator Doran moved that the Senate request the return of Senate File 455 from the House and that when it is returned, it be withdrawn from further consideration of the Senate.

The motion prevailed.

EXTRA COPIES OF HOUSE FILE 155

By unanimous consent, on request of Senator Berg, 300 copies of House File 155 as passed by the Senate were ordered printed.

By unanimous consent, on request of Senator Berg, House File 601 was made a special order of business immediately following the recess.

HOUSE MESSAGES CONSIDERED

House File 604, a bill for an act to amend Chapter one hundred twenty-three (123), Code, 1935, relating to the practice of pharmacy; to provide for the licensing of drug stores and the terms thereof, and to provide for the issuance of permits to general dealers in towns and villages without drug stores and the terms thereof; to provide for the collection of fees and the enforcement of this act.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 166, 203, 508, 255 and Senate Joint Resolution 1.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 166, 203, 508, 255, and Senate Joint Resolution 1.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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 April, 1939, sent to the Governor for his approval, Senate Files 166, 203, 508, 255 and Senate Joint Resolution 1.

RALPH E. BENSON, *Chairman.*

Passed on file.

Senator Donohue moved that the last paragraph of Rule 49 be suspended for the purpose of the executive session.

EXECUTIVE SESSION

On motion of Senator Donohue, the Senate resolved itself into executive session.

The Senate confirmed the following appointments:

W. A. Bents of Howard county, as a member of the state conservation commission, for the term ending June 30, 1941;

M. L. Curtis of Marion county, as a member of the Iowa liquor control commission, for the term ending June 30, 1945;

G. W. Heitkamp of Dubuque county, as a member of the board of examiners in the basic sciences, for the term ending June 30, 1945;

Benjamin H. Peterson of Linn county, as a member of the board of examiners in the basic sciences, for the term ending June 30, 1945;

Roy Pullen of Clay county, as a member of the board of control, for the term ending June 30, 1945;

Dorothy Houghton of Montgomery county, as a member of the state board of education, for the term ending June 30, 1945;

Henry Shull of Woodbury county, as a member of the state board of education, for the term ending June 30, 1945;

Roy Loudon of Jefferson county, as a member of the state board of education, for the term ending June 30, 1945;

Fred Poyneer of Linn county, as a member of the state conservation commission, for the term ending June 30, 1945;

E. B. Gaunitz of Allamakee county, as a member of the state conservation commission, for the term ending June 30, 1945.

The Senate refused to confirm the following appointments:

W. E. Jackson of Des Moines county, as a member of the board of parole;

Clarence Godfrey of Monroe county, as a member of the board of parole;

J. D. Lowe of Kossuth county, as a member of the state conservation commission;

Ralph E. Garberson of Osceola county, as a member of the state conservation commission.

The Senate arose from executive session and resumed regular session.

Senator Baldwin moved that the Senate recess until 3:00 p. m.

Senator Berg offered as a substitute that the Senate recess until 2:30 p. m.

The substitute motion prevailed, and the Senate recessed until 2:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hickenlooper presiding.

INTRODUCTION OF BILLS

Senate File 512, by committee on judiciary 2, a bill for an act to legalize the appointments of certain public officials by the Governor of Iowa which have been confirmed by the Senate.

Read first and second times and referred to sifting committee.

The following communication was taken up and considered:

STATE OF IOWA EXECUTIVE DEPARTMENT

TO THE HONORABLE, THE MEMBERS OF THE SENATE
OF THE FORTY-EIGHTH GENERAL ASSEMBLY OF IOWA:
HONORABLE SIRs:

On April 13, 1939, after extended debate, the Senate adopted and sent to the Governor the following resolution:

SENATE RESOLUTION 18

RESOLUTION FOR REMOVAL OF MEMBERS OF BOARD OF CONTROL

Whereas, The Senate committee on board of control has made investigation of the various state institutions under the supervision of the Board of Control, and,

Whereas, The said committee has made a report to the Senate regarding certain conditions which have prevailed in the various state institutions under the supervision of the Board of Control, and,

Whereas, From the report and evidence submitted therewith, it is apparent that the members of the Board of Control have been grossly negli-

gent in the performance of their duties and have been guilty of malfeasance and nonfeasance in office, and,

Whereas, It is the opinion of the Senate that it is to the best interests of the people of Iowa and to the best interests of the wards of the state, who are inmates of the various institutions under the Board of Control that there be an immediate change in the administration of the said state institutions, and the best manner in which this can be accomplished is by the immediate removal of the present members of said Board; now therefore,

Be It Resolved by the Senate of the Forty-eighth General Assembly of Iowa, That it recommend to the Honorable George A. Wilson, Governor of the state of Iowa, that Harry C. White, E. H. Felton and Frank Stevens, present members of the board of control, be by him removed immediately as members of said board.

The foregoing resolution was duly adopted by the Senate April 13, 1939.

WALTER H. BEAM, *Secretary of the Senate.*

And with it a detailed report of the proceedings of the Senate committee and of the Senate itself, on which said Resolution is based.

I have carefully read and considered the entire record and find:

1. That in addition to the evidence taken, the committee and the Senate had before them a twenty-two page typewritten reply, signed individually and collectively by all members of the board of control and dealing in detail with the charges presented to the Senate by the committee; and that in addition thereto the board appeared before the Senate committee and had opportunity to explain such charges as is indicated by the transcript certified to me by the Senate. I further find that in the record, as certified to me, and labeled, "Board of Control Comments on the Report", submitted the following:

"We wish first to express our appreciation of the fairness of your honorable body in giving us this opportunity to study the report and submit to you our views of the matters therein contained. We wish further to state that the report indicated that your committee has made a very thorough investigation, and, on the whole, we believe that the matters raised in the report are proper questions for your consideration and concerning which you, as representatives of the people of the state, have a right not only to make investigation from other sources, but also to require from us our explanation of the matters involved."

2. That there is no evidence in record of dishonesty, nor maladministration, by any member of the board of control.

3. I find from the record and statements of the board members themselves that, because of misconception of the duties of the office, or from neglect, or both, the members of the board have failed to give to the institutions and the unfortunate people under their control, that quality of service and diligence which the law requires and the people have a right to expect; that deplorable conditions, which due diligence on the part of the board would have prevented or remedied, have existed for an unreasonable length of time, in many of the state institutions. The record makes it perfectly clear that the interests of the state and the inmates

of the state institutions will be better served by a complete change of administration.

Therefore, In accordance with the Senate recommendation, and subject to Senate approval, I, George A. Wilson, Governor of the State of Iowa, hereby remove Harry C. White, Frank M. Stevens and E. H. Felton as members of the board of control of state institutions, the same to be effective as of the 1st day of May, 1939.

Respectfully submitted on this 25th day of April, 1939.

GEO. A. WILSON, *Governor of the State of Iowa.*

Senator Donohue moved that the Senate consent to and approve the action of the Governor in the removal of Harry C. White, E. H. Felton, and Frank M. Stevens as members of the board of control in accordance with the provisions of section 3278 of the Code.

Roll call was requested.

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

Ayes, 29:

Baldwin	Edwards	Henningsen	Mowry
Bekman	Elthon	Hill	Parker
Benson	Evans	Hoeven	Pelzer
Berg	Faul	Husted	Schadt
Byers	Forsling	Leo	Sjulin
Corwin	Hart	Levis	Talbott
Cromwell	Harvey	Martin	Zeigler
Donohue			

Nays, 17:

Augustine	Ellis	Hopkins	Moore
Beardsley	Geske	Lundy	Shaw
Breen	Gillette	Mighell	Vrba
Dean	Guernsey	Miller	Whitehill
Doran			

Absent or not voting, 4:

Dewey	Kirketeg	Smith	Stewart
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The motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE 327

MR. PRESIDENT: Your conference committee to which was referred House File 327 recommends as follows:

1. That the Senate recede from its amendments.

2. That section three (3) be amended as follows:

(a) In line five (5), after the period, add a new sentence as follows: "The secretary of the executive council may be appointed by the Governor as the state car dispatcher, without additional compensation."

(b) In the first line of subsection (b) strike the word "shall" and insert in lieu thereof the word "may".

(c) In the first line of subsection (c) strike the word "shall" and insert in lieu thereof the word "may".

(d) In the first line of subsection (f) strike the word "shall" and insert in lieu thereof the word "may".

(e) In the fourth line of subsection (f) strike the word "Any" and insert in lieu thereof the following: "In the event that such pool is established by the state car dispatcher, any".

(f) In the ninth line of subsection (f) strike the words "not less than two (2) hours" and insert in lieu thereof the following: "within a reasonable length of time".

3. Amend section eight (8) by striking all after the word "in" in line four (4) and inserting in lieu thereof the following: "the Clarksville Star, a newspaper published at Clarksville, Iowa."

On the Part of the House:

HENRY W. BURMA.
I. J. BURK.
W. N. JUDD.
ELMER PEPPER.

On the Part of the Senate:

L. B. FORSLING.
FRANK C. BYERS.
HOWARD BALDWIN.
B. C. WHITEHILL.

By unanimous consent, on request of Senator Forsling, the report of the conference committee on House File 327 was taken up and considered.

On motion of Senator Forsling, the report of the conference committee and the amendments therein contained were adopted.

Senator Forsling moved that House File 327, a bill for an act to transfer to and vest in the Governor the authority to assign all motor vehicle units owned by the state of Iowa, to state officers and employees, and state departments, commissions, bureaus, and offices; to create the positions of state car dispatcher and assistants to carry out the provisions of this act; to provide for periodical inspection of all state-owned motor vehicles and for keeping a record of their mileage and costs; to provide for making rules for their purchase and operation; to grant allowances to state officers and employees for the use of their own personal motor vehicles operated on state business, and to provide a penalty for violations thereof, and related matters, be read a third time now, as amended, which motion prevailed and the bill was read a third time.

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

Ayes, 33:

Baldwin	Berg	Doran	Forsling
Beardsley	Byers	Edwards	Hart
Bekman	Corwin	Evans	Harvey
Benson	Cromwell	Faul	Henningesen

Hill	Levis	Pelzer	Talbott
Hoeven	Martin	Schadt	Vrba
Hopkins	Mowry	Shaw	Whitehill
Husted	Parker	Sjulin	Zeigler
Leo			

Nays, none.

Absent or not voting, 17:

Augustine	Ellis	Guernsey	Miller
Breen	Elthon	Kirketeg	Moore
Dean	Geske	Lundy	Smith
Dewey	Gillette	Mighell	Stewart
Donohue			

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, House File 601 was placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Donohue, House File 601, a bill for an act to repeal Chapters two hundred fifty-two-A one (252-A1), two hundred fifty-two-A two (252-A2), and two hundred fifty-two-C one (252-C1), Code, 1935, and to repeal sections one hundred forty-four (144), one hundred fifty (150), one hundred fifty-one (151), one hundred fifty-two (152), one hundred fifty-three (153), one hundred fifty-four (154), one hundred fifty-six (156), one hundred fifty-nine (159), four hundred ninety (490), five hundred thirty-one (531), and five hundred thirty-two (532) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly; to define common, contract, and private carriers by motor vehicle; to provide for the supervision and regulation by the Iowa state commerce commission of common and contract carriers by motor vehicle engaged in the transportation of passengers or property upon the highways of this state and to prescribe the powers and jurisdiction of the Iowa state commerce commission under this act; to provide for issuance of certificates to persons now operating motor vehicles under the provisions of Chapters two hundred fifty-two-A one (252-A1) and two hundred fifty-two-C one (252-C1), Code, 1935, and to provide for issuance of permits to persons now operating motor vehicles as contract carriers; 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 from the

Iowa state commerce commission; 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 Iowa state commerce commission; to define terminals and provide for the supervision, regulation, and authorization for the establishment thereof; to provide that common carriers shall establish, observe, and file schedules of their rates, fares, and charges, and for procedure for changes therein; 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 Iowa state commerce commission; 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; to provide for the assessment and collection of fees and licenses on motor vehicles subject to this act; to provide for the disposition of moneys collected hereunder; to provide for reciprocal agreements between states; to provide for temporary permits; to provide for suspension, cancellation, and transfer of certificates and permits, and to provide for punishment for violation of the provisions of this act, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Division I.

Section 1. That section one (1) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be amended by striking subsection twenty-two (22) and inserting in lieu thereof the following:

"22. 'Gross weight' shall mean the empty weight of a vehicle plus the maximum load to be carried thereon. The maximum load to be carried by a passenger carrying vehicle shall be determined by multiplying one hundred fifty (150) pounds by the number of passenger seats carried by such vehicle.

"22-a. 'Combined gross weight' shall mean the gross weight of a motor vehicle plus the gross weight of a trailer or semi-trailer to be drawn thereby."

Sec. 2. That section one hundred fifty (150) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be repealed and the following enacted in lieu thereof:

"Sec. 150. Trucks with pneumatic tires. For motor trucks equipped with all pneumatic tires, the annual registration fee shall be:

For a gross weight of 3 tons or less.....\$ 15.00 per annum

For gross weights exceeding 3 and not exceeding 5 tons	25.00 per annum
For gross weights exceeding 5 and not exceeding 6 tons	60.00 per annum
For gross weights exceeding 6 and not exceeding 7 tons	80.00 per annum
For gross weights exceeding 7 and not exceeding 8 tons	100.00 per annum
For gross weights exceeding 8 and not exceeding 9 tons	130.00 per annum
For gross weights exceeding 9 and not exceeding 10 tons	160.00 per annum
For gross weights exceeding 10 and not exceeding 11 tons	190.00 per annum
For gross weights exceeding 11 and not exceeding 12 tons	225.00 per annum"

Sec. 3. That section one hundred fifty-one (151) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be repealed and the following enacted in lieu thereof:

"Sec. 151. Trucks with solid rubber tires. For motor trucks equipped with two or more solid rubber tires, the annual registration fee shall be the fee provided in section one hundred fifty (150) of this chapter plus twenty-five percent (25%) thereof."

Sec. 4. That section one hundred fifty-two (152) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be repealed and the following enacted in lieu thereof:

"Sec. 152. Trucks exceeding twelve (12) tons gross weight. The registration fee on all trucks of gross weight in excess of twelve (12) tons shall be the fee for twelve (12) tons and in addition thereto twenty dollars for each ton over twelve (12) tons."

Sec. 5. That section one hundred fifty-three (153) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly be repealed and the following enacted in lieu thereof:

"Sec. 153. Truck tractors, road tractors, and semi-trailers.

(a) For a truck tractor or for a road tractor the annual registration fee shall be:

For each truck tractor or road tractor drawing a trailer having a combined gross weight of six tons or less, thirty dollars per annum.

For each truck tractor or road tractor drawing a trailer having a combined gross weight exceeding six tons and not exceeding eight tons, seventy dollars per annum.

For each truck tractor or road tractor drawing a trailer having a combined gross weight exceeding eight tons and not exceeding ten tons, one hundred thirty dollars per annum.

For each truck tractor or road tractor drawing a trailer having a combined gross weight exceeding ten tons and not exceeding twelve tons, one hundred ninety-five dollars per annum.

The registration fee for a truck tractor or road tractor drawing a trailer with a combined gross weight of exceeding twelve (12) tons

shall be the fee for twelve (12) tons and in addition thereto twenty dollars for each ton over twelve (12) tons.

(b) For semi-trailers the annual registration fee shall be:

For each semi-trailer drawn by a truck, road tractor or truck tractor, with a combined gross weight of twelve tons or less.....\$ 30.00 per annum
 For each semi-trailer drawn by a truck, road tractor or truck tractor, with a combined gross weight exceeding twelve tons..... 60.00 per annum”

Sec. 6. That section one hundred fifty-four (154) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be repealed and the following enacted in lieu thereof:

“Sec. 154. Trailers. All trailers except those defined as semi-trailers shall be subject to a registration fee to be fixed in accordance with the following schedule:

When equipped with pneumatic tires:

Wagon box trailers used by a farmer in connection with the operation of his farm.....\$ 1.00
 Trailers with a gross weight of one thousand (1,000) pounds or less 1.00
 Trailers with a gross weight exceeding one thousand (1,000) pounds and not exceeding two thousand (2,000) pounds..... 3.00
 Trailers with a gross weight exceeding one ton and not exceeding two tons 10.00
 Trailers with a gross weight exceeding two tons and not exceeding four tons 25.00
 Trailers with a gross weight exceeding four tons and not exceeding six tons 30.00
 Trailers with a gross weight exceeding six tons and not exceeding eight tons 35.00
 Trailers with a gross weight exceeding eight tons and not exceeding ten tons 40.00
 Trailers with a gross weight exceeding ten tons and not exceeding twelve tons 50.00
 Trailers with a gross weight exceeding twelve tons and not exceeding fourteen tons 60.00

When equipped with two or more solid rubber tires:

Trailers with a gross weight exceeding one ton and not exceeding two tons 20.00
 Trailers with a gross weight exceeding two tons and not exceeding four tons 30.00
 Trailers with a gross weight exceeding four tons and not exceeding six tons 35.00
 Trailers with a gross weight exceeding six tons and not exceeding eight tons 50.00
 Trailers with a gross weight exceeding eight tons and not exceeding ten tons 60.00
 Trailers with a gross weight exceeding ten tons and not exceeding twelve tons 70.00

Trailers with a gross weight exceeding twelve tons and not exceeding fourteen tons80.00"

Sec. 7. That section four hundred ninety (490) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be repealed and the following enacted in lieu thereof:

"Sec. 490. Loading capacity. An increased gross weight registration may be obtained for any vehicle by payment of the difference between the annual fee for the higher gross weight and the amount of the fee for the gross weight at which it is registered. It shall be unlawful for any person to operate a motor truck, trailer, truck tractor, road tractor, semi-trailer or combination thereof, on the public highways with a gross weight exceeding that for which it is registered by more than five per cent (5%) of the gross weight for which it is registered, provided, however, that any vehicle or vehicle combination referred to herein, while carrying a load of raw farm products, raw dairy products or livestock, may be operated with a gross weight of twenty-five per cent (25%) in excess of the gross weight for which it is registered."

Sec. 8. That section one hundred sixty-four (164) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be amended by adding thereto the following:

"Provided, however, that the annual registration fee for trucks, truck motors, road tractors, trailers and semitrailers, as provided in sections one hundred fifty (150), one hundred fifty-one (151), one hundred fifty-two (152), one hundred fifty-three (153), and one hundred fifty-four (154) of this Chapter, may be payable in two equal semi-annual installments. The penalties provided in the preceding paragraph shall be computed on the amount of the first installment only, and on August 1st of each year and on the first day of each month thereafter the same rate of penalty shall be added to the amount of the second installment, until the same is paid."

Sec. 9. That section one hundred ninety-seven (197) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, be amended by inserting a new paragraph after the word "department" in line seven (7) to read as follows:

"Number plates for vehicles on which the annual registration fee is payable in two installments shall prior to the payment of the second installment be of a distinctively different color than the plates used for other motor vehicles during the same year."

Sec. 10. That Chapter two hundred fifty-two-A2 (252-A2), Code, 1935, be amended by striking all of said Chapter following the word "tax" in line five (5) of section five thousand one hundred five-a41 (5105-a41), Code, 1935, and substituting in lieu thereof the following:

"as compensation for the use of the highways to carry on business and for the repair and maintenance of the highways:

"For each motor vehicle or combination of tractor and semi-trailer with a gross weight in excess of sixteen (16) tons, \$250.00.

"For each motor vehicle or combination of tractor and semi-trailer with a gross weight in excess of twelve (12) tons and not to exceed sixteen (16) tons, \$200.00.

"For each motor vehicle or combination of tractor and semi-trailer with a gross weight in excess of eight (8) tons and not to exceed twelve (12) tons, \$150.00.

"For each motor vehicle or combination of tractor and semi-trailer with a gross weight of eight (8) tons or less, \$75.00.

" 'Gross weight' shall mean the registered weight of a vehicle except in the case of motor vehicle registered outside of this state, the gross weight shall mean the empty weight of the vehicle plus the actual weight of the load carried thereon."

Sec. 11. Payment of tax. The annual compensation tax shall be paid on or before the first day of January in each year; provided, however, the same may be paid in equal quarterly installments which shall be due on the first day of January, April, July and October of each year.

Sec. 12. Penalties. If payment of compensation tax is not made within thirty (30) days after the date upon which it is due, it shall become delinquent and there shall be added as a penalty a sum equal to one tenth of the amount of the original tax for each month or fraction thereof that the tax remains delinquent.

Sec. 13. Rebate. If during any year a motor vehicle ceases to be used for compensation the operator thereof, upon satisfactory proof to the commission of cessation of such use, shall be exempted from the payment of the quarterly installments of the annual tax thereafter and shall be entitled to a refund of any subsequent quarterly installments previously paid. The tax to be assessed on any motor vehicle placed in service for compensation after February first shall be computed on the basis of one-twelfth of the annual tax multiplied by the number of unexpired months in the current quarter, and in succeeding quarters shall be computed on the basis of the regular quarterly payment as provided in section eleven (11) of this act.

Sec. 14. Plates. The commission shall issue distinguishing identification plates for each motor vehicle upon the payment of the taxes herein assessed, which plates shall be affixed to each such vehicle in a conspicuous place.

Sec. 15. Lien. Taxes and penalties imposed by this division shall be a first lien upon all property of the carrier.

Sec. 16. Sale of property. If payment is not made on or before sixty (60) days after the date when the tax became delinquent, the property of the motor vehicle carrier, or so much thereof as may be necessary, may be sold to satisfy the said taxes and penalties, interest and costs of sale.

Sec. 17. Duty to collect—Procedure. All taxes and penalties imposed by this division shall be paid to the commission, and it shall be the duty of the commission to enforce the collection of all taxes and penalties, and notice of sale, and procedure thereunder shall, so far as may be, accord with the provisions of the law for the collection of taxes upon general property.

Sec. 18. Travel orders. Nonresident owners and resident owners of motor vehicles registered outside of this state subject to tax under Section 10 of this act, and operated within this state only occasionally or

on specified trips into or across the state for the interstate transportation of persons or property for compensation shall be exempt from the annual compensation tax imposed by this division upon obtaining from the commission an order for each such trip any such vehicle is so operated into or across the state. The commission shall issue such orders upon application therefor, giving a description of such vehicle, and upon the payment to the commission of the sum of five dollars (\$5.00) for each order for motor vehicles with a gross weight in excess of 34,000 pounds and three dollars (\$3.00) for each order for motor vehicles with a gross weight of 34,000 pounds or less. Such order shall be conspicuously displayed on such vehicle at all times while such vehicle is being operated upon the highways of this state in the manner prescribed by the commission.

Sec. 19. Accounting by commission. The commission shall remit to the Treasurer of State all monies collected under this division.

Sec. 20. Distribution of proceeds. All of the monies received under the provisions of this division shall be distributed as follows:

(1) One-half shall be allocated by the commission to the various counties in the proportion that the area of the respective county bears to the total area of the state, to be used by the county board of supervisors for the maintenance of secondary roads.

2 One-half shall be placed in the primary road fund of the state.

Sec. 21. Payment of counties. The commission shall certify the amount due to each county to the State Comptroller, who shall draw warrants upon the Treasurer of State to be transmitted to the respective county treasurers.

Sec. 22. The provisions of this act shall become effective on December 31, 1939.

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend by inserting in each of lines seven (7), nine (9), twelve (12) and fifteen (15) of section ten (10) after the word "semi-trailer" as it appears in each of said lines the words "or trailer".

Further amend said section ten (10) by inserting after the word "vehicle" in line seventeen (17) thereof, the words "or combination of tractor and semi-trailer or trailer".

Further amend section five (5) of said amendment by adding at the end of subsection (a) of section one hundred fifty-three (153) as it appears therein the following: "Nothing herein contained shall be construed to require a license for the operation of a rubber-tired farm tractor not for hire upon the public highways."

The amendment to the amendment was adopted.

Senator Geske offered the following amendment to the amendment and moved its adoption:

Amend section seven (7), line thirteen (13), by inserting after the

word "products," where it appears the first time the following: "soil fertilizers, including ground limestone,".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

By unanimous consent, Senator Vrba withdrew his amendment found on pages 1102 and 1103 of the Journal.

Senator Beardsley moved the previous question on the amendment and the main bill.

The motion prevailed.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Forsling asked unanimous consent to reconsider the vote by which the bill went to its third reading, and the motion for the previous question.

Objection was made.

Senator Forsling moved that the vote by which the bill passed to its third reading be reconsidered.

The motion prevailed.

Senator Forsling moved that the vote by which the amendment was adopted be reconsidered.

The motion prevailed.

Senator Forsling moved that the motion for the previous question be reconsidered, which motion prevailed.

Senator Forsling offered the following amendment to the amendment and moved its adoption:

Amend by adding thereto an additional section as follows: "Sec. 9a. That paragraph two (2) section one (1) of Chapter 134 of the Acts of the Forty-seventh General Assembly be amended by striking from lines one (1) and two (2) thereof the words "and every vehicle which is" and inserting in lieu thereof the words "but not including vehicles known as trackless trolleys which are".

The amendment was adopted.

The amendment as amended 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, 46:

Augustine	Donohue	Harvey	Miller
Baldwin	Doran	Henningsen	Mowry
Beardsley	Edwards	Hill	Parker
Bekman	Ellis	Hoeven	Pelzer
Benson	Elthon	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Breen	Faul	Leo	Sjulin
Byers	Forsling	Levis	Talbott
Corwin	Geske	Lundy	Vrba
Cromwell	Gillette	Martin	Whitehill
Dean	Guernsey	Mighell	Zeigler
Dewey	Hart		

Nays, none.

Absent or not voting, 4:

Kirketeg	Moore	Smith	Stewart
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The bill having received a constitutional majority was declared to have passed the Senate.

Senator Donohue offered the following amendment to the title and moved its adoption:

Amend by striking all of said title and substituting in lieu thereof the following: "An Act to amend sections one (1), one hundred sixty-four (164) and one hundred ninety-seven (197) and to amend, revise and codify sections one hundred fifty (150), one hundred fifty-one (151), one hundred fifty-two (152), one hundred fifty-three (153), one hundred fifty-four (154) and four hundred ninety (490) of Chapter 134 of the Acts of the Forty-seventh General Assembly relating to the registration fees for motor trucks, truck tractors, road tractors, semi-trailers and trailers, providing for the registration of such vehicles on a gross weight basis, fixing the maximum gross weight with which such vehicles may be operated, providing for the semi-annual payment of registration fees, and providing specifications for number plates, and to amend Chapter 252-A2 of the Code, 1935 relating to the taxation of motor carriers operating motor vehicles between fixed termini and over a regular route, fixing penalties for delinquency in payment of such tax, providing for the issuance of distinguishing plates for such motor vehicles, providing for the collection and enforcement of such tax and providing for the distribution of the proceeds thereof."

The amendment was adopted, and the title as amended was agreed to.

By unanimous consent, on request of Senator Donohue, House File 601 was messaged to the House immediately.

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 adopted House Concurrent Resolution 21, providing for the adjournment of the 48th General Assembly sine die.

Also: That the House has adopted the conference committee report and the amendments proposed therein, and passed House File 647, a bill for an act making an appropriation for repairs, buildings and equipment at the various state institutions. A. C. GUSTAFSON, *Chief Clerk*.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON HOUSE FILE 647

By unanimous consent, Senator Doran called up for consideration the report of the conference committee on House File 647, found on pages 1415-1416 of the Journal.

Senator Doran moved the adoption of the committee report and the amendments therein set out and recommended.

Roll call was requested.

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

Ayes, 26:

Corwin	Faul	Husted	Parker
Cromwell	Forsling	Kirketeg	Pelzer
Donohue	Guernsey	Leo	Sjulin
Doran	Harvey	Levis	Stewart
Edwards	Henningsen	Martin	Talbott
Ellis	Hill	Mowry	Whitehill
Evans	Hopkins		

Nays, 13:

Augustine	Breen	Geske	Mighell
Baldwin	Dean	Gillette	Vrba
Beardsley	Elthon	Lundy	Zeigler
Berg			

Absent or not voting, 11:

Bekman	Dewey	Miller	Shaw
Benson	Hart	Moore	Smith
Byers	Hoeven	Schadt	

The motion prevailed and the Senate adopted the report of the conference committee and amendments therein.

THIRD READING OF BILLS

Senator Doran moved that House File 647, a bill for an act to appropriate to the state board of control for repairs, buildings,

and equipment at the various state institutions the sum of six hundred twenty-five thousand six hundred dollars (\$625,600.00), and to appropriate to the state fair board for the construction of a combination 4-H club dining hall and dormitory the sum of twenty-five thousand dollars (\$25,000.00), and to appropriate to the state board of education for the construction of a women's gymnasium at the Iowa State College of Agriculture and Mechanic Arts the sum of one hundred twenty-five thousand dollars (\$125,000.00), all for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, and providing for the manner of expenditure thereof, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 39:

Bekman	Elthon	Hoeven	Parker
Benson	Evans	Hopkins	Pelzer
Berg	Faul	Husted	Schadt
Byers	Forsling	Kirketeg	Shaw
Corwin	Geske	Leo	Sjulin
Cromwell	Guernsey	Levis	Stewart
Dean	Hart	Lundy	Talbott
Doran	Harvey	Martin	Whitehill
Edwards	Henningsen	Miller	Zeigler
Ellis	Hill	Mowry	

Nays, 5:

Baldwin	Breen	Mighell	Vrba
Beardsley			

Absent or not voting, 6:

Augustine	Donohue	Moore	Smith
Dewey	Gillette		

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 AMENDMENTS CONSIDERED

Senator Bekman called up for consideration Senate File 476, amended by the House as follows:

1. Amend section one (1), line four (4), by inserting after the word "funds" the words "coming into the hands of the state".

2. Amend section two (2) as follows:

(a) In line one (1) insert the word "state" before the word "board".

(b) In line nineteen (19) insert the word "state" before the word "board"; also, strike the word "shall" in said line and insert in lieu thereof the word "may".

(c) In line twenty (20) insert after the word "funds" the words "belonging to the state".

3. Amend by inserting the following as section five (5):

Sec. 5. The local county board of supervisors shall ascertain all necessary details concerning those seeking relief, shall determine the minimum amount of relief required for each such person or family, and shall ascertain which of such persons are employable.

The board of supervisors shall require that all employables contribute as many hours of his or her labor as that employable's requirements, as estimated by the board, will buy at the prevailing rate of compensation for that class of labor in that community.

The board of supervisors shall determine on what projects of county-wide or community-wide nature such relief labor may be used. It may, however, delegate to its political subdivisions such authority as it deems advisable for administrative expediency.

The board of supervisors may permit such labor to be used on community projects for which tax contributors expressly petition.

The board of supervisors shall have authority to use employables who apply for county relief, in any capacity, in any place in the county it deems advisable and pay them out of any county funds.

It shall also have authority to impose such disciplinary measures as it deems necessary for those receiving relief as are not willing to comply with the board's work requirements.

To the board of supervisors is reserved all authority not expressly otherwise set out previously.

4. Amend by renumbering the following section.

5. Amend the title by striking the period at the end thereof and by adding the following: ", and relating to relief labor and the powers and duties of the board of supervisors in connection therewith."

Senator Bekman offered the following amendments to the House amendments and moved their adoption:

Amend as follows:

1. Strike the word "shall" from lines seven (7) and twelve (12) of amendment three (3) and insert in lieu thereof the word "may".

2. Strike all of lines 17 to 26 inclusive of amendment three (3).

The amendments to the House amendments were adopted.

Senator Bekman moved that the Senate concur in the House amendments as amended, which motion prevailed.

Senator Bekman moved that Senate File 476, a bill for an act to provide for the administration of funds made available to the counties for emergency relief, and relating to relief labor and the powers and duties of the board of supervisors in connection there-

with, be read a third time now, as amended, which motion prevailed and the bill was read a third time.

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

Ayes, 34:

Augustine	Faul	Husted	Schadt
Beardsley	Forsling	Kirketeg	Shaw
Bekman	Geske	Levis	Sjulin
Berg	Guernsey	Lundy	Stewart
Corwin	Hart	Martin	Talbott
Cromwell	Harvey	Mighell	Vrba
Dean	Henningsen	Mowry	Whitehill
Edwards	Hill	Parker	Zeigler
Elthon	Hoeven		

Nays, 2:

Breen Hopkins

Absent or not voting, 14:

Baldwin	Donohue	Gillette	Moore
Benson	Doran	Leo	Pelzer
Byers	Ellis	Miller	Smith
Dewey	Evans		

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

Senator Bekman 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 Bekman, Senate File 476 was messaged to the House immediately.

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 371, a bill for an act making an appropriation to the Iowa conservation commission.

Also: That the House has granted the request of the Senate and returns herewith Senate File 455, a bill for an act making an emergency appropriation to the 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 498, a bill for an act relating to the department of public safety and the motor vehicle law.

Also: That the House insists on its amendments to Senate amend-

ments to House File 566, a bill for an act to validate funds deposited by school corporations in banks which were not approved by the board of school directors, and requests a conference, and the Speaker of the House has appointed as members of such conference committee on the part of the House: Representatives Hoegh, Wilson, Johnson of Linn and Shales.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 498

1. Amend section fifteen (15), lines three (3) and four (4), by striking the words and figures "seven (7) and eight (8)" and inserting in lieu thereof the words and figures "six (6) and seven (7)".

2. Amend by adding after section twenty-five (25) the following sections:

Sec. 26. Section one (1) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is amended by inserting in line one hundred sixty-two (162), subsection forty (40), after the word "owner" the following: "or operator".

Sec. 27. Section two hundred eight (208) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is amended by striking subsection three (3) thereof and inserting in lieu thereof the following:

To any person, as an operator or chauffeur whose license or driving privilege has been suspended during such suspension or to any person whose license, or driving privilege, has been revoked, until the expiration of one year after such revocation.

Sec. 28. Section two hundred nine (209) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is repealed and the following is enacted in lieu thereof:

No person who is under the age of twenty-one years shall drive any motor vehicle while in use as a carrier of flammables or combustibles, or as a public or common carrier of persons, except a school bus.

Sec. 29. Section two hundred eighteen (218) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is repealed and the following is enacted in lieu thereof:

The department may examine every new applicant for an operator's or chauffeur's license or any person holding a valid operator's or chauffeur's license when the department has reason to believe that such person may be physically or mentally incompetent to operate a motor vehicle. Such examinations shall be held in every county within periods not to exceed fifteen days. It shall include a test of the applicant's eyesight, his ability to read and understand highway signs regulating, warning, and directing traffic, his knowledge of the traffic laws of this state, and shall include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle and such further physical and mental examinations as the department finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways.

Sec. 30. Section two hundred twenty-four (224) of Chapter one hun-

dred thirty-four (134), Acts of the 47th General Assembly, is amended by inserting in line four (4) after the words "type of" the word "vehicle".

Sec. 31. Section two hundred forty (240) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is amended by striking the first four (4) lines thereof and inserting in lieu thereof the following:

The department shall forthwith revoke the license of any operator or chauffeur, or driving privilege, upon receiving a record of such operator's or chauffeur's conviction of any of the following offenses, when such conviction has become final:"

Sec. 32. Section two hundred forty-five (245) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is amended by striking from line two (2) thereof the words "or right".

Sec. 33. Section three hundred ten (310) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is amended by striking from line three (3) the word "right" and inserting in lieu thereof the word "privilege".

Sec. 34. Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is further amended by adding thereto, after section four hundred forty-nine (449), the following:

No person shall have for sale, sell or offer for sale any motor vehicle, trailer, or semi-trailer which is in such unsafe condition as to endanger any person or which does not contain those parts or is not at all times equipped with such lamps and brakes and other equipment in proper condition and adjustment as required in this chapter, or which is equipped in any manner in violation of this chapter.

Sec. 35. Section four hundred sixty-two (462) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is repealed and the following is enacted in lieu thereof:

No person shall drive any motor vehicle equipped with a windshield which does not permit clear vision, or with any sign, poster or other nontransparent material upon the front windshield of such vehicle other than a certificate or other paper required to be so displayed by law, which shall be displayed in the upper righthand corner.

3. Amend by renumbering section 26 as section 36.

4. Amend the title by adding at the end thereof the following: "; and to amend section two thousand eleven (2011), Code, 1935, and Chapter one hundred thirty-four (134), and Chapter one hundred thirty-five (135), Acts of the 47th General Assembly, relating to the motor vehicle law."

CONFERENCE COMMITTEE ON HOUSE FILE 566

The President announced that, as President of the Senate, he had appointed Senators Kirketeg, Bekman, Breen, and Sjulín as the members of the conference committee on House File 566 on the part of the Senate.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Bekman, House File 138, a bill for an act to amend section thirty-five hundred twenty-seven (3527), Code, 1935, to repeal section thirty-five hundred twenty-eight (3528), Code, 1935, and to amend section thirty-six hundred four (3604), Code, 1935, relating to the commitment, care, and support of insane persons, was taken up and considered.

Senator Bekman moved that the bill be read a third 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:

Bekman	Edwards	Hill	Pelzer
Berg	Elthon	Husted	Shaw
Byers	Evans	Kirketeg	Sjulin
Corwin	Forsling	Leo	Stewart
Cromwell	Hart	Levis	Whitehill
Donohue	Harvey	Parker	Zeigler
Doran	Henningesen		

Nays, 13:

Augustine	Faul	Lundy	Mowry
Baldwin	Guernsey	Mighell	Talbott
Breen	Hopkins	Moore	Vrba
Ellis			

Absent or not voting, 11:

Beardsley	Dewey	Hoeven	Schadt
Benson	Geske	Martin	Smith
Dean	Gillette	Miller	

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

Senator Bekman 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 the fall of the gavel.

The Senate reconvened at the fall of the gavel, President pro tem Hoeven presiding.

By unanimous consent, Senator Lundy presented Burgemeister Fultz and Tulip Queen Miss Bernace Vander Linden and her attendants from Pella, in celebration of their tulip festival May 11 to 13.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Breen, House File 122, a bill for an act to amend subsection fifteen (15) of section one (1), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to the definition of special mobile equipment; and to amend section one hundred forty-nine (149), Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, relating to the annual registration fee on certain trucks, was taken up and considered.

President Hickenlooper took the chair at 5:06.

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	Doran	Harvey	Mowry
Baldwin	Edwards	Henningsen	Schadt
Beardsley	Elthon	Hill	Shaw
Bekman	Evans	Hoeven	Sjulin
Breen	Faul	Hopkins	Stewart
Byers	Forsling	Husted	Urba
Corwin	Geske	Kirketeg	Whitehill
Cromwell	Gillette	Leo	Zeigler
Dean	Guernsey	Martin	

Nays, 1:

Pelzer

Absent or not voting, 14:

Benson	Ellis	Mighell	Parker
Berg	Hart	Miller	Smith
Dewey	Levis	Moore	Talbott
Donohue	Lundy		

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 Hill, House File 614, a bill for an act to amend section thirteen thousand two hundred ten (13210), Code of Iowa, 1935, and section two (2) of Chapter two hundred thirty-one (231), Acts of the 47th General Assembly, relating to the possession of gambling devices; and to amend Chapter one hundred sixty-four (164), Code, 1935, relating

to the licensing by the department of agriculture of pin ball and marble devices, providing for the disposition of license fees, and providing for penalties for the violation of the provisions hereof, was taken up and considered.

Senator Hill offered the following amendment and moved its adoption:

Amend by adding after line 28 of section 3, the following:

6. It shall be unlawful for any person, firm, association or corporation licensed under this act who knowingly, or in the exercise of reasonable care, should have known, to permit, allow or make available to any person under eighteen (18) years of age the playing, operation, manipulation or use of any pin ball or marble devices licensed hereunder.

7. Any person, firm, association, or corporation violating the provisions of paragraph six (6) of this section shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed one hundred dollars (\$100), or by imprisonment in the county jail not to exceed thirty (30) days.

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend by inserting after the period (.) following the word "agriculture" in line five (5), section three (3), the following:

"Each such person shall have been a resident of the state of Iowa for at least five (5) years and shall post a one thousand dollar (\$1,000.00) bond as security for the lawful operation of said device."

The amendment was adopted.

Senator Martin offered the following amendments and moved their adoption:

1. Amend subsection two (2) of section three (3) by striking from line five (5) the words and figures "twenty dollars (\$20.00)" and inserting in lieu thereof the words and figures "fifty dollars (\$50.00)".

2. Amend subsection two (2) of section three (3) by adding the following paragraph:

"Thirty-five per cent (35%) of said funds to the city or town wherein said device is located, and if located outside of a city or town, then said thirty-five per cent (35%) of said funds to the county."

Senator Breen moved the previous question on the bill and all pending amendments, which motion prevailed.

Roll call was requested on amendment one (1).

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13:

Breen	Faul	Husted	Martin
Corwin	Geske	Leo	Mowry
Dean	Gillette	Levis	Zeigler
Ellis			

Nays, 21:

Augustine	Doran	Hart	Hopkins
Baldwin	Edwards	Harvey	Kirketeg
Bekman	Elthon	Henningsen	Parker
Berg	Evans	Hill	Sjulin
Byers	Guernsey	Hoeven	Talbott
Donohue			

Absent or not voting, 16:

Beardsley	Forsling	Moore	Smith
Benson	Lundy	Pelzer	Stewart
Cromwell	Mighell	Schadt	Vrba
Dewey	Miller	Shaw	Whitehill

The amendment was lost.

Amendment two (2) 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.

Rule 8 was invoked.

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

Ayes, 23:

Augustine	Corwin	Evans	Kirketeg
Baldwin	Cromwell	Geske	Moore
Bekman	Dean	Gillette	Parker
Berg	Donohue	Hart	Pelzer
Breen	Doran	Henningsen	Vrba
Byers	Edwards	Hill	

Nays, 18:

Ellis	Harvey	Levis	Schadt
Elthon	Hoeven	Martin	Sjulin
Faul	Hopkins	Mighell	Talbott
Forsling	Husted	Mowry	Zeigler
Guernsey	Leo		

Absent or not voting, 9:

Beardsley	Lundy	Shaw	Stewart
Benson	Miller	Smith	Whitehill
Dewey			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 77, 84, 130, 159, 236, 376, 433 and 541.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 77, 84, 130, 159, 236, 376, 433 and 541.

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 452, a bill for an act relating to the powers, duties and jurisdiction of the state conservation commission.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 452

1. Amend section eight (8) by striking all of line three (3).

2. Amend by adding the following section:

Sec. 26. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the *Denison Review*, a newspaper published at Denison, Iowa, and in the *Davis County Republican*, a newspaper published at Bloomfield, Iowa.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 24, 1939, he had approved the following:

Senate File 15, relating to exemptions from taxation.

Senate File 57, relating to investments by insurance companies formed for the purpose of insurance other than life insurance to permit investment of the capital and funds of such insurance companies in the corporate stock of such company in furtherance of a general savings and investment plan for employees.

Senate File 101, relating to unemployment compensation; specifying and defining certain disqualifications for unemployment

benefits; designating and describing employees engaged in their respective customary self-employments.

Senate File 103, relating to unemployment compensation; modifying the law providing for appeal and judicial review of disputed claims; clarifying the definition of the term "employer"; changing the classes of employments included within the provisions of Chapter 102, Acts of the 47th General Assembly.

Senate File 198, relating to transportation of school children, and providing for transportation of high school students in certain cases.

Senate File 248, relating to dangerous and concealed weapons.

Senate File 303, relating to the interest rate which may be charged a purchaser of school lands.

Senate File 321, amending Section 6 (I) of Chapter 102, Acts of the 47th General Assembly, relating to court review; also Section 10 (B) of said act relating to the secretary of the commission; also Section 13 (A) of said act relating to special fund; also Section 19 of said act relating to benefit year and insured work; also Section 16 (A) of said act relating to penalties for false statements; and Section 14 of said act relating to collection of contributions.

Senate File 322, relating to limitations of actions.

Senate File 368, providing that fire equipment of cities and towns, regardless of type of government, may be used outside of the corporate limits of such cities and towns under regulations prescribed by the council; and providing that firemen operating equipment outside the corporate limits of cities and towns shall have the rights and privileges provided by Chapters 322 and 322-F1, Code, 1935.

Senate File 381, relating to the levy of a tax by cities and towns to pay for certain property and equipment on the installment plan.

Senate File 389, relating to the transfer of records from superior, police, and mayor's courts to the municipal court.

Senate File 404, repealing Sections 3114 and 3118, Code, 1935, and enacting substitutes therefor, and amending Sections 3115 and 3117, Code, 1935, relating to the registration and labeling of commercial fees; and relating to the method of collection of inspection fees, and repealing Section 3122, 3123 and 3125, Code, 1935.

Senate File 423, repealing subdivisions one (1), two (2) and three (3) of Section 8927, Code, 1935, and enacting substitutes therefor, relating to investments of insurance companies other than life.

Senate File 427, relating to the motor vehicle fuel tax.

Senate File 436, an act to prevent the voting of additional primary road bonds in any county which has previously authorized one or more such bond issues.

Senate File 445, relating to the transfer to the commissioner of insurance the administration and enforcement of the law relating to sale of stock on installment plan; the administration and enforcement of the law relating to securities; and the administration and enforcement of the law relating to membership sales; and providing the method for removal of the commissioner of insurance.

Senate File 448, an act assenting to the act of Congress relating to wild life restoration projects.

Senate File 451, making appropriations to the Davenport Oil and Supply Company, et al.

Senate File 467, providing that salaries received by employees of the United States shall be subject to state income tax.

Senate File 468, relating to the penalty for a person found in a state of intoxication.

Senate File 469, relating to hearings prior to the adoption of a comprehensive city plan.

Senate File 470, relating to drainage.

Senate File 471, relating to submission to the electors of a township the question of erecting a public hall.

Senate File 472, relating to enforcement of the Iowa Liquor Control Act.

Senate File 480, making appropriation to Hurwich Furniture Company, et al.

Senate File 481, making appropriations to certain persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the state highway commission or its employees.

Senate File 484, making appropriation to Paul Kordick in payment of loud speaker system installed in the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Dewey for the remainder of the session, on request of Senator Shaw.

REPORT OF COMMITTEE ON COMMITTEES

MR. PRESIDENT: Your Committee on Committees begs leave to report that pursuant to the provisions of House Concurrent Resolution 25 it has appointed as the members of the Senate Committee on Interstate Cooperation the following named persons:

K. A. Evans, George M. Faul, L. B. Forsling, Stanley L. Hart, Howard C. Baldwin.

The members of said Senate Committee are appointed for the period of time specified in said House Concurrent Resolution 25.

FRANK C. BYERS, *Chairman.*

The report was adopted.

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 File 563; Senate Files 158 and 512 and House File 640.

E. P. DONOHUE, *Chairman.*

SENATE RESOLUTION 20

Be It Resolved by the Senate of the Forty-eighth 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.

H. C. BALDWIN.

A. E. AUGUSTINE.

FRANK E. ELLIS.

AMENDMENT FILED

MR. PRESIDENT: Amend House File 563 as follows:

1. Amend by inserting as section three (3) thereof the following:
"The provisions of this act shall not apply to any mine producing less than one thousand (1,000) tons annually."
2. Amend by renumbering the following section.
3. Further amend by striking the word "fifteen" in line twenty-six (26), section two (2), also all of line twenty-seven (27) and the words and figures "one thousand (1,000) tons" and the comma (,) in line twenty-eight (28) of said section two (2).

HAROLD LEVIS.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 26, 1939.

The Senate met in regular session, President B. B. Hickenlooper presiding.

Prayer was offered by Rev. J. C. Bain, pastor of Burns Methodist Church of Des Moines.

The Journal of April 25th was corrected and approved.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 614 failed to pass the Senate.

SANFORD ZEIGLER, JR.

On motion of Senator Donohue, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the following appointments:

Chas. W. Harness of Wapello County, as labor commissioner, for the term ending June 30, 1941.

J. R. Pefferle of Polk County, as a member of the unemployment compensation commission, for the term ending June 30, 1939, and for the term ending June 30, 1945.

W. E. Jackson of Des Moines County, as a member of the board of parole, for the unexpired term ending June 30, 1939, and for the full term expiring June 30, 1945.

Clarence Godfrey of Monroe County, as a member of the board of parole, for the term ending June 30, 1941.

J. D. Lowe of Kossuth County, as a member of the state conservation commission, for the term ending June 30, 1945.

Ralph E. Garberson of Osceola County, as a member of the state conservation commission, for the term ending June 30, 1943.

The Senate arose from executive session and resumed regular session.

Senator Donohue moved that only those bills now on the calendar, conference committee reports, and messages from the House, be taken up for consideration before adjournment.

Senator Stewart moved to amend the motion by including House File 620 among the bills.

Senator Donohue raised the point of order that the amendment was not eligible because it required a vote of thirty (30) members, whereas the original motion required a majority vote only.

The chair held the point of order well taken.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Byers, Senate File 512, a bill for an act to legalize the appointments of certain public officials by the Governor of Iowa which have been confirmed by the Senate, was taken up and considered.

Senator Kirketeg offered the following amendment and moved its adoption:

Amend section three (3) by inserting in blank in line five (5): "The Taylor County Herald," and in blank in line six (6) of said section "Bedford".

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, 29:

Beardsley	Edwards	Henningsen	Martin
Benson	Elthon	Hill	Parker
Berg	Evans	Hoeven	Pelzer
Byers	Faul	Hopkins	Schadt
Corwin	Forsling	Husted	Sjulin
Cromwell	Hart	Kirketeg	Talbott
Donohue	Harvey	Leo	Zeigler
Doran			

Nays, 11:

Augustine	Dean	Gillette	Moore
Baldwin	Ellis	Guernsey	Vrba
Breen	Geske	Mighell	

Absent or not voting, 10:

Bekman	Lundy	Shaw	Stewart
Dewey	Miller	Smith	Whitehill
Levis	Mowry		

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.

By unanimous consent, on request of Senator Byers, Senate File 512 was messaged to the House immediately.

President pro tem Hoeven took the chair.

REPORT OF COMMITTEE ON COMMITTEES

MR. PRESIDENT: Your committee on committees begs leave to report that pursuant to the provisions of Senate File 22 it has appointed as members of the permanent claims committee for a term to expire on the 31st day of December, 1940, the following named persons:

Fred Cromwell, A. E. Augustine.

FRANK C. BYERS, *Chairman.*

The report was adopted.

On motion of Senator Baldwin, Senate Resolution 20 was taken up and considered.

SENATE RESOLUTION 20

Be It Resolved by the Senate of the Forty-eighth 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.

The resolution was adopted.

By unanimous consent, on request of Senator Forsling, the following was ordered printed in the Journal:

TO THE MEMBERS OF THE IOWA SENATE:

The undersigned, as Chairman of the Committee on Consolidation and Reorganization of State Government, in behalf of himself and members of said committee, takes this opportunity of acknowledging the splendid help given us by the following:

Joe L. Long, executive secretary, Iowa Taxpayers' Association, Des Moines; C. A. Crosser, secretary, Bureau Municipal Research, Des Moines; Ed R. Brown, former state representative, Des Moines.

We succeeded with our program far beyond our expectations and believe that the proposals of our committee which have become law will have far-reaching effect and bring about more effective and economical administration in various state departments.

The above named have acted for us much as a legislative reference bureau and without their aid our program would necessarily have been much curtailed. Inasmuch as they gave their time and efforts without expectation of pay, their reward must come from the fact that their efforts have tended to bring about more effective state government.

L. B. FORSLING, *Chairman, Committee
on Consolidation and Reorganization
of State Government.*

April 26, 1939.

HOUSE AMENDMENTS CONSIDERED

Senator Forsling called up for consideration Senate File 498, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section fifteen (15), lines three (3) and four (4), by striking the words and figures "seven (7) and eight (8)" and inserting in lieu thereof the words and figures "six (6) and seven (7)".

2. Amend by adding after section twenty-five (25) the following sections:

Sec. 26. Section one (1) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is amended by inserting in line one hundred sixty-two (162), subsection forty (40), after the word "owner" the following: "or operator".

Sec. 27. Section two hundred eight (208) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is amended by striking subsection three (3) thereof and inserting in lieu thereof the following:

To any person, as an operator or chauffeur whose license or driving privilege has been suspended during such suspension or to any person whose license, or driving privilege, has been revoked, until the expiration of one year after such revocation.

Sec. 28. Section two hundred nine (209) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is repealed and the following is enacted in lieu thereof:

No person who is under the age of twenty-one years shall drive any motor vehicle while in use as a carrier of flammables or combustibles, or as a public or common carrier of persons, except a school bus.

Sec. 29. Section two hundred eighteen (218) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is repealed and the following is enacted in lieu thereof:

The department may examine every new applicant for an operator's or chauffeur's license or any person holding a valid operator's or chauffeur's license when the department has reason to believe that such person may be physically or mentally incompetent to operate a motor vehicle.

Such examinations shall be held in every county within periods not to exceed fifteen days. It shall include a test of the applicant's eyesight, his ability to read and understand highway signs regulating, warning, and directing traffic, his knowledge of the traffic laws of this state, and shall include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle and such further physical and mental examinations as the department finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways.

Sec. 30. Section two hundred twenty-four (224) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is amended by inserting in line four (4) after the words "type of" the word "vehicle".

Sec. 31. Section two hundred forty (240) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is amended by striking the first four (4) lines thereof and inserting in lieu thereof the following:

The department shall forthwith revoke the license of any operator or chauffeur, or driving privilege, upon receiving a record of such operator's or chauffeur's conviction of any of the following offenses, when such conviction has become final:".

Sec. 32. Section two hundred forty-five (245) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is amended by striking from line two (2) thereof the words "or right".

Sec. 33. Section three hundred ten (310) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is amended by striking from line three (3) the word "right" and inserting in lieu thereof the word "privilege".

Sec. 34. Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is further amended by adding thereto, after section four hundred forty-nine (449), the following:

No person shall have for sale, sell or offer for sale any motor vehicle, trailer, or semi-trailer which is in such unsafe condition as to endanger any person or which does not contain those parts or is not at all times equipped with such lamps and brakes and other equipment in proper condition and adjustment as required in this chapter, or which is equipped in any manner in violation of this chapter.

Sec. 35. Section four hundred sixty-two (462) of Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, is repealed and the following is enacted in lieu thereof:

No person shall drive any motor vehicle equipped with a windshield which does not permit clear vision, or with any sign, poster or other nontransparent material upon the front windshield of such vehicle other than a certificate or other paper required to be so displayed by law, which shall be displayed in the upper right-hand corner.

3. Amend by renumbering section 26 as section 36.

4. Amend the title by adding at the end thereof the following: "; and to amend section two thousand eleven (2011), Code, 1935, and Chapter one hundred thirty-four (134), and Chapter one hundred thirty-five (135), Acts of the 47th General Assembly, relating to the motor vehicle law."

The motion prevailed, and the Senate concurred in the House amendments.

THIRD READING OF BILLS

Senator Forsling moved that Senate File 498, a bill for an act to amend Senate File three hundred seventy-nine (379), Acts of the 48th General Assembly, relating to the department of public safety of the State of Iowa, transferring the supervision of registration of motor vehicles and the enforcement of motor vehicle law to said department, and providing that the funds heretofore appropriated be made available to the department of public safety on the effective date of this act; and to amend Chapter one hundred thirty-four (134), Acts of the 47th General Assembly, relating to the motor vehicle law, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 35:

Baldwin	Elthon	Hopkins	Parker
Beardsley	Evans	Husted	Pelzer
Bekman	Faul	Kirketeg	Schadt
Berg	Forsling	Leo	Shaw
Cromwell	Geske	Martin	Stewart
Dean	Hart	Mighell	Talbott
Donohue	Harvey	Miller	Vrba
Edwards	Henningsen	Moore	Zeigler
Ellis	Hill	Mowry	

Nays, none.

Absent or not voting, 15:

Augustine	Corwin	Guernsey	Sjulin
Benson	Dewey	Hoeven	Smith
Breen	Doran	Levis	Whitehill
Byers	Gillette	Lundy	

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

Senator Forsling 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 concurred in Senate amendments to and passed House File 57, a bill for an act relating to venereal diseases.

Also: That the House has concurred in Senate amendments to House amendments and passed Senate File 476, a bill for an act to provide for the administration of funds made available to the counties for emergency relief.

Also: That the House has adopted the Conference Committee report and concurred in Senate amendments as recommended therein and passed House File 566, a bill for an act to validate all funds deposited by school corporation in banks which were not approved by the board of school directors.

Also: That the House has amended and concurred in Senate amendments to and passed House File 601, a bill for an act to define common, contract, and private carriers by motor vehicles.

Also: That the House has concurred in Senate amendments to and passed House File 628, a bill for an act relating to old age assistance.

Also: That the House has concurred in Senate amendments to and passed House File 639, a bill for an act to provide an emergency appropriation for the State Planning Board.

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

Senate File 22, a bill for an act to create a permanent claims committee.

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

Senate File 181, a bill for an act to cancel taxes on real property belonging to Tabor College located at Tabor, Fremont county, Iowa.

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

Senate File 243, a bill for an act relating to the World War Educational Aid Fund.

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

Senate File 327, a bill for an act relating to the official publications of boards of supervisors.

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

Senate File 422, a bill for an act making an appropriation in connection with the prevention and control of major epidemic outbreaks of grasshoppers and other pests.

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 authorize the collection, by garnishment proceedings, by the Iowa State Board of Assessment and Review of any income tax, sales tax, or use tax owed the state.

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

Senate File 496, a bill for an act making an appropriation in payment of certain claims.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked: House Concurrent Resolution 29, providing for the presentation of the chairs occupied by them to the Speaker of the House and the President of the Senate.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE AMENDMENTS TO HOUSE FILE 57

Amend the Senate amendments to House File 57 by adding thereto the following:

Amend the title as follows:

In line five (5), strike the words "at the time" and insert in lieu thereof the words "within fourteen days".

In line six (6), strike the word "father" and insert in lieu thereof the following: "husband and father, other children by the same mother,".

HOUSE AMENDMENTS TO SENATE AMENDMENTS TO HOUSE FILE 601

1. Amend section seven (7), line fifteen (15), by inserting after the word "livestock" the following: ", live poultry, eggs".

2. Amend section ten (10) by striking lines one (1) to five (5), inclusive, and inserting in lieu thereof the following:

DIVISION II

Sec. 9b. Sections fifty-one hundred five-a forty-one (5105-a41) to fifty-one hundred five-a fifty-seven (5105-a57), inclusive, Code, 1935, are hereby repealed and sections ten (10) to twenty-one (21), inclusive, of this division enacted in lieu thereof.

Sec. 10. In addition to the regular license fees or taxes imposed upon motor vehicles, there shall be assessed against and collected from every motor carrier the following tax".

HOUSE CONCURRENT RESOLUTION 29

Be It Resolved by the House of Representatives, the Senate Concurring: That the Speaker of the House of Representatives and the President of the Senate 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, to be forwarded to the home residence of the persons mentioned herein.

On motion of Senator Donohue, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President Hick-enlooper presiding.

By unanimous consent, on request of Senator Donohue, House Concurrent Resolution 29 was taken up for consideration.

HOUSE CONCURRENT RESOLUTION 29

Be It Resolved by the House of Representatives, the Senate Concurring: That the Speaker of the House of Representatives and the President of the Senate 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, to be forwarded to the home residence of the persons mentioned herein.

The resolution was adopted.

Senator Stewart moved that the Senate take from the sifting committee House File 620 for consideration by the Senate.

Senator Byers raised the point of order that the motion was not eligible because the subject matter had previously been considered.

The chair announced that it would be necessary to suspend the rules.

Senator Stewart moved that the rules be suspended and that House File 620 be taken from the sifting committee and placed on the calendar for immediate consideration.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, request a call of the Senate on the motion to withdraw House File 620 from the sifting committee.

JOHN E. TALBOTT.

CHAS. B. HOEVEN.

FRANK C. BYERS.

E. P. DONOHUE.

SANFORD ZEIGLER, JR.

ROBT. W. HARVEY.

FRANK PELZER.

H. C. BALDWIN.

CARL O. SJULIN.

FRED CROMWELL.

L. B. FORSLING.

K. A. EVANS.

O. H. HENNINGSEN.

Roll call disclosed that all members were present except Senators Benson, Berg, Geske, Levis, Miller and Sjulín.

Senators Berg and Sjulín appeared in the Senate chamber.

Senator Stewart asked unanimous consent that the absent members be excused from the call of the Senate.

Objection was made.

Senator Stewart moved that the rules be suspended and that the absent members be excused from the call of the Senate.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the rules be suspended and the absent members excused?" the vote was:

Ayes, 26:

Augustine	Ellis	Hopkins	Mowry
Beardsley	Elthon	Leo	Parker
Bekman	Gillette	Lundy	Shaw
Cromwell	Guernsey	Martin	Stewart
Dean	Harvey	Mighell	Vrba
Doran	Hill	Moore	Whitehill
Edwards	Hoeven		

Nays, 18:

Baldwin	Donohue	Henningsen	Schadt
Berg	Evans	Husted	Sjulin
Breen	Faul	Kirketeg	Talbott
Byers	Forsling	Pelzer	Zeigler
Corwin	Hart		

Absent or not voting, 6:

Benson	Geske	Miller	Smith
Dewey	Levis		

The motion was lost, a suspension of the rules requiring a two-thirds vote.

The Sergeant-at-Arms was directed to secure the attendance of the absentees.

HOUSE FILE 529 RECONSIDERED

Senator Forsling moved that the Senate take from the table the motion to reconsider the vote by which House File 529 passed the Senate.

The motion prevailed.

Senator Forsling moved to reconsider the vote by which House File 529 passed the Senate.

On the question "Shall the Senate reconsider the vote by which House File 529 passed the Senate?" the vote was:

Ayes, 37:

Augustine	Breen	Donohue	Faul
Baldwin	Byers	Doran	Forsling
Beardsley	Corwin	Edwards	Gillette
Bekman	Cromwell	Evans	Guernsey

Hart	Husted	Mowry	Stewart
Harvey	Kirketeg	Pelzer	Talbott
Henningsen	Leo	Schadt	Vrba
Hill	Lundy	Shaw	Whitehill
Hoeven	Martin	Sjulin	Zeigler
Hopkins			

Nays, none.

Absent or not voting, 18:

Benson	Ellis	Levis	Moore
Berg	Elthon	Mighell	Parker
Dean	Geske	Miller	Smith
Dewey			

The motion prevailed.

Senator Forsling moved that the vote by which House File 529 passed to its third reading be reconsidered, which motion prevailed.

On motion of Senator Forsling, the bill was re-referred to the sifting committee.

HOUSE FILE 635 RECONSIDERED

Senator Donohue moved that the Senate take from the table the motion to reconsider the vote by which House File 635 passed the Senate.

The motion prevailed.

Senator Donohue moved to reconsider the vote by which House File 635 passed the Senate.

On the question "Shall the Senate reconsider the vote by which House File 635 passed the Senate?" the vote was:

Ayes, 38:

Augustine	Edwards	Hoeven	Parker
Baldwin	Elthon	Hopkins	Pelzer
Bekman	Evans	Husted	Schadt
Benson	Faul	Kirketeg	Shaw
Berg	Forsling	Leo	Sjulin
Breen	Guernsey	Martin	Talbott
Cromwell	Hart	Mighell	Vrba
Dean	Harvey	Moore	Whitehill
Donohue	Henningsen	Mowry	Zeigler
Doran	Hill		

Nays, none.

Absent or not voting, 12:

Beardsley	Dewey	Gillette	Miller
Byers	Ellis	Levis	Smith
Corwin	Geske	Lundy	Stewart

The motion prevailed.

Senator Donohue moved to reconsider the vote by which House File 635 went to its third reading, which motion prevailed.

On motion of Senator Donohue, House File 635 was re-referred to the sifting committee.

HOUSE AMENDMENTS CONSIDERED

Senator Donohue called up for consideration House File 601, amended by the Senate and House, and moved that the Senate concur in the following House amendments to Senate amendments:

1. Amend section seven (7), line fifteen (15), by inserting after the word "livestock" the following: "; live poultry, eggs".
2. Amend section ten (10) by striking lines one (1) to five (5), inclusive, and inserting in lieu thereof the following:

Division II

Sec. 9b. Sections fifty-one hundred five-a forty-one (5105-a41) to fifty-one hundred five-a fifty-seven (5105-a57), inclusive, Code, 1935, are hereby repealed and sections ten (10) to twenty-one (21), inclusive, of this division enacted in lieu thereof.

Sec. 10. In addition to the regular license fees or taxes imposed upon motor vehicles, there shall be assessed against and collected from every motor carrier the following tax".

The motion prevailed and the Senate concurred in the House amendments to Senate amendments.

THIRD READING OF BILLS

Senator Donohue moved that House File 601, a bill for an act to repeal Chapters two hundred fifty-two-A one (252-A1), two hundred fifty-two-A two (252-A2), and two hundred fifty-two-C one (252-C1), Code, 1935, and to repeal sections one hundred forty-four (144), one hundred fifty (150), one hundred fifty-one (151), one hundred fifty-two (152), one hundred fifty-three (153), one hundred fifty-four (154), one hundred fifty-six (156), one hundred fifty-nine (159), four hundred ninety (490), five hundred thirty-one (531), and five hundred thirty-two (532) of Chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly; to define common, contract, and private carriers by motor vehicle; to provide for the supervision and regulation by the Iowa state commerce commission of common and contract carriers by

motor vehicle engaged in the transportation of passengers or property upon the highways of this state and to prescribe the powers and jurisdiction of the Iowa state commerce commission under this act; to provide for issuance of certificates to persons now operating motor vehicles under the provisions of Chapters two hundred fifty-two-A one (252-A1) and two hundred fifty-two-C one (252-C1), Code, 1935, and to provide for issuance of permits to persons now operating motor vehicles as contract carriers; 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 from the Iowa state commerce commission; 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 Iowa state commerce commission; to define terminals and provide for the supervision, regulation, and authorization for the establishment thereof; to provide that common carriers shall establish, observe, and file schedules of their rates, fares, and charges, and for procedure for changes therein; 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 Iowa state commerce commission; 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; to provide for the assessment and collection of fees and licenses on motor vehicles subject to this act; to provide for the disposition of moneys collected hereunder; to provide for reciprocal agreements between states; to provide for temporary permits; to provide for suspension, cancellation, and transfer of certificates and permits, and to provide for punishment for violation of the provisions of this act, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 40:

Augustine	Cromwell	Faul	Hoeven
Baldwin	Dean	Forsling	Hopkins
Beardsley	Donohue	Gillette	Husted
Berg	Doran	Guernsey	Kirketeg
Breen	Edwards	Harvey	Leo
Byers	Elthon	Henningsen	Martin
Corwin	Evans	Hill	Mighell

Moore
Mowry
Parker

Pelzer
Schadt
Shaw

Sjulin
Stewart
Talbot

Vrba
Whitehill
Zeigler

Nays, none.

Absent or not voting, 10:

Bekman
Benson
Dewey

Ellis
Geske
Hart

Levis
Lundy

Miller
Smith

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.

HOUSE AMENDMENTS CONSIDERED

Senator Cromwell called up for consideration Senate File 452, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section eight (8) by striking all of line three (3).

2. Amend by adding the following section:

Sec. 26. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Denison Review, a newspaper published at Denison, Iowa, and in the Davis County Republican, a newspaper published at Bloomfield, Iowa.

The motion prevailed and the Senate concurred in the House amendments.

THIRD READING OF BILLS

Senator Cromwell moved that Senate File 452, a bill for an act to amend sections seven (7), eight (8), eleven (11), seventeen (17), thirty (30), thirty-two (32), thirty-eight (38), thirty-nine (39), forty-six (46), forty-seven (47), fifty-two (52), fifty-three (53), fifty-six (56), sixty-two (62), sixty-five (65), sixty-nine (69), seventy-three (73), seventy-seven (77), seventy-nine (79), eighty-one (81), ninety-six (96), ninety-seven (97), ninety-eight (98), one hundred two (102), and one hundred fifteen (115), of Chapter ninety-nine (99), Acts of the 47th General Assembly, relating to the powers, duties and jurisdiction of the state conservation commission with respect to the use of boats on state lakes, to the maintaining of biological balance of all species of wild-life and if justified by proper findings to extend, shorten, open or close seasons, to define game, to regulate the bringing in of

birds or animals from outside the state, to provide for open seasons, bag and possession limits, for the training and use of hunting dogs, bait dealers and private fish hatcheries, for establishing laws with respect to fishing in certain areas and for the taking of minnows, to protect frogs from sale and transportation in or out of the state including protection for certain fur-bearing animals, providing for the use of nets and seines and for the legal size of certain fish, for the excessive loading of vehicles in parks, for the construction of words and phrases used in said act and providing for a penalty for the violation of said act, be read a third time now, as amended, 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	Hill	Mowry
Baldwin	Edwards	Hoeven	Pelzer
Bekman	Ellis	Hopkins	Schadt
Benson	Elthon	Husted	Shaw
Berg	Evans	Kirketeg	Sjulin
Breen	Faul	Leo	Stewart
Byers	Forsling	Lundy	Talbott
Corwin	Guernsey	Martin	Vrba
Cromwell	Hart	Mighell	Whitehill
Dean	Harvey	Moore	Zeigler
Donohue	Henningsen		

Nays, none.

Absent or not voting, 8:

Beardsley	Geske	Levis	Parker
Dewey	Gillette	Miller	Smith

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

Senator Cromwell 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 Cromwell, Senate File 452 was messaged to the House immediately.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 566

MR. PRESIDENT AND MR. SPEAKER: We the undersigned members of the Conference Committee appointed to consider the differences between the Senate and the House on H. F. 566, beg leave to report that we have had the same under consideration and recommend the following:

That the House concur in the Senate amendment of section 1 and section 2 and the Senate amendment to the title.

That the Senate concur in the House amendment adding to section 1 the following:

"No such claim as provided by this act shall be allowed or paid until after July 1, 1941."

That the additional section be inserted:

"No claim now outstanding but not yet filed, shall be a claim against the State Sinking Fund unless filed on or before January 1, 1940."

Respectfully submitted.

On the Part of the Senate,

EDWARD BREEN.

CARL O. SJULIN.

O. J. KIRKETEG.

On the Part of the House,

LEO A. HOEGH.

E. A. JOHNSON.

J. R. SHALES.

MELVIN WILSON.

On motion of Senator Breen, the report of the conference committee on House File 566 was taken up and considered.

The report and the amendments therein proposed were adopted.

Senator Breen moved that House File 566, a bill for an act to validate the claims of public bodies against the state sinking fund where funds have heretofore been deposited by such public bodies in banks now closed, and where there was first inadequate compliance with the provisions of Chapter three hundred fifty-two-D one (352-D1), Code, 1935, or where the claims of such public bodies have heretofore been compromised and no claims remain the property of such public bodies to which the treasurer of state might be subrogated, be read a third time now, as amended, 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	Pelzer
Baldwin	Elthon	Hoeven	Schadt
Benson	Evans	Hopkins	Shaw
Berg	Faul	Husted	Stewart
Breen	Forsling	Kirketeg	Talbott
Corwin	Guernsey	Lundy	Vrba
Dean	Hart	Martin	Whitehill
Donohue	Harvey	Mighell	Zeigler
Doran	Henningsen		

Nays, 8:

Cromwell	Leo	Mowry
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Absent or not voting, 13:

Beardsley	Ellis	Levis	Parker
Bekman	Geske	Miller	Sjulin
Byers	Gillette	Moore	Smith
Dewey			

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.

HOUSE AMENDMENTS CONSIDERED

Senator Berg called up for consideration House File 57, amended by the Senate and House, and moved that the Senate concur in the following House amendments to Senate amendments:

Amend the Senate amendments by adding thereto the following:

Amend the title as follows:

In line five (5), strike the words "at the time" and insert in lieu thereof the words "within fourteen days".

In line six (6), strike the word "father" and insert in lieu thereof the following: "husband and father, other children by the same mother,".

The motion prevailed, and the Senate concurred in the House amendments to Senate amendments.

Senator Berg moved that House File 57, a bill for an act to amend Chapter one hundred nine (109), Code, 1935, relating to venereal diseases, requiring licensed physicians or other authorized persons attending pregnant women to take a blood sample of each woman so attended within fourteen days of first examination, and in certain instances, of the husband and father, other children by the same mother, or person responsible for pregnancy, submitting such sample for standard serological tests for syphilis to the state bacteriological laboratory of the State University of Iowa at Iowa City or such other laboratories cooperating with and approved by the state department of health; and further amending said Chapter by exempting certain persons from the operation of said law, be read a third time now, as amended, 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	Forsling	Hoeven
Beardsley	Doran	Gillette	Hopkins
Bekman	Edwards	Guernsey	Husted
Benson	Ellis	Hart	Kirketeg
Berg	Elthon	Harvey	Leo
Corwin	Evans	Henningsen	Lundy
Cromwell	Faul	Hill	Martin

Mighell	Pelzer	Sjulin	Vrba
Mowry	Schadt	Stewart	Whitehill
Parker	Shaw	Talbott	Zeigler

Nays, 2:

Baldwin	Moore
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Absent or not voting, 8:

Breen	Dewey	Geske	Miller
Byers	Donohue	Levis	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.

HOUSE FILE 422 RECONSIDERED

Senator Forsling moved to take from the table the motion to reconsider the vote by which House File 422 passed the Senate.

The motion prevailed.

Senator Forsling moved to reconsider the vote by which House File 422 passed the Senate.

On the question "Shall the Senate reconsider?" the vote was:

Ayes, 37:

Augustine	Doran	Hill	Pelzer
Baldwin	Edwards	Hopkins	Schadt
Bekman	Ellis	Husted	Shaw
Benson	Faul	Kirketeg	Sjulin
Berg	Forsling	Leo	Stewart
Byers	Gillette	Lundy	Talbott
Corwin	Guernsey	Mighell	Vrba
Cromwell	Harvey	Martin	Whitehill
Dean	Henningsen	Mowry	Zeigler
Donohue			

Nays, none.

Absent or not voting, 18:

Beardsley	Evans	Hoeven	Moore
Breen	Geske	Levis	Parker
Dewey	Hart	Miller	Smith
Elthon			

The motion prevailed.

Senator Forsling moved that the vote by which the bill passed to its third reading be reconsidered.

The motion prevailed.

Senator Stewart raised the point of order that other business was not in order pending the call of the Senate.

The chair held the point well taken.

Senator Stewart moved that the call of the Senate be raised.

By unanimous consent, Senator Stewart withdrew his motion to raise the call of the Senate.

By unanimous consent, Senator Stewart withdrew his motion to suspend the rules and withdraw House File 620 from the sifting committee.

THIRD READING OF BILLS

On motion of Senator Faul, House File 640, a bill for an act concerning trust receipts and certain security transactions, and to make uniform the law relating thereto, was taken up and considered.

Senator Faul moved that the bill be read a third 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	Pelzer
Baldwin	Elthon	Hopkins	Schadt
Bekman	Evans	Husted	Shaw
Berg	Faul	Kirketeg	Sjulin
Breen	Forsling	Leo	Stewart
Byers	Guernsey	Lundy	Talbott
Corwin	Hart	Martin	Vrba
Cromwell	Harvey	Mowry	Whitehill
Donohue	Henningsen	Parker	Zeigler
Doran	Hill		

Nays, none.

Absent or not voting, 12:

Beardsley	Dewey	Gillette	Miller
Benson	Ellis	Levis	Moore
Dean	Geske	Mighell	Smith

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

Senator Faul 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 Forsling moved to withdraw from the sifting committee

Senate File 146; also House Concurrent Resolution 24, petitioning Congress relative to the General Welfare (Townsend Plan) bill, H. R. 2.

HOUSE FILE 614 RECONSIDERED

Senator Zeigler took up for consideration his motion to reconsider the vote by which House File 614 failed to pass the Senate.

On the question "Shall the Senate reconsider?" the vote was:

Ayes, 26:

Augustine	Donohue	Guernsey	Mighell
Baldwin	Doran	Hart	Moore
Berg	Elthon	Henningsen	Parker
Breen	Evans	Hill	Schadt
Byers	Forsling	Kirketeg	Vrba
Corwin	Geske	Lundy	Zeigler
Cromwell	Gillette		

Nays, 12:

Bekman	Hoeven	Martin	Stewart
Edwards	Hopkins	Shaw	Talbott
Harvey	Husted	Sjulin	Whitehill

Absent or not voting, 12:

Beardsley	Dewey	Leo	Mowry
Benson	Ellis	Levis	Pelzer
Dean	Faul	Miller	Smith

The motion prevailed.

House File 614, a bill for an act to amend section thirteen thousand two hundred ten (13210), Code of Iowa, 1935, and section two (2) of Chapter two hundred thirty-one (231), Acts of the 47th General Assembly, relating to the possession of gambling devices; and to amend Chapter one hundred sixty-four (164), Code, 1935, relating to the licensing by the department of agriculture of pin ball and marble devices, providing for the disposition of license fees, and providing for penalties for the violation of the provisions hereof, was up for passage.

Rule 8 was invoked.

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

Ayes, 22:

Augustine	Cromwell	Henningsen	Moore
Baldwin	Donohue	Hill	Parker
Berg	Doran	Kirketeg	Schadt
Breen	Evans	Lundy	Vrba
Byers	Geske	Mighell	Zeigler
Corwin	Hart		

Nays, 19:

Bekman	Gillette	Husted	Sjulin
Dean	Guernsey	Leo	Stewart
Edwards	Harvey	Martin	Talbott
Eithon	Hoeven	Mowry	Whitehill
Faul	Hopkins	Shaw	

Absent or not voting, 9:

Beardsley	Ellis	Levis	Pelzer
Benson	Forsling	Miller	Smith
Dewey			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Husted moved that the vote by which the bill failed to pass 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 bill in which the concurrence of the House was asked:

Senate File 505, a bill for an act relating to the creation of a fund for emergency relief for the ensuing biennium.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 506, a bill for an act making an appropriation for miscellaneous legislative expenses.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 509, a bill for an act to provide the manner in which vacancies on the committee on retrenchment and reform shall be filled when the legislature is not in session.

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 legalize the appointments of certain public officials by the Governor of Iowa which have been confirmed by the Senate.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 505

1. Amend section one (1) as follows:

(a) In line eleven (11) strike the character "1st" and insert in lieu thereof "5th".

(b) In line fourteen (14) strike the word "on" and insert in lieu thereof the following: "for the quarter beginning".

(c) In line twenty-three (23) insert after the word "biennium" the word "only".

(d) In line twenty-four (24) insert after the word "taxes" the word "now".

(e) In line twenty-seven (27) insert after the word "paid" the words "for such year".

(f) Add to said section at the end thereof the following:

"If any allowed claims upon the state sinking fund for public deposits on July 1, 1940, are unpaid, revenues from license fees and taxes which are now paid into said fund under the provisions of subsection b of section nineteen hundred twenty-one-f one hundred twenty-five (1921-f125) shall after July 1, 1941, be again paid into said fund in an amount sufficient to pay two-thirds of the total amount of said allowed claims."

2. Amend by adding the following as a new section:

"Sec. 2. Section fifty-three hundred thirty-seven (5337), Code, 1935, is hereby amended by adding thereto the following: "Should the one and one-half mill levy fail to provide adequate funds to take care of the poor, then the board of supervisors, with the approval of the state comptroller, shall levy an additional tax of not to exceed one and one-half mills for poor relief to be entered on the tax list and collected as the ordinary county tax. Such additional tax shall be levied only during the years 1939 and 1940. Before any such additional levy is made, a showing of the necessity for such additional levy shall be made to the state comptroller and no levy in excess of said one and one-half mills shall be made unless it shall be approved in writing by the comptroller.

Before any county can receive aid from the Iowa emergency relief fund for the aid of the poor, such county must have levied the maximum amount authorized by law for poor relief."

3. Amend the title by striking the period at the end thereof and inserting in lieu thereof the following: "; and relating to the state sinking fund for public deposits; and to amend section fifty-three hundred thirty-seven (5337), Code, 1935, relating to the levy for poor tax."

HOUSE AMENDMENTS TO SENATE FILE 506

1. Amend Senate File 506 by adding thereto the following sections:

Sec. —. To the State Historical Society of Iowa for the purpose of preparing and printing a legislative manual setting forth the procedure governing the method of working in the Senate and in the House of Representatives of the state of Iowa, the sum of two hundred fifty dollars (\$250.00).

Sec. —. To the Executive Council, to pay for re-lettering and repairing the Iowa Memorial on the battlefield at Vicksburg, Mississippi, the sum of five hundred dollars (\$500.00), or so much thereof as may be necessary.

Sec. —. The unused portion of the appropriation allocated to the securities division heretofore under the secretary of state is hereby transferred to the department of insurance for the purpose of maintaining said securities division until June 30, 1939.

Further amend Senate File 506 by striking sections 15, 16, and 17 and renumbering the remaining sections.

HOUSE AMENDMENTS TO SENATE FILE 509

1. Amend section one (1), line four (4), by striking the words "of each".

2. Amend section two (2) by inserting after the colon in line three (3) the following:

"In case there is more than one committee for judiciary, ways and means, or appropriations, the speaker of the house or the president of the senate shall designate the member to sit on the committee on retrenchment and reform."

APPOINTMENT OF COMMITTEE

President Hickenlooper appointed Senators Lundy and Bekman as members of the committee on the part of the Senate in accordance with the provisions of House Concurrent Resolution 20.

President pro tem Hoeven took the chair.

HOUSE AMENDMENTS CONSIDERED

Senator Doran called up for consideration Senate File 506, amended by the House, and moved that the Senate concur in the following amendment:

Amend by adding thereto the following sections:

Sec. —. To the state historical society of Iowa for the purpose of preparing and printing a legislative manual setting forth the procedure governing the method of working in the Senate and in the House of Representatives of the state of Iowa, the sum of two hundred fifty dollars (\$250.00).

Sec. —. To the executive council, to pay for re-lettering and repairing the Iowa memorial on the battlefield at Vicksburg, Mississippi, the sum of five hundred dollars (\$500.00), or so much thereof as may be necessary.

Sec. —. The unused portion of the appropriation allocated to the securities division heretofore under the secretary of state is hereby transferred to the department of insurance for the purpose of maintaining said securities division until June 30, 1939.

And refuse to concur in the following amendment:

Further amend by striking sections 15, 16 and 17 and renumbering the remaining sections.

The motion prevailed.

By unanimous consent, on request of Senator Doran, Senate File 506 was messaged to the House immediately.

HOUSE AMENDMENTS CONSIDERED

Senator Shaw called up for consideration Senate File 509, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section one (1), line four (4), by striking the words "of each".

2. Amend section two (2) by inserting after the colon in line three (3) the following:

"In case there is more than one committee for judiciary, ways and means, or appropriations, the Speaker of the House or the President of the Senate shall designate the member to sit on the committee on retrenchment and reform."

The Senate refused to concur in the House amendments.

By unanimous consent, Senate File 509 was messaged to the House immediately.

THIRD READING OF BILLS

On motion of Senator Bekman, House File 563, a bill for an act to amend Chapter sixty-eight (68), Code, 1935, and to amend Chapter ninety-six (96), Acts of the Forty-seventh General Assembly, providing for a license fee for the opening and operating of coal mines, and providing for the collection and disposition of such fees; and providing for issuance of license for operation of coal mines and the cancellation of such license; and providing for an appeal from orders of the state mine inspector or the board of mine examiners with reference to granting or canceling licenses, and providing for penalties for opening or operating coal mines without license, and requiring reports from operators and providing for enforcement thereof, was taken up and considered.

Senator Levis offered the following amendment:

1. Amend by inserting as section three (3) thereof the following:

"The provisions of this act shall not apply to any mine producing less than one thousand (1,000) tons annually."

2. Amend by renumbering the following section.

3. Further amend by striking the word "fifteen" in line twenty-six (26), section two (2), also all of line twenty-seven (27) and the words and figures "one thousand (1,000) tons" and the comma (,) in line twenty-eight (28) of said section two (2).

On motion of Senator Bekman, the amendment was adopted.

Senator Bekman 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, 21:

Augustine	Dean	Hoeven	Schadt
Bekman	Donohue	Hopkins	Shaw
Berg	Faul	Kirketeg	Stewart
Eyers	Gillette	Mighell	Talbott
Corwin	Hill	Pelzer	Whitehill
Cromwell			

Nays, 16:

Breen	Forsling	Henningesen	Parker
Doran	Guernsey	Lundy	Sjulin
Edwards	Hart	Martin	Vrba
Evans	Harvey	Mowry	Zeigler

Absent or not voting, 13:

Baldwin	Ellis	Husted	Miller
Beardsley	Elthon	Leo	Moore
Benson	Geske	Levis	Smith
Dewey			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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

On motion of Senator Forsling, Senate File 158, a bill for an act granting cities, including cities operating under special charter, authority to license and regulate by ordinance the installation and construction of warm air heating systems, ventilation work and the air distribution system to and from any air conditioning unit or units; and to provide for the licensing of master and journeymen installers of such plants, and permitting cities to fix penalties for the violation of such ordinances, was taken up and considered.

Senator Forsling offered the following amendment and moved its adoption:

Amend by striking from lines one (1) and two (2) the following: "having a population of more than twenty thousand shall, and other cities may," and by inserting in lieu thereof "of the first class may".

The amendment was adopted.

Senator Forsling 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, 33:

Baldwin	Edwards	Hill	Pelzer
Bekman	Evans	Hoeven	Schadt
Benson	Faul	Husted	Shaw
Berg	Forsling	Kirketeg	Sjulin
Breen	Guernsey	Martin	Stewart
Byers	Hart	Mighell	Talbott
Corwin	Harvey	Mowry	Vrba
Donohue	Henningsen	Parker	Whitehill
Doran			

Nays, 4:

Augustine	Dean	Hopkins	Zeigler
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Absent or not voting, 13:

Beardsley	Elthon	Leo	Miller
Cromwell	Geske	Levis	Moore
Dewey	Gillette	Lundy	Smith
Ellis			

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

Senator Forsling 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 HOUSE FILE 422 RESUMED

Senator Forsling offered the following amendments and moved their adoption:

1. Amend section one (1), line two (2), by inserting after the word "any" the following: "disabled,".

2. Amend section one (1), lines five (5) and six (6), by striking therefrom the following: "who was disabled in said war,".

The amendments were adopted.

Senator Forsling moved that House File 422, a bill for an act to permit an honorably discharged disabled veteran of certain of the nation's wars to operate a news stand in the state capitol, and prescribing the duties of the executive council on application for such privilege, be read a third 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:

Baldwin	Faul	Husted	Schadt
Berg	Forsling	Kirketeg	Shaw
Breen	Guernsey	Martin	Sjulin
Corwin	Hart	Mighell	Talbott
Donohue	Henningsen	Mowry	Vrba
Doran	Hill	Parker	Whitehill
Edwards	Hoeven	Pelzer	Zeigler
Evans	Hopkins		

Nays, none.

Absent or not voting, 20:

Augustine	Cromwell	Geske	Lundy
Beardsley	Dean	Gillette	Miller
Bekman	Dewey	Harvey	Moore
Benson	Ellis	Leo	Smith
Byers	Elthon	Levis	Stewart

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

EXCHANGE OF SEATS

By unanimous consent, on request of Senator Kirketeg, permission was granted Senators Bekman and Kirketeg to exchange seats.

HOUSE AMENDMENTS CONSIDERED

Senator Bekman called up for consideration Senate File 505, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section one (1) as follows:

(a) In line eleven (11) strike the character "1st" and insert in lieu thereof "5th".

(b) In line fourteen (14) strike the word "on" and insert in lieu thereof the following: "for the quarter beginning".

(c) In line twenty-three (23) insert after the word "biennium" the word "only".

(d) In line twenty-four (24) insert after the word "taxes" the word "now".

(e) In line twenty-seven (27) insert after the word "paid" the words "for such year".

(f) Add to said section at the end thereof the following:

"If any allowed claims upon the state sinking fund for public deposits on July 1, 1940, are unpaid, revenues from license fees and taxes which are now paid into said fund under the provisions of subsection b of section nineteen hundred twenty-one-f one hundred twenty-five (1921-f125) shall after July 1, 1941, be again paid into said fund in an amount sufficient to pay two-thirds of the total amount of said allowed claims."

2. Amend by adding the following as a new section:

"Sec. 2. Section fifty-three hundred thirty-seven (5337), Code, 1935, is hereby amended by adding thereto the following: "Should the one and one-half mill levy fail to provide adequate funds to take care of the poor, then the board of supervisors, with the approval of the state comptroller, shall levy an additional tax of not to exceed one and one-half mills for poor relief to be entered on the tax list and collected as the ordinary county tax. Such additional tax shall be levied only during the years 1939 and 1940. Before any such additional levy is made, a showing of the necessity for such additional levy shall be made to the state comptroller and no levy in excess of said one and one-half mills shall be made unless it shall be approved in writing by the comptroller.

Before any county can receive aid from the Iowa emergency relief fund for the aid of the poor, such county must have levied the maximum amount authorized by law for poor relief."

2. Amend the title by striking the period at the end thereof and inserting in lieu thereof the following: "; and relating to the state sinking fund for public deposits; and to amend section fifty-three hundred thirty-seven (5337), Code, 1935, relating to the levy for poor tax."

The motion prevailed, and the Senate concurred in the House amendments.

Senator Bekman moved that Senate File 505, a bill for an act to create a fund for emergency relief during the ensuing biennium, providing for appropriations therefor and the administration thereof by the state board of social welfare; and relating to the state sinking fund for public deposits; and to amend section fifty-three hundred thirty-seven (5337), Code, 1935, relating to the levy for poor tax, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 34:

Baldwin	Evans	Hoeven	Schadt
Bekman	Faul	Hopkins	Shaw
Berg	Forsling	Husted	Sjulin
Breen	Gillette	Kirketeg	Stewart
Byers	Guernsey	Mighell	Talbott
Corwin	Hart	Mowry	Vrba
Cromwell	Harvey	Parker	Whitehill
Dean	Henningsen	Pelzer	Zeigler
Edwards	Hill		

Nays, none.

Absent or not voting, 16:

Augustine	Donohue	Geske	Martin
Beardsley	Doran	Leo	Miller
Benson	Ellis	Levis	Moore
Dewey	Elthon	Lundy	Smith

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

Senator Bekman 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 House was asked:

Senate File 510, a bill for an act relating to unemployment compensation.

Also: That the House has receded from its amendment striking sections 15, 16 and 17 from Senate File 506, a bill for an act making appropriations for the payment of miscellaneous expenses of the 48th General Assembly, and has further amended and passed said bill.

A. C. GUSTAFSON, *Chief Clerk.*

FURTHER HOUSE AMENDMENTS TO SENATE FILE 506

Amend Senate File 506 by striking the period after the figures "\$100.00" in line eight of section seventeen and inserting in lieu thereof a comma, and the following: "Arlene Collins for extra services as clerk of the House sifting committee, \$100.00".

Further amend Senate File 506 by adding as a new section the following:

"Sec. —. To the janitors, doorkeepers, porters and matrons of the House and Senate, an amount equal to ten cents per day for each such person."

President Hickenlooper took the chair.

HOUSE AMENDMENTS CONSIDERED

Senator Doran called up for consideration Senate File 506, further amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking the period after the figures "\$100.00" in line eight of section seventeen, and inserting in lieu thereof a comma, and the following: "Arlene Collins for extra services as clerk of the House sifting committee, \$100.00".

Further amend by adding as a new section the following:

"Sec. —. To the janitors, doorkeepers, porters and matrons of the House and Senate, an amount equal to ten cents per day for each such person."

The motion prevailed, and the Senate concurred in the House amendments.

Senator Doran moved that Senate File 506, a bill for an act making an appropriation for the payment of typewriter rental, miscellaneous expenses of the Forty-eighth General Assembly, and other expenses that are payable from the general fund of the state, be read a third time now, as amended, 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	Hill	Pelzer
Bekman	Edwards	Hoeven	Schadt
Benson	Evans	Hopkins	Shaw
Berg	Faul	Husted	Sjulin
Breen	Forsling	Kirketeg	Stewart
Byers	Gillette	Lundy	Talbott
Corwin	Guernsey	Mighell	Vrba
Cromwell	Hart	Mowry	Whitehill
Dean	Harvey	Parker	Zeigler
Donohue	Henningsen		

Nays, none.

Absent or not voting, 12:

Baldwin	Ellis	Leo	Miller
Beardsley	Elthon	Levis	Moore
Dewey	Geske	Martin	Smith

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 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 Benson, 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 486, 22, 181, 243, 327, 371, 422 and 496.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 486, 22, 181, 243, 327, 371, 422 and 496.

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 422, a bill for an act to permit an honorably discharged disabled veteran of certain of the nation's wars to operate a news stand in the state capitol, and prescribing the duties of the executive council on application for such privilege.

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

Senate Concurrent Resolution 19, relative to the drafting of appropriation bills by future General Assemblies.

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 fish and game and the duties of the conservation commission.

Also: That the House has receded from its amendments to, and passed Senate File 509 in which the concurrence of the House was asked.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 450

1. Amend section three (3) as follows:

(a) Strike the words "two paragraphs" in line three (3) and insert in lieu thereof the word "paragraph".

(b) Strike therefrom the following: "Beginning April first (1st), 1940, said license shall be carried in a holder furnished by the commission, with the license, and said holder containing the license shall be worn in plain sight on breast or hat of licensee at all times while fishing, hunting or trapping."

2. Amend by striking all of section four (4).

3. Amend by striking all of section six (6).

4. Amend by renumbering the sections.

5. Amend the title as follows:

(a) Strike all of lines eleven (11) and twelve (12) and the first word "for" in line thirteen (13).

(b) Strike all of line fourteen (14) following the semicolon, also all of lines fifteen (15) and sixteen (16), and in line seventeen (17) strike "license;"

(c) Strike all of lines twenty (20) to twenty-three (23), both inclusive.

HOUSE AMENDMENTS CONSIDERED

Senator Cromwell called up for consideration Senate File 450, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section three (3) as follows:

(a) Strike the words "two paragraphs" in line three (3) and insert in lieu thereof the word "paragraph".

(b) Strike therefrom the following: "Beginning April first (1st), 1940, said license shall be carried in a holder furnished by the commission, with the license, and said holder containing the license shall be worn in plain sight on breast or hat of licensee at all times while fishing, hunting or trapping."

2. Amend by striking all of section four (4).

3. Amend by striking all of section six (6).

4. Amend by renumbering the sections.

5. Amend the title as follows:

(a) Strike all of lines eleven (11) and twelve (12) and the first word "for" in line thirteen (13).

(b) Strike all of line fourteen (14) following the semicolon, also all of lines fifteen (15) and sixteen (16), and in line seventeen (17) strike "license;"

(c) Strike all of lines twenty (20) to twenty-three (23), both inclusive.

The motion prevailed, and the Senate concurred in the House amendments.

Senator Cromwell moved that Senate File 450, a bill for an act to amend section seventeen hundred ninety-four-e one (1794-e1), Chapter eighty-six-E one (86-E1), Code of 1935, relating to fish and game licenses and setting the amounts thereof and providing for certain new licenses; to amend section seventeen hundred ninety-four-e six (1794-e6), Chapter eighty-six-E one (86-E1), Code of 1935, providing for the issuing of a duplicate license where the original has been lost, destroyed or stolen and for the evidence necessary to secure such duplicate; to amend section seventeen hundred ninety-four-e ten (1794-e10), Chapter eighty-six-E one (86-E1), Code of 1935, providing for a holder for licenses issued by the commission and for its exhibition while the licensee is fishing, hunting or trapping and for the exhibition of said license to any officer and for punishment for violation thereof; to amend section seventeen hundred ninety-four-e fifteen (1794-e15), Chapter eighty-six-E one (86-E1), Code of 1935, providing for the necessity of a fishing license; to amend section seventeen hundred ninety-nine (1799), Chapter eighty-seven (87), Code of 1935, relating

to the duties of the conservation commission as to parks and their development; to amend section seventeen hundred ninety-nine-b two (1799-b2), Chapter eighty-seven (87), Code of 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; to repeal section eighteen hundred twenty-one-e one (1821-e1), Chapter eighty-seven (87), 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, be read a third time now, as amended, which motion prevailed, and the bill was read a third time.

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

Ayes, 29:

Augustine	Edwards	Harvey	Mighell
Bekman	Evans	Henningsen	Mowry
Berg	Faul	Hill	Shaw
Breen	Forsling	Hoeven	Sjulin
Byers	Gillette	Hopkins	Stewart
Corwin	Guernsey	Husted	Whitehill
Cromwell	Hart	Kirketeg	Zeigler
Donohue			

Nays, none.

Absent or not voting, 21:

Baldwin	Ellis	Lundy	Pelzer
Beardsley	Elthon	Martin	Schadt
Benson	Geske	Miller	Smith
Dean	Leo	Moore	Talbott
Dewey	Levis	Parker	Vrba
Doran			

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, the Senate recessed until the fall of the gavel.

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

BILLS SENT TO THE GOVERNOR

Senator Benson, 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 April, 1939, sent to the Governor for his approval: Senate Files 486, 22, 181, 243, 327, 371, 422 and 496.

RALPH E. BENSON, Chairman.

Passed on file.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 24, 1939, he had approved the following:

Senate File 89, relating to power and control of township trustees over township cemeteries.

Senate File 328, relating to oil and gas wells.

Also, that, on April 26, 1939, he had approved the following:

Senate File 133, relating to notice of expiration of right of redemption from tax sale.

Senate File 335, relating to investment of funds of fraternal beneficiary societies.

Senate File 356, relating to anticipation of special taxes and the issuance of certificates or bonds and providing for a vote of the people thereon.

Senate File 475, relating to powers and duties of the state board of social welfare.

Senate File 482, making appropriations to cover refunds on motor vehicle registration fees.

Senate File 489, granting additional power to courts of equity, extending time for entering decrees of foreclosure under certain conditions.

Senate File 490, legalizing erection of building in Fort Dodge for housing welfare and juvenile agencies of the county.

On motion of Senator Breen, the Senate recessed until the fall of the gavel.

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benson, 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 647, 640, 639, 633, 628, 601, 575, 566, 564, 544, 540, 422, 408, 327,

200, 155, 138, 122, 90, 58, 57, and Senate Files 443, 450, 452, 476, 498, 505, 506, 509, 510, 512, and 227.

RALPH E. BENSON, *Chairman Senate Committee.*

ALBERT STEINBERG, *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 647, 640, 639, 633, 628, 601, 575, 566, 564, 544, 540, 422, 408, 327, 200, 155, 138, 122, 90, 58, 57, and Senate Files 443, 450, 452, 476, 498, 505, 506, 509, 510, 512, and 227.

BILLS SENT TO THE GOVERNOR

Senator Benson, 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 April, 1939, sent to the Governor for his approval: Senate Files 443, 450, 452, 476, 498, 505, 506, 509, 510, 512, and 227.

RALPH E. BENSON, *Chairman.*

Passed on file.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Faul 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 Benson, Faul and Vrba.

COMMITTEE TO NOTIFY THE HOUSE

Senator Faul 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 Faul, Benson, and Vrba.

REPORT OF SPECIAL COMMITTEE

The committee appointed to wait upon the Governor reported that it had performed its duty and that the Governor had no further communication for the Senate except the expression of his pleasure for having had the opportunity of working with the present legislature.

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 twelve o'clock noon having arrived, President B. B. Hickenlooper declared the Senate of the Forty-eighth General Assembly adjourned sine die.

IN MEMORIAM

Senate

D. W. KIMBERLY.....August 6, 1878-November 11, 1937
CHARLES J. FULTON.....January 27, 1860-December 6, 1937
SAMUEL EDWIN FACKLER.....September 7, 1867-August 23, 1938
JOHN J. ETHELL.....November 16, 1872-October 31, 1935
WILLIAM C. RATCLIFF.....May 3, 1881-April 16, 1939

JOURNAL OF THE SENATE

MEMORIALS

D. W. KIMBERLY

MR. PRESIDENT: Your committee appointed to prepare suitable resolutions commemorating the life, character, and public service of the late Honorable D. W. Kimberly, begs leave to submit the following:

David W. Kimberly, son of Amos E. Kimberly, was born in Deadwood, South Dakota, August 6, 1878. When he was six weeks old his parents moved to West Liberty, Muscatine county, Iowa. His mother was a daughter of David Wilson of West Liberty. He lived on the farm most of his life, receiving his education at the West Liberty Springdale High School and Bryant Stratton's Business College of Chicago. For many years he was a resident in the city of Davenport. He was married to Elsie King of Chicago. He was a member of the Mystic Shrine, Knights Templar, Scottish Rite, Mohassan Grotto, Eastern Star, Elks, Eagles, Odd Fellows and Turner Society.

In 1914 Mr. Kimberly was elected as a member of the House of Representatives, where he served two terms. In 1918 he was elected to the Senate, and he was four times re-elected, thus serving as a member of the General Assembly continuously from the Thirty-sixth to the Forty-seventh session, the longest record in the history of the state. A highway north of his home town of Davenport is named in his honor, "Kimberly Road."

"Dee" Kimberly came as near as anyone could to being everybody's friend—never so happy as when helping someone in need. Friendly and genial, kindhearted and liberal, all who knew him miss him.

During the last few months of his life he was in poor health, intermittently confined, and gradually grew worse until his death which occurred November 11, 1937.

Be It Resolved by the Senate of the Forty-eighth General Assembly: In the passing of Senator Kimberly the State of Iowa has lost a faithful servant and the people a real friend; and we extend to Mrs. Kimberly our sincere sympathy.

Be It Further Resolved, That a copy of this resolution be entered in the memorial section of the Journal, and that a copy be sent to the surviving widow.

FRANK D. MARTIN,
M. X. GESKE,
E. P. CORWIN,
FRANK C. BYERS,

Committee.

The resolution was unanimously adopted.

CHARLES J. FULTON

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character, and public service of the late Honorable Charles J. Fulton, begs leave to submit the following:

Hon. C. J. Fulton was born in Jefferson county, Iowa, on January 27, 1860, and died at Fairfield, Iowa, on the 6th day of December, 1937. He was one of the most learned and best informed men the State of Iowa has ever produced. After graduating from the public schools he entered Parsons College and graduated in the class of 1883. After several years spent as a salesman in Texas and Oklahoma, in 1891 he became affiliated with the Loudon Machinery Company of Fairfield, Iowa, and was one of the men responsible for its success. He was always interested in education, served on city and county school boards and was a trustee of Parsons College. He was mayor of the city of Fairfield, Iowa, for several years and he served as a member of the legislature for about twelve years, serving in the lower house until he was elected to the Senate for the Jefferson-Van Buren District, in which capacity he served in the Thirty-ninth, Fortieth, Forty-first and Forty-second General Assemblies.

From 1892 until 1930 he was secretary of the Fairfield Public Library Board. In 1930 he became president of that board, which position he held at the time of his death. During the World War he served as chairman of the Jefferson County Exemption Board. He was instrumental in the formation of the Fairfield Chautauqua Association, of which he was president for many years and a director until his death. He was a Mason, an Odd Fellow and an Elk.

His interest in education and literary matters led him to acquire one of the finest private libraries in the state and his knowledge of books and literature was remarkable. During his service in the legislature he was recognized as one of the most competent men in the service of the state of Iowa and throughout his life he enjoyed the respect and confidence of his associates.

Be It Resolved by the Senate of the Forty-eighth General Assembly: In the passing of Senator Fulton the state has lost a valuable citizen and a faithful public servant whose counsel will be missed.

Be It Further Resolved, That a copy of this resolution be entered in the memorial section of the Journal of the Senate, and a copy sent to the surviving relatives.

SANFORD ZEIGLER, JR.,
STANLEY L. HART,
E. P. CORWIN,

Committee.

The resolution was unanimously adopted.

SAMUEL EDWIN FACKLER

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Samuel Edwin Fackler, former member of the House of Rep-

representatives and later of the Iowa Senate, begs leave to submit the following:

Samuel Edwin Fackler was born in Huron county, Ohio, on September 7, 1867, and departed this life at his home in Prescott, Iowa, August 23, 1938. He was the son of Samuel N. Fackler and Harriett Fackler. Mr. Fackler entered the business world and located at Prescott, Iowa, in 1888 and continued his business there until the time of his death; being the owner and manager of his own business for some 44 years, at which place he met Miss Mayme Allen of Ogalalla, Nebraska, a teacher in Prescott public schools, and on December 23, 1896, they were united in marriage and established their home, which was always noted for its hospitality. Mrs. Fackler survives him, as do two sons born to this marriage; Edwin, Jr., who is practicing law in Corning, Iowa, and Theodore, who is a cosmetologist in Hollywood, California.

Mr. Fackler was a loyal member of the Prescott Christian Church for 45 years. He was also a member of the Masonic and A. O. U. W. lodges. He was one of Prescott's most enterprising citizens, always active in the affairs of his community. He served for a number of years as a member of the school board, and as secretary of the telephone company, and for several terms as mayor. A staunch Republican, he served Iowa as a member of the House of Representatives in the Thirty-ninth and Fortieth General Assemblies and of the State Senate in the Forty-first and Forty-second General Assemblies. He was active in patriotic work, serving his country during the World War for one dollar per year.

In paying tribute to a former member of our body, a friend, and citizen, so many splendid acts of kindness and deeds of mercy come to our minds that it is impossible in a short space to enumerate them.

Those who knew Senator Fackler will remember many times when someone in distress or dire need was very quietly helped, perhaps by having the necessities of life brought to their homes or assistance given to enable some one more unfortunate to obtain positions, many of these kindly acts done with no demonstration.

To be universally spoken of as a good man is as high a tribute as can be paid to anyone. This was the common expression with reference to Senator Fackler from all who knew him or came within the sphere of his influence. He was indeed a good man; not negatively or positively, but actively, constantly, efficiently and persistently good.

He loved his fellowmen, his community, his state and his nation and offered to each the fullest measure of devotion.

To his loved ones and friends his useful life will be entrenched in their memory and although he is gone from our sight the shadows shall disappear, the sunlight will return and into Eternity the star of hope shall shine brighter and brighter because of his life unto the perfect day.

In the passing of Senator Fackler, Iowa has lost an honored, upright and beloved citizen. Therefore,

Be It Resolved by the Senate of the Forty-eighth 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.

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 printed in the Journal of the Senate as a commemoration of his life, and that enrolled copies hereof be transmitted to family of the deceased.

O. J. KIRKETEG,
GEO. M. HOPKINS,
H. W. EDWARDS,

Committee.

The resolution was unanimously adopted.

JOHN J. ETHELL

MR. PRESIDENT: Your committee, appointed to prepare a suitable memorial commemorating the life and service of John J. Ethell of Bloomfield, Iowa, begs leave to submit the following report:

John J. Ethell was born in Davis county, Iowa, on November 16, 1872, and resided in that county during his whole life, living in the city of Bloomfield after 1881. He graduated from the high school of that city and was married to Addie Hotchkiss of Bloomfield on August 24, 1903. They had two children, a daughter, Alice, and a son, George K. Mr. Ethell was engaged in the farm loan and abstract business for many years. He died at Bloomfield, Iowa, on October 31, 1935, at the age of 62 years, 11 months and 15 days.

Senator Ethell was elected to the Iowa State Senate from the Third Senatorial District of Iowa composed of Davis and Appanoose counties in 1920, this being his first political office, and he served in the Thirty-ninth, Fortieth and Fortieth Extra Sessions of the General Assembly. Following his service in the legislature he served for several years as postmaster at Bloomfield, Iowa.

Senator Ethell is remembered by those who knew him as one who combined a lively sense of humor with a conscientious devotion to duty which made him a dependable and outstanding member of the Senate. His duties in that body and as a private citizen were always well and ably carried out; therefore,

Be It Resolved by the Senate of the Forty-eighth General Assembly of Iowa in Regular Session: That in the passing of John J. Ethell the state mourns the loss of a valuable and honored citizen and a man of strong character, and the Senate of Iowa by this resolution extends its sympathy to his family.

Be It Further Resolved, That a copy of this memorial resolution be printed in the Journal of the Senate and that the secretary be directed to send enrolled copies to the members of the family of the deceased.

HUGH G. GUERNSEY,
H. V. LEVIS,
SANFORD ZEIGLER, JR.,

Committee.

The resolution was unanimously adopted.

WILLIAM C. RATCLIFF

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable William C. Ratcliff, former member of the General Assembly of Iowa, begs leave to submit the following:

William C. Ratcliff was born in Humboldt county, Iowa, on May 3, 1881, and died on April 16, 1939, at Council Bluffs, Iowa.

He was graduated from the Rolfe high school in 1897, and thereafter attended the law school at the State University of Iowa, from which he was graduated in 1904.

He moved to Montgomery county, Iowa, locating first at Villisca and later moving to Red Oak, where he practiced law in the office of R. W. Beeson. In 1906 he was elected to the office of county attorney of Montgomery county and continued in that capacity until January, 1915, a period of eight years.

On February 20, 1909, he was married to May I. Wright of Cedar Falls, and to this union were born three children, one of whom died in infancy.

In 1916 he was elected to the Iowa Senate on the Republican ticket and represented the Eighth Senatorial District in the Thirty-seventh and Thirty-eighth General Assemblies. On June 15, 1924, he was appointed a Judge of the Fifteenth Judicial District by Governor Kendall and acted in that capacity until August 24, 1929, when he tendered his resignation to Governor Hammill. In 1928 he was a candidate for Congress from the Seventh Congressional District, there being five candidates, none of whom received the necessary thirty-five per cent to nominate. In the congressional convention held at Atlantic he was a strong contender and after more than two hundred ballots were cast he withdrew his candidacy, as he said, to promote party harmony. He presided at the congressional convention held in Red Oak in 1938.

Judge Ratcliff was active in community affairs, an elder in the Presbyterian Church, a director of the Houghton State Bank, served as a director in an insurance association, and was a past president of the Iowa State Bar Association. He found time for politics, legislative service, the state university, and the practice of law. 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 Judge William C. Ratcliff, 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 secretary be instructed to send an enrolled copy to the wife of the deceased.

K. A. EVANS,
O. J. KIRKETEG,
CARL O. SJULIN,

Committee.

The resolution was unanimously adopted.

HISTORY OF SENATE BILLS IN SENATE

SENATE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED—162

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489, 490, 496, 498, 505, 506, 508, 509, 510, 512.

Passed both Houses, vetoed by Governor, 22.

RECORD OF EACH SENATE BILL

S. F.	Page	S. F.	Page
1 By Smith, Dewey and Shaw. To repeal act creating State Planning Board.		5 By Hill. To establish safety zones at railroad crossings intersecting arterial highways; maximum rate of speed.	
Introduced	9	Introduced	12
Referred	85	Referred	85
Recommended for passage	135	Amendments filed	98
Referred	135		
Amendments filed 261, 418, 439.	459	6 By Doran and Berg. To grant additional power to courts of equity; providing for continuance, appointment of receiver.	
Amendment adopted	311	Introduced	15
Deferred	312	Amendment filed	37
Amendment proposed	426	Referred	85
Deferred	446		
Sifting recommended calendar.	525	7 By Parker. To make emergency appropriation for enforcement of Iowa Narcotic Act.	
Donohue substituted as amendment author	556	Introduced	36
Deferred	559	Referred; rereferred	85
Amendments adopted 567, 568,	570	Withdrawn	585
Failed; ayes 24, nays 20	570		
2 By Hill. To provide for optional examination of financial condition of counties, lesser units.		8 By Hill. Limitation of exemption for military service on homesteads; providing for on personal property, real estate.	
Introduced	9	Introduced	39
Amendments filed	75	Referred	85
Referred	85	Withdrawn	531
Amendment withdrawn	111		
Recommended for amendment and passage	191	9 By Guernsey. Notice required of sale of property belonging to estates of deceased persons.	
Amendments filed	214, 241	Introduced	39
Amendment to amendment adopted	239	Referred	85
Amendment as amended adopted	290	Recommended for amendment and passage	122
Passed; ayes 39, nays 5	290	Report adopted, deferred	128
Returned from House	588	Amendment adopted	153
Concurred	615	Passed; ayes 38, nays none	153
Passed; ayes 35, nays 2	615		
Reported enrolled	665	10 By Mowry. To enact substitutes for act creating Iowa Liquor Commission; to create office of purchasing agent.	
Signed by President	665	Introduced	40
Sent to Governor	665	Referred	85
Recalled from Governor	702		
Remesaged to Governor	722	11 By Dewey and Shaw. Exemptions from taxation of property of veterans.	
Signed by Governor	760	Introduced	40
		Referred	85
3 By Hopkins. To require sales pavillions to keep certain records; same open for inspection.		Withdrawn	424
Introduced	9		
Referred	85		
4 By Mowry. To exempt lands seeded with legumes from taxation; refund taxes collected.			
Introduced	12		
Referred; rereferred	85		

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12 By Beardsley. Pardoning power of the Governor.		19 By Mighell. Landlords' liens.	
Introduced	40	Introduced	65
Referred	85	Referred	85
13 By Mighell, Shaw, Forsling and Dean. Time of qualifying for certain offices.		20 By Pelzer. Limiting requirements of merchantable title to real estate.	
Introduced	61	Introduced	65
Referred	85	Referred	85
Recommended for amendment and passage	299	21 By Faul. Municipal bands.	
Deferred	435	Introduced	65
Amendment adopted	449	Referred	72
Passed, ayes 37, nays none.....	450	22 By Augustine and Gillette. To create permanent claims committee; to prescribe duties of Attorney General with respect thereto.	
14 By Mowry. Beer and malt liquors.		Introduced	65
Introduced	63	Referred; referred	85
Referred	85	Recommended for amendment and passage	456
15 By Martin. Exemption from taxation of certain interstate bridges.		Sifting recommended calendar ..	571
Introduced	63	Amendments adopted	605, 606
Referred	85	Passed; ayes 42, nays 2.....	607
Recommended for amendment and passage	385	Returned from House.....	1467
Sifting recommended calendar ..	768	Reported enrolled	1490
Sifting recommended consideration	961	Signed by President.....	1491
Amendment adopted	993	Sent to Governor.....	1493
Passed; ayes 35, nays none.....	994	Vetoed by Governor.	
Returned from House.....	1267	23 By Shaw. Foreclosure of mortgages; fixing minimum price for sale of certain real estate.	
Concurred	1296	Introduced	65
Passed; ayes 35, nays none.....	1296	Referred	85
Reported enrolled	1344	24 By Shaw. Payment of head tax for Old Age Pension Fund.	
Signed by President.....	1344	Introduced	65
Sent to Governor.....	1344	Withdrawn	84
Signed by Governor.....	1457	25 By Shaw. Relating to use tax; to appropriate revenues therefrom to Old Age Pension Fund.	
16 By Martin. Procedure for condemnation of private property for public school purposes.		Introduced	65
Introduced	64	Referred	85
Referred	85	26 By Corwin and Smith. Public school facilities for children in institutions.	
Recommended for passage	122	Introduced	66
Passed; ayes 47, nays none....	147	Referred	85
Returned from House.....	883	Withdrawn	89
Reported enrolled	890	27 By Berg and Corwin. Relating to marriage; to provide for certain physical requirements.	
Signed by President.....	890	Introduced	66
Sent to Governor.....	890	Referred	85
Signed by Governor.....	912	28 By Berg and Corwin. Venereal diseases; requiring blood tests of expectant mothers.	
17 By Hill, Breen, Doran, Shaw and Augustine. To repeal "Chain Store Tax Act of 1935" and enact in lieu thereof the "Iowa Community Preservation Act."		Introduced	66
Introduced	64	Referred	85
Referred	85	29 By Berg and Corwin. Reports on persons inflicted with venereal diseases.	
Amendments filed	123, 135	Introduced	66
Call of Senate requested	688	Referred	85
Motion to withdraw from committee	702	29 By Berg and Corwin. Reports on persons inflicted with venereal diseases.	
Sjullin withdraws	702	Introduced	66
Ellis signed call	702	Referred	85
Committee to redraft appointed.	704	Amendments filed	706, 736
Amendments filed	706, 736	Deferred	740
Deferred	740	Motion to withdraw withdrawn.	797
Motion to withdraw withdrawn.	797	Call of Senate raised.....	797
Call of Senate raised.....	797	18 By Hill and Shaw. Lien on homesteads for old age assistance; to exempt therefrom.	
18 By Hill and Shaw. Lien on homesteads for old age assistance; to exempt therefrom.		Introduced	64
Introduced	64	Referred	85
Referred	85	Amendments filed	98
Amendments filed	98		

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30 By Cromwell. Penalties for offenses under narcotic drug act.	
Introduced	71
Referred	85
31 By Hill. To prohibit chattel mortgage in any real estate mortgage.	
Introduced	72
Referred	85
Recommended for amendment and passage	457
Sifting recommended calendar	768
Amendments adopted	1069
Passed; ayes 40, nays none	1069
Message to House	1069
32 By Augustine. Length of time an insurance company may possess real estate; disposition thereof.	
Introduced	72
Referred	85
Amendments filed	97
33 By Whitehill. Self liquidating improvements; financing thereof.	
Introduced	72
Referred	72
Recommended for amendment and passage	91
Amendment adopted	104
Passed, ayes 44, nays none	105
Returned from House	226
Concurred	227
Passed; ayes 46, nays none	228
Reported enrolled	251
Signed by President	251
Sent to Governor	251
Signed by Governor	276
34 By Augustine and Dean. Liability of dependents of recipients of old age assistance.	
Introduced	72
Referred	85
Amendment filed	97
Amendment filed	135
35 By Committee on Consolidation and Co-ordination. Paroles; providing for establishment of State Parole Relief Fund.	
Introduced	73
Amendment filed	177
36 By Guernsey. Transportation of children in elementary schools.	
Introduced	73
Referred	85
Recommended for passage	194
Passed; ayes 45, nays none	268
37 By Lundy. Relating to annual levies.	
Introduced	73
Referred	85
Recommended for passage	134
Passed; ayes 40, nays none	156
Returned from House	1017
Concurred	1089
Passed, ayes 35, nays none	1089
Reported enrolled	1140
Signed by President	1140
Sent to Governor	1140
Signed by Governor	1266

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38 By Hoeven. Legalizing tax rates of 1934, 1935, 1936, 1937; methods of applying proceeds.	
Introduced	74
Referred	85
Withdrawn	266
39 By Forsling. Legalizing election, issuance of bonds by School District of Climbing Hill, Woodbury County.	
Introduced	74
Referred	85
Withdrawn	134
40 By Forsling. Release of corporate liens.	
Introduced	74
Referred	85
Recommended for amendment and passage	177
Amendment adopted	237
Passed; ayes 46, nays none	238
41 By Augustine. Compensation of supervisors; maximum session pay.	
Introduced	74
Referred	85
Amendments filed	316
42 By Hill. Authorizing administrators to mortgage or encumber personal property, obtain benefits by sealing grain.	
Introduced	74
Referred	85
Recommended for amendment and passage	114
Amendment adopted	129
Deferred	129
Amendment adopted	131
Passed; ayes 46, nays none	132
Message to House	132
Reported enrolled	161
Signed by President	162
Sent to Governor	162
Signed by Governor	171
43 By Beardsley. Distribution of books among school districts.	
Introduced	74
Referred	85
Recommended for amendment and passage	106
Amendment adopted	111
Passed; ayes 40, nays none	112
Returned from House	898
Concurred	925
Passed; ayes 44, nays none	926
Reported enrolled	995
Signed by President	995
Sent to Governor	995
Signed by Governor	1040
44 By Paul. Filing of petitions in juvenile court.	
Introduced	75
Referred	85
Recommended for amendment and passage	176
Amendment adopted	254
Passed; ayes 43, nays none	255
Returned from House	921
Reported enrolled	995
Signed by President	995
Sent to Governor	995
Signed by Governor	1040

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45 By Shaw. To legalize certain default judgments, decrees.		52 By Faul. To establish benefited district for oiling county trunk, secondary roads.	
Introduced	77	Introduced	78
Referred	86	Referred	86
Recommended for amendment and passage	191	53 By Elthon. Signal lamps and devices.	
Amendments adopted	256	Introduced	79
Passed; ayes 40, nays none	257	Referred	86
Returned from House	693	Amendments filed	106
Reported enrolled	704	Amendment filed	349
Signed by President	704	54 By Evans and Husted. Audits of financial records of counties and lesser governmental units.	
Sent to Governor	704	Introduced	79
Signed by Governor	760	Referred	86
46 By Bekman. Wapello county secondary road funds; legalizing action of supervisors.		55 By Bekman. To provide optional form of government in cities with population of 5000 or more.	
Introduced	77	Introduced	81
Referred	86	Referred	90
Proof of publication	95	56 By Baldwin. To extend term of office of Thomas McDermott, supervisor of Dubuque county, Iowa.	
Amendments filed	106	Introduced	82
Recommended for passage	114	Referred	90
Passed Senate; ayes 47, nays none	130	Recommended for amendment and passage	122
Returned from House	336	Amendment adopted	152
Reported enrolled	361	Passed; ayes 40, nays none	152
Signed by President	362	Returned from House	588
Sent to Governor	362	Reported enrolled	613
Signed by Governor	425	Signed by President	613
47 By Doran. Operation of school busses at railroad crossings; to provide for flagman.		Sent to Governor	613
Introduced	78	Signed by Governor	688
Referred	86	57 By Baldwin. Investments by insurance companies other than life companies.	
Recommended for passage	106	Introduced	82
Passed; ayes 39, nays none	112	Referred	90
48 By Leo, Corwin, Augustine and Breen. Motor trucks in interstate commerce; exemption therefor.		Recommended for passage	399
Introduced	78	Sifting recommended calendar	648
Referred	86	Amendment adopted	660
Amendment filed	123	Passed; ayes 41, nays none	660
Recommended for amendment and passage	135	Returned from House	1267
Amendments adopted	156	Reported enrolled	1312
Passed; ayes 40, nays none	157	Signed by President	1312
Messaged to House	157	Sent to Governor	1313
Returned from House	463	Signed by Governor	1457
Reported enrolled	480	58 By Harvey and Forsling. Construction and equipment of cabooses.	
Signed by President	481	Introduced	82
Sent to Governor	490	Referred	90
Signed by Governor	571	Recommended for passage	202
49 By Smith and Hoeven. School taxes; defining agricultural lands.		H. F. 95 substituted	291
Introduced	78	59 By Corwin and Smith. Public high school facilities for children in charitable institutions.	
Referred	86	Introduced	82
50 By Augustine. Transportation of nonresident high school pupils.		Referred	91
Introduced	78	Recommended for passage	248
Referred	86	Amendment adopted	450
Recommended for indefinite postponement	399	Passed; ayes 33, nays none	450
51 By Hill. Levy of tax for park purposes.		Returned from House	588
Introduced	78	Concurred	615
Referred	86	Passed; ayes 41, nays none	616
Recommended for amendment and passage	162	Reported enrolled	685
Amendment adopted	167	Signed by President	665
Passed; ayes 35, nays none	167		

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Sent to Governor.....	665
Signed by Governor.....	708
60 By Evans. Relating to interest charged for failure to report income in certain cases.	
Introduced	82
Referred	91
Recommended for amendment and passage	122
Amendment adopted.....	153
Passed; ayes 40, nays none.....	154
Messaged to House.....	154
Returned from House.....	394
Reported enrolled	408
Signed by President	408
Sent to Governor	408
Signed by Governor.....	490
61 By Mighell. Appointment, compensation of public school officers.	
Introduced	82
Referred	91
62 By Donohue. To legalize issuance of sewer bonds of Alta Vista, Iowa; levy tax for payment of same.	
Introduced	83
Referred	91
Proof of publication	116
Recommended for passage	148
Passed; ayes 39, nays none	158
Messaged to House	158
Returned from House	359
Reported enrolled	382
Signed by President	382
Sent to Governor	395
Signed by Governor	425
63 By Donohue. To legalize election of Independent School District, New Hampton, Iowa.	
Introduced	83
Referred	91
Proof of publication	116
Recommended for passage	148
Passed; ayes 38, nays none.....	159
Messaged to House.....	159
Returned from House.....	359
Reported enrolled	382
Signed by President	382
Sent to Governor	395
Signed by Governor	425
64 By Donohue, Levis and Geske. To provide system of civil service for employees of State Highway Commission; create board.	
Introduced	83
Referred	95
Reported without recommendation	438
Sifting recommended calendar.....	625
Deferred	645
Amendments filed	650
Amendment offered	655
Deferred	656
Amendments filed	667, 689
Deferred	701
Amendments filed	734, 756
Deferred	750
Amendments adopted	767, 768
Deferred	768
Amendments filed	769, 770, 771
Amendment to amendment adopted	797

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Amendments adopted	797, 798, 799
Amendment filed	799
Amendments	806, 807, 821
Passed; ayes 27, nays 22.....	823
Title amended	823
65 By Hopkins and Breen. Relating to official ballots.	
Introduced	84
Referred	91
Amendments filed	215
Reported without recommendation	299
Amendment adopted	452
Passed; ayes 38, nays none.....	458
66 By Cromwell. Chattel mortgages, conditional sales of personal property.	
Introduced	84
Referred	91
Recommended for passage	176
Passed; ayes 47, nays none	234
Concurred	581
Passed; ayes 42, nays none.....	581
Returned from House	552
Reported enrolled	613
Signed by President	613
Sent to Governor	613
Signed by Governor	707
67 By Zeigler. Relating to deposits.	
Introduced	84
Referred	91
Recommended for amendment and passage	348
Sifting recommended calendar.....	525
Amendments adopted	532
Passed; ayes 40, nays none	533
Returned from House	398
Reported enrolled	908
Signed by President	908
Sent to Governor	908
Signed by Governor	945
68 By Mowry. Providing for decree of descent, distribution in estates. Procedure relative thereto.	
Introduced	87
Referred	95
Recommended for passage	202
Deferred	293
Amendment filed	300
Deferred	309
69 By Gillette. Relative to clearing of checks drawn on state banks.	
Introduced	87
Referred	95
Recommended for amendment and passage	398
70 By Vrba. To limit liability of members of volunteer fire companies in cities of 5000 or less.	
Introduced	87
Referred	95
71 By Augustine and Hopkins. To allocate certain per cent of liquor profits for purpose of education in regard to alcoholic beverages.	
Introduced	88
Referred	95
Amendment filed	114

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72 By Breen and Bekman. To make office of superintendent of public instruction appointive.		Message to House	160
Introduced	88	Reported enrolled	190
Referred	105	Signed by President	190
Recommended for passage	299	Sent to Governor	190
Amendments adopted	453	Signed by Governor	359
Passed; ayes 28, nays 14	454		
73 By Breen and Bekman. To make office of secretary of agriculture appointive; provide certain educational qualifications.		81 By Shaw. To make appropriation for additional salaries in State Historical Department.	
Introduced	88	Introduced, referred	93
Referred	105	Withdrawn	212
74 By Breen and Bekman. To make office of commerce commissioner appointive; provide certain educational qualifications.		82 By Mowry. To prohibit, with certain exceptions, operation of commercial trucks on primary roads on Sundays.	
Introduced	88	Introduced	93
Referred	105	Referred	105
Recommended for amendment and passage	299	Recommended for indefinite postponement	347
Deferred	454	Indefinitely postponed	607
Amendment filed	460		
Amendments adopted	492, 493	83 By Gillette, Byers and Doran. Relating to use tax.	
Passed; ayes 26, nays 19	493	Introduced	94
Title amended	493	Referred	105
75 By Faul. To provide for county public hospitals in counties having population of 135,000 or over.		Recommended for passage	259
Introduced	88	Amendment filed	260
Referred	95	Amendment adopted	429
Recommended for passage	193	Passed; ayes 39, nays none	429
Amendment adopted	255		
Passed; ayes 41, nays none	256	84 By Corwin. To legalize corporate acts of Farmers Elevator and Exchange, Wapello, Iowa.	
Returned from House	921	Introduced	94
Concurred	928	Referred	105
Passed; ayes 46, nays none	928	Recommended for amendment and passage	113
Reported enrolled	995	Amendment withdrawn	130
Signed by President	995	Amendment adopted	130
Sent to Governor	995	Passed; ayes 46, nays none	131
Signed by Governor	1040	Returned from House	265
76 By Elthon. Relating to farm improvement associations.		Concurred	305
Introduced	88	Passed; ayes 46, nays none	306
Referred	95	Reported enrolled	345
77 By Byers. Authorizing township trustees in connection with fire apparatus; taxation therefor.		Signed by President	346
Introduced	89	Sent to Governor	346
Referred	95	Signed by Governor	396
78 By Beardsley. To provide program of safety education in schools.		85 By Augustine, Elthon, Hopkins Breen, Hill and Whitehill. To prohibit railroad companies from abandoning terminals, shops without consent of commerce commission.	
Introduced	89	Introduced	94
Referred	95	Referred	105
79 By Gillette. Distribution, use of funds derived from taxation of motor vehicle carriers.		86 By Breen. To provide for dredging of North Twin Lake.	
Introduced	93	Introduced, referred	94
Referred	105	87 By Hill. To require that petitions for elections on public questions be verified under oath.	
80 By Hart. Appropriation to defray inaugural expenses.		Introduced	95
Introduced, referred	93	Referred	105
Recommended for passage	148	88 By Berg. To authorize additional tax levy by certain cities for park purposes.	
Passed; ayes 40, nays none	160	Introduced	99
		Referred	113
		Recommended for passage	417
		Sifting recommended calendar	648

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Passed; ayes 38, nays none.....	659
Returned from House	898
Reported enrolled	908
Signed by President	908
Sent to Governor	908
Signed by Governor	945
89 By Talbott. Power and control of trustees over township cemeteries.	
Introduced	99
Referred	113
Amendment filed	300
Recommended for passage	490
Sifting recommended consideration	961
Amendment adopted	986
Passed; ayes 48, nays 1	986
Returned from House	1329
Reported enrolled	1408
Signed by President	1408
Sent to Governor	1408
Signed by Governor	1494
90 By Byers, Breen and Faul. Minimum monthly wage to firemen and policemen.	
Introduced	99
Referred	113
Withdrawn	531
91 By Evans. Requiring suitable head covering for persons engaged in preparation of food.	
Introduced	100
Referred	113
Amendment filed	114
Recommended for amendment and passage	469
92 By Benson, Berg and Breen. Providing for punishment by cities and towns of public, private nuisances.	
Introduced	100
Referred	113
Recommended for amendment and passage	414
Amendment filed	439
93 By Donohue and Foraling. Transportation of school children.	
Introduced	100
Referred	113
Withdrawn	404
94 By Henningsen. Absent voters' law; providing for absent voters' ballot commissioners.	
Introduced	100
Referred	113
95 By Pelzer. Returns of primary elections.	
Introduced	100
Referred	113
96 By Leo. Relating to solemnizing of Indian marriages.	
Introduced	100
Referred	113
Recommended for passage	113
Passed; ayes 47, nays none	133
Returned from House	588
Reported enrolled	613
Signed by President	613
Sent to Governor	613
Signed by Governor	707

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97 By Benson. Relating to balance remaining from primary road bond issues.	
Introduced	100
Referred	113
Recommended for passage	239
Deferred	343
Amendment adopted	381
Passed; ayes 48, nays none	382
Returned from House	532
Reported enrolled	635
Signed by President	635
Sent to Governor	635
Signed by Governor	635
98 By Committee on Consolidation and Co-ordination. To create state library board; provide for library extension.	
Introduced	101
Withdrawn	186
99 By Bekman and Kirketeg. Unemployment compensation; fixing amount of unemployed benefits.	
Introduced	101
Referred	113
Recommended for passage	213
Committee of the whole	325
Amendment filed	348
Deferred	380
Sifting recommended calendar	951
Amendment filed	1284
100 By Bekman and Kirketeg. Unemployment compensation; to fix, determine eligibility conditions for benefits.	
Introduced	101
Referred	113
Recommended for passage	213
Committee of the whole	325
Amendment adopted	377
Passed; ayes 26, nays 12	378
101 By Bekman and Kirketeg. Unemployment compensation; to specify, define certain disqualifications for benefits.	
Introduced	101
Referred	113
Recommended for passage	213
Committee of the whole	325
Passed; ayes 28, nays 13	379
Returned from House	1210
Concurred	1297
Passed; ayes 32, nays 4	1297
Reported enrolled	1344
Signed by President	1344
Sent to Governor	1344
Signed by Governor	1457
102 By Bekman and Kirketeg. Unemployment Compensation Fund; to provide for voluntary contributions.	
Introduced	102
Referred	113
Recommended for passage	214
Committee of the whole	325
Failed; ayes 23, nays 26	380
Motion to reconsider filed	383
103 By Bekman and Kirketeg. Unemployment compensation; to modify law providing for appeal, judicial review; to clarify term employer.	
Introduced	102
Referred	113

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Recommended for amendment and passage	214	Referred	121
Amendments adopted	313	Recommended for amendment and passage	458
Deferred	313		
Committee of the whole	325	111 By Faul, Bekman, Baldwin, Kirketeg, Mowry and Edwards. To reorganize state department of social welfare into department of public welfare.	
Amendment filed	329	Introduced	109
Amendments adopted	362, 363	Referred	121
Passed; ayes 30, nays 2	364	Amendment filed	329
Returned from House	1267		
Reported enrolled	1312	112 By Hill. Limiting recovery on indebtedness to that provided for by mortgage or other instrument.	
Signed by President	1312	Introduced	110
Sent to Governor	1313	Referred	121
Signed by Governor	1458	Sifting recommended calendar	951
		Amendment filed	995
104 By Bekman and Kirketeg. Unemployment compensation; methods of administration.		Amendment adopted	1152
Introduced	107	Passed; ayes 33, nays none	1153
Referred	121	Title amended	1163
Recommended for passage	214		
Committee of the whole	325	113 By Forsling, Gillette, Hart, Zeigler and Corwin. Imposition of a tax on gross receipts from retail sales; to modify definition of retail sale.	
Passed; ayes 44, nays none	380	Introduced	110
Returned from House	1210	Referred	121
Reported enrolled	1278	Recommended for amendment and passage	148
Signed by President	1278	Amendments adopted	173, 174
Sent to Governor	1278	Passed; ayes 43, nays none	174
Signed by Governor	1304	Returned from House	708
		Reported enrolled	723
105 By Breen, Donohue and Doran. To permit supreme court with legislative approval to prescribe a general system of court practice in civil cases.		Signed by President	723
Introduced	107	Sent to Governor	723
Referred	121	Signed by Governor	738
Recommended for passage	386		
Sifting recommended calendar	525	114 By Committee on Consolidation and Co-ordination. Relating to the geological survey.	
Amendment filed	571	Introduced	110
Passed; ayes 34, nays none	585	Referred	266
106 By Shaw and Smith. Authorizing state commerce commission in connection with lighted advertising signs.		115 By Dean. Publication of notice of elections authorizing cities and towns to incur indebtedness.	
Introduced	108	Introduced	110
Referred	121	Referred	121
Recommended for amendment and passage	458		
		116 By Breen. To abolish death penalty in Iowa.	
107 By Hopkins. Relating to school age.		Introduced	116
Introduced	108	Referred	134
Referred	121		
		117 By Vrba. Tenure of vacancy appointee.	
108 By Hopkins. Relating to tuition, transportation of nonresident high school pupils.		Introduced	116
Introduced	108	Referred	134
Referred	121		
		118 By Donohue. Actions for injuries, property damages, caused by motor vehicles.	
109 By Shaw and Sjuln. Exempting from taxation horses and mules.		Introduced	117
Introduced	108	Referred	134
Referred	121	Recommended for passage	386
Referred	189	Sifting recommended calendar	525
Sifting recommended calendar	648	Amendment adopted	600
Deferred	660	Passed; ayes 32, nays 4	600
Deferred	884		
Amendment filed	890	119 By Mowry. Relating to poor tax.	
Amendments adopted	926	Introduced	117
Passed; ayes 46, nays none	927		
Messaged to House	927		
110 By Shaw and Smith. Authorizing state highway commission in connection with lights adjacent to railway crossings, primary roads or intersections.			
Introduced	108		

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Referred	134
Sifting recommended calendar..	688
Amendment filed	891
Amendment adopted	932
Deferred	933
Amendments filed	951, 961
Amendments adopted.....	1062, 1062
Passed; ayes 32, nays 1.....	1064
120 By Cromwell, Forsling, Henningsen, Breen, Baldwin and Guernsey. To establish "Iowa State Teachers' An- nuity System."	
Introduced	117
Referred	134
Recommended for amendment and passage	346
Sifting recommended calendar..	571
Referred	571
Reported without recommenda- tion	607
Special order	620
Amendment filed	724
Amendments adopted	729, 730, 731, 732
Passed; ayes 38, nays 8.....	733
121 By Shaw. To permit sale of gravel to private parties.	
Introduced	118
Referred	134
Amendment filed	178
122 By Faul. Pension funds; to make applicable to cer- tain municipal court deputy clerks.	
Introduced	118
Referred	134
Recommended for amendment and passage	193
Amendment filed	261
Deferred	268
123 By Faul. Pension funds; to make applicable to certain municipal court bailiffs.	
Introduced	118
Referred	134
Recommended for passage	193
Amendments filed	194, 261
Amendments adopted	268
Passed; ayes 43, nays none.....	269
124 By Faul. Lien of taxes in relation to tax sales; time in which actions can be brought as to tax sales, deeds.	
Introduced	118
Referred	134
Recommended for amendment and passage	435
Sifting recommended calendar..	571
Amendments adopted	617, 618
Passed; ayes 28, nays 15.....	618
Messaged to House	619
Returned from House	921
Concurred	929
Passed; ayes 46, nays none	929
Reported enrolled	995
Signed by President	995
Sent to Governor	995
Signed by Governor	1040
125 By Faul. To legalize cer- tain tax sales; matter of bringing forward delinquent taxes.	
Introduced	119
Referred	134

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Recommended for amendment and passage	436
Sifting recommended calendar..	571
Amendments adopted	619
Passed; ayes 27, nays 8.....	619
Messaged to House	619
Returned from House	1106
Reported enrolled	1140
Signed by President	1140
Sent to Governor	1140
Signed by Governor	1266
126 By Faul. Taxes for ceme- tery care; restricting expen- diture of such tax.	
Introduced	119
Referred	134
127 By Faul. Relating to pow- ers, duties of permanent park boards; vesting control of rivers therein.	
Introduced	119
Referred	134
Recommended for passage	193
Passed; ayes 45, nays none	270
128 By Berg and Levis. Tax and restrictions upon sale of cigarettes.	
Introduced	119
Referred	134
Recommended for amendment and passage	168
Amendments filed	194
Deferred	231
Amendment adopted	235, 236
Passed; ayes 47, nays none.....	236
Returned from House	552
Concurred	578
Amendment to amendment adopted	579
Refused to concur in part.....	579
Conference committee appointed	604
Conference report adopted.....	749
Receded and concurred	749
Passed; ayes 49, nays none	750
Reported enrolled	799
Signed by President	799
Sent to Governor	799
Signed by Governor	872
129 By Martin. Permitting charter cities to acquire river bank land for levee improve- ment.	
Introduced	120
Referred	134
Recommended for passage	298
Passed; ayes 27, nays none.....	476
Returned from House	803
Reported enrolled	871
Signed by President	871
Sent to Governor	871
Signed by Governor	912
130 By Evans. Licensing of re- frigerated locker plants; to provide lien upon food there- in.	
Introduced	120
Referred	134
Withdrawn	644
131 By Committee on Judiciary No. 1. Relating to Federal Maternity and Infancy Act.	
Introduced	125
Passed; ayes 39, nays none.....	155
Indefinitely postponed	639

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132 By Committee on Judiciary		Referred	147
No. 2. Authorizing executors,		Reported without recommenda-	438
administrators in certain leg-		tion	
acies to minors; to pay to			
parents or natural guardian.		139 By Committee on Consoli-	
Introduced	126	dation and Co-ordination. Re-	
Passed; ayes 41, nays none	155	lating to membership, terms,	
Returned from House	921	salaries of members of Board	
Concurred	930	of Social Welfare.	
Passed; ayes 44, nays none	931	Introduced	127
Reported enrolled	996	H. F. 204 substituted	270
Signed by President	996		
Sent to Governor	995	140 By Doran, Miller and	
Signed by Governor	1041	Whitehill. To require double	
133 By Cromwell. Notice of ex-		registration fee on motor ve-	
piration of right of redemp-		hicle if no liability is carried.	
tion from tax sales.		Introduced	127
Introduced	126	Referred	147
Referred	147	Recommended for amendment	
Amendment filed	300	and passage	415
Recommended for passage	314	Amendment filed	460
Sifting recommended calendar	525		
Amendment adopted	564	141 By Berg and Levis. Re-	
Deferred	564	lating to cigarette permits.	
Deferred	581	Introduced	127
Amendments adopted	594	Referred	147
Passed; ayes 42, nays none	594	Recommended for passage	168
Returned from House	921	Deferred	231
Concurred	931	Passed; ayes 47, nays none	237
Passed; ayes 49, nays none	932	Returned from House	552
Reported enrolled	995	Reported enrolled	574
Signed by President	995	Signed by President	576
Sent to Governor	995	Sent to Governor	576
Recalled from Governor	1024	Signed by Governor	635
Sent to Governor	1365		
Signed by Governor	1494	142 By Committee on Consoli-	
134 By Hart. Open season on		dation and Co-ordination.	
quail.		Relating to Iowa Emergency	
Introduced	126	Relief Administration; trans-	
Referred	147	ferring functions, funds, prop-	
135 By Dean. To legalize spe-		erty to Board of Social Wel-	
cial election of Thornton,		fare.	
Iowa.		Introduced	127
Introduced	126	Passed; ayes 44, nays none	275
Proof of publication	124	Reconsidered	284
Referred	147	Withdrawn	284
Recommended for passage	314		
H. F. 222 substituted	342	143 By Dean and Dewey. Per-	
136 By Shaw and Forsling.		taining to speed limits in	
Relating to uttering, publish-		cities and towns.	
ing of false instruments;		Introduced	128
punishment therefor.		Referred	147
Introduced	126		
Referred	147	144 By Committee on Consoli-	
137 By Baldwin. Additional		dation and Co-ordination. To	
exemption on certain ve-		provide for state purchasing	
hicles.		agent; prescribing duties and	
Introduced	127	authority.	
Referred	147	Introduced	128
Recommended for amendment		Amendment filed	242
and passage	285		
Sifting recommended calendar	525	145 By Forsling. To legalize	
Amendment adopted	604	election of Climbing Hill	
Passed; ayes 39, nays none	605	School District, Woodbury	
Returned from House	743	County.	
Concurred	765	Introduced	128
Passed; ayes 41, nays none	765	Referred	147
Reported enrolled	799	Deferred	186
Signed by President	799	Recommended for amendment	
Sent to Governor	799	and passage	190
Signed by Governor	872	Proof of publication	263
138 By Mowry, Shaw, Dewey,		Amendments adopted	293
Forsling and Faul. To create		Passed; ayes 41, nays none	294
bureau of civil service for		Returned from House	464
Iowa.		Reported enrolled	525
Introduced	127	Signed by President	525
		Sent to Governor	525
		Signed by Governor	576

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146 By Cromwell, Baldwin, Breen and Faul, Plumbers, licensing of; regulation of use of title "Master Plumber".	
Introduced	138
Referred	168
Recommended for passage.....	415
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147 By Committee on Building and Loan, Corporations for pecuniary profit.	
Introduced	139
Deferred	175
Amendments filed	177, 178
Deferred	182
Amendments adopted.....	209, 210, 211, 232
Passed; ayes 36, nays none.....	232
Title amended	232
Returned from House.....	532
Concurred	555
Passed; ayes 39, nays none.....	555
Reported enrolled	576
Signed by President	576
Sent to Governor	576
Signed by Governor	635
148 By Hopkins. Training required for examinations for uniform county certificates.	
Introduced	139
Referred	161
Recommended for passage.....	260
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149 By Hopkins. Training of teachers in approved high schools.	
Introduced	139
Referred	161
150 By Henningsen and Faul. Relating to civil service employees of cities and towns.	
Introduced	140
Referred	161
Amendment filed	503
151 By Shaw. Publication of advance sheets of supreme court opinions.	
Introduced	140
Referred	161
Recommended for passage.....	277
Passed; ayes 32, nays 2.....	434
Returned from House.....	803
Reported enrolled	871
Signed by President.....	871
Sent to Governor	871
Signed by Governor	912
152 By Committee on Consolidation and Co-ordination. Placing certain departments under budget control act.	
Introduced	140
Sifting recommended calendar.....	525
Referred	563
153 By Elthon. Relating to public high school attendance.	
Introduced	141
Referred	161
Recommended for passage.....	194
Passed; ayes 46, nays none.....	285
Title amended	285
Returned from House.....	552
Reported enrolled	574

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Signed by President.....	576
Sent to Governor	578
Signed by Governor	647
154 By Harvey and Shaw. To legalize special school election at Arion, Crawford County, Iowa.	
Introduced	150
Referred	168
Recommended for passage.....	238
Proof of publication.....	352
Passed; ayes 46, nays none.....	381
Messaged to House.....	381
Returned from House.....	446
Reported enrolled	448
Signed by President	449
Sent to Governor	449
Signed by Governor.....	490
155 By Committee on Public Libraries. To create library certification committee.	
Introduced	151
Amendment offered	175
Deferred	175
Amendments filed	215
Amendments adopted.....	233
Passed; ayes 40, nays 1.....	234
156 By Committee on Public Libraries. Relating to library fund.	
Introduced	151
Deferred	167
Passed; ayes 44, nays none.....	187
157 By Committee on Mines and Mining. Relating to preference for domestic products and labor.	
Introduced	151
Amendments offered	176
Deferred	176
Passed; ayes 38, nays 7.....	188
Messaged to House.....	188
Returned from House.....	337
Concurred	341
Passed; ayes 36, nays 3.....	341
Reported enrolled	361
Signed by President.....	362
Sent to Governor	362
Signed by Governor.....	426
158 By Berg and Forsling. Installation of warm air heating systems; granting authority to cities and towns.	
Introduced	151
Referred	168
Recommended for passage.....	386
Sifting recommended calendar.....	1072
Deferred	1299
Sifting recommended calendar.....	1400
Amendment adopted	1485
Passed; ayes 33, nays 4.....	1486
159 By Donohue. To legalize acts, proceedings of Chickasaw County Equity Assn. of New Hampton, Iowa.	
Introduced	151
Referred	168
Recommended for passage.....	191
Passed; ayes 43, nays none.....	257
Returned from House.....	464
Senate concurred	473
Passed; ayes 28, nays none.....	479
Reported enrolled	525
Signed by President	525
Sent to Governor	525
Signed by Governor	576

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160 By Donohue. Authorizing appointment of Iowa-Nebraska boundary commission.	151	Explanation of vote	1318
Introduced	168	Returned from House	1349
Referred	277	Reported enrolled	1432
Recommended for passage	435	Signed by President	1432
Deferred	435	Sent to Governor	1432
		Signed by Governor.	
161 By Committee on Consolidation and Co-ordination. Relating to the budget; fixing dates for preparation thereof; prescribing additional requirements.		167 By Vrba. To legalize issuance of warrants by Decorah, Iowa.	
Introduced	164	Introduced	165
Passed; ayes 49, nays none	185	Proof of publication	163
Returned from House	394	Referred	168
Reported enrolled	425	Recommended for passage	276
Signed by President	425		
Sent to Governor	425	168 By Hill. Relating to tax receipts, duties of county treasurers.	
Signed by Governor	490	Introduced	166
		Referred	168
162 By Shaw. Bonds for park commissioners.		Sifting recommended calendar	648
Introduced	164	Deferred	658
Referred	168	Amended	830
Recommended for passage	398	Rereferred	830
Passed; ayes 30, nays none	479		
Returned from House	693	169 By Husted, Hopkins, Elthon and Sjuln. To establish No-License Territory; provide for local option.	
Reported enrolled	704	Introduced	166
Signed by President	704	Referred	168
Sent to Governor	704		
Signed by Governor	760	170 By Mighell. To legalize acts, proceedings of park commissioners of Le Mars, Iowa.	
		Introduced	170
163 By Shaw. Authorizing cities and towns to levy tax for park purposes.		Referred	189
Introduced	164	Recommended for passage	276
Referred	168	Proof of publication	352
		Passed; ayes 43, nays none	393
164 By Committee on Insurance. To require foreign companies writing certain types of insurance to pay commission to local agents.		Messaged to House	393
Introduced	164	Returned from House	464
Amendment filed	178	Reported enrolled	525
Amendment adopted	229	Signed by President	525
Passed; ayes 48, nays none	230	Sent to Governor	525
Returned from House	677	Signed by Governor	576
Concurred	680		
Passed; ayes 36, nays none	681	171 By Baldwin, Henningsen and Dewey. To create Iowa commission for New York World's Fair; to create permanent Iowa promotion campaign fund.	
Reported enrolled	704	Introduced	170
Signed by President	704	Amendment filed	177
Sent to Governor	704	Referred	189
Signed by Governor	760		
		172 By Faul. Group insurance for waterworks employees; authorizing boards of trustees.	
165 By Henningsen. Washroom facilities, sanitary conveniences in industrial plants, railroad shops.		Introduced	170
Introduced	165	Referred	189
Referred	183		
		173 By Whitehill. Relating to width of doors in school busses.	
166 By Sjuln, Evans, Gillette and Kirketeg. To permit setting up of local soli conservation districts.		Introduced	171
Introduced	165	Referred	189
Referred	168	Recommended for passage	439
Referred to appropriations	648		
Amendment suggested without recommendation	665	174 By Whitehill. Relating to towing of trailers used in erection, repair of electric transmission lines.	
Amendments adopted	981, 982	Introduced	171
Passed; ayes 46, nays none	983	Referred	189
Concurred in part	1274		
Concurred, conference report adopted	1317		
Passed; ayes 29, nays 4	1318		

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175 By Lundy. To make permanent certain temporary transfers of funds of Monroe County, Iowa.	
Introduced	171
Referred	189
Proof of publication	263
Recommended for passage	348
Amendment adopted	409
Passed; ayes 44, nays none	409
Messaged to House	409
Returned from House	589
Reported enrolled	613
Signed by President	613
Sent to Governor	613
Signed by Governor	688
176 By Whitehill and Edwards. Procedure in condemnation of land for gravel beds.	
Introduced	180
Referred	190
Recommended for passage	468
177 By Gillette. To fix mileage for individually owned automobiles used on state business.	
Introduced	180
Referred	190
178 By Byers. Fees for filing certain instruments affecting personal property.	
Introduced	180
Referred	190
Recommended for passage	315
Rereferred	327
179 By Miller. Relating to weed eradication.	
Introduced	180
Referred	190
180 By Sjuln. To create state board of tree experts.	
Introduced	181
Referred	190
181 By Sjuln. To cancel taxes on real property belonging to Tabor College.	
Introduced	181
Referred	190
Recommended for passage	469
Sifting recommended calendar	688
Amendment filed	800
Sifting recommended consideration	961
Amendment adopted	1009
Passed; ayes 38, nays none	1009
Returned from House	1467
Reported enrolled	1490
Signed by President	1491
Sent to Governor	1493
Signed by Governor	
182 By Committee on Judiciary No. 2. To define "assessed valuation."	
Introduced	181
Passed; ayes 38, nays 2	286
Returned from House	323
Reported enrolled	345
Signed by President	346
Sent to Governor	346
Signed by Governor	425

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183 By Committee on Judiciary No. 2. Exemption from taxation of property of veterans.	
Introduced	181
Passed; ayes 43, nays none	287
Returned from House	323
Reported enrolled	345
Signed by President	346
Sent to Governor	346
Signed by Governor	426
184 By Committee on Highways. Relating to transportation of motor vehicle fuel in bulk.	
Introduced	196
Amendment adopted	392
Passed; ayes 32, nays 5	392
Messaged to House	393
185 By Edwards and Sjuln. Funeral expenses of deceased recipients of old age assistance.	
Introduced	197
Referred	241
Recommended for amendment and passage	491
186 By Committee on Livestock and Dairying. To create Iowa Dairy Industry Commission.	
Introduced	197
Amendments adopted	306
Passed; ayes 47, nays none	807
Returned from House	639
Concurred	656
Passed; ayes 34, nays none	656
Reported enrolled	704
Signed by President	704
Sent to Governor	704
Signed by Governor	760
187 By Benson. To make permanent a temporary transfer of funds of Carroll County, Iowa.	
Introduced	197
Referred	241
188 By Lundy. Relating to clerk of district court vacancies.	
Introduced	197
Referred	241
189 By Lundy. Appeal by persons found insane; providing for jury trial.	
Introduced	198
Referred	241
Recommended for passage	348
190 By Donohue. Relating to patrolmen; providing for hearing on dismissal.	
Introduced	198
Referred	241
Reported without recommendation	315
191 By Donohue. Providing workmen's compensation for highway patrolmen.	
Introduced	198
Referred	241
Recommended for passage	315
Deferred	480
Passed; ayes 42, nays none	494

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192 By Bekman and Zeigler To provide for marker at site of death, burial of Chief Blackhawk.		199 By Forsling. Relating to drainage districts; appoint- ment of clerk.	
Introduced	198	Introduced	221
Referred	241	Referred	241
Recommended for passage	436		
193 By Committee on Pharm- acy. To revise Code on pharmacy licenses.		200 By Committee on Farm Tenancy. To enact new sec- tion on farm tenancy.	
Introduced	198	Introduced	221
Deferred	307	Amendments filed	315, 329, 387
Amendment filed	387	Tabled; ayes 27, nays 17.....	431
Amendments adopted	397	Motion to reconsider filed	448
Deferred	897	Amendment filed	1110
Amendment filed	400	Reconsidered	1137
Deferred	409	Amendment to amendment adopted	1139
194 By Committee on Pharm- acy. Relating to sale, distri- bution of poisons.		Deferred	1139
Introduced	199	Deferred	1147
Deferred	307	Motion to reconsider amendment	1166
Amendments filed	317	Amendment adopted.....	1276, 1277
Amendments filed	387	Failed; ayes 15, nays 29.....	1277
Deferred	409		
195 By Committee on Pharm- acy. Prohibiting sale of drugs, medicines by other than registered pharmacist; regulating sale of insecti- cides.		201 By Breen. To create de- partment for administration of laws pertaining to motor vehicles and traffic.	
Introduced	199	Introduced	221
Deferred	307	Referred	241
Deferred	409		
196 By Committee on Appro- priations. To make appro- priation to Iowa Conserva- tion Commission for W. P. A. project, Dickinson county.		202 By Committee on Tax Re- vision. Relating to refund of taxes paid upon purchase of motor vehicle fuel.	
Introduced	200	Introduced	221
Amendment adopted	230	Amendments adopted	343, 344
Passed; ayes 44, nays none	230	Passed; ayes 35, nays 7.....	344
Returned from House	507	Title amended	344
Reported enrolled	525	Returned from House	975
Signed by President	525	Reported enrolled	1098
Sent to Governor	535	Signed by President.....	1098
Signed by Governor	570	Sent to Governor	1098
		Signed by Governor	1209
197 By Forsling. Authorizing transfer of certain premises to Sloux City, Iowa; to legal- ize such conveyance.		203 By Committee on Farm Tenancy. Relating to termi- nation of agricultural leases.	
Introduced	220	Introduced	221
Referred	241	Amendments adopted	345
Recommended for amendment and passage	356	Amendments filed	387, 439, 1073
		Deferred	409
198 By Forsling. Providing for transportation of high school students in certain cases.		Amendment adopted	447
Introduced	221	Deferred	447
Referred	241	Amendment lost	451
Recommended for amendment and passage	399	Failed; ayes 16, nays 28.....	452
Substitute amendment adopted..	445	Motion to reconsider filed.....	452
Passed; ayes 35, nays none	445	Reconsidered	1136
Title amended	446	Amendment as amended adopted	1136
Returned from House	1268	Passed; ayes 34, nays 1.....	1136
Concurred	1274	Messaged to House	1136
Passed; ayes 37, nays none.....	1275	Returned from House	1368
Reported enrolled	1344	Reported enrolled	1432
Signed by President	1344	Signed by President.....	1432
Sent to Governor	1344	Sent to Governor	1432
Signed by Governor	1458	Signed by Governor	1432
		204 By Gillette. To set up seed certification board.	
		Introduced	221
		Referred	241
		Sifting recommended calendar..	638
		Amendments adopted.....	1060
		Passed; ayes 48, nays none.....	1060
		205 By Shaw, Augustine, Hen- ningsen, and Whitehill. Qualifications of real estate broker; regulation of real es- tate business.	
		Introduced	221
		Referred	241

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206 By Hill. Providing for liability, property damage insurance on school busses and on pupils transported therein.	
Introduced	222
Referred	241
Amendment filed	329
207 By Hill. Relating to liability, property damage insurance covering operation of motor vehicles operated by state and lesser units.	
Introduced	222
Referred	241
Amendment filed	329
208 By Levis. Relating to management of cemeteries by municipalities.	
Introduced	222
Referred	241
Sifting recommended calendar ..	571
Amendments adopted	620
Passed; ayes 42, nays none	621
Returned from House	898
Reported enrolled	908
Signed by President	908
Sent to Governor	908
Signed by Governor	946
209 By Committee on Judiciary No. 1. Relating to possession of liquor at places of business licensed under Class "B".	
Introduced	223
Referred	241
Deferred	345
Amendment adopted	891
Passed; ayes 41, nays 2	392
210 By Berg and Hoeven. To permit local subdivisions to make appropriations for expenses of Memorial Day services.	
Introduced	223
Referred	241
Recommended for passage	397
211 By Doran, Guernsey and Kirketeg. To provide emergency appropriation for expenses of district judges to June 30, 1939.	
Introduced	223
Referred	241
Recommended for passage	314
Amended	324
Passed; ayes 41, nays none	324
Title amended	325
Messaged to House	325
Returned from House	785
Reported enrolled	824
Signed by President	824
Sent to Governor	824
Signed by Governor	912
212 By Byers. Control of city parks located within or without a city.	
Introduced	223
Referred	241
Recommended for passage	398
213 By Byers. Relating to "exhibition halls".	
Introduced	223
Referred	241
Recommended for passage	398
Amendment filed	400
Amendment adopted	477

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Passed; ayes 29, nays none	478
Title amended	478
Returned from House	796
Reported enrolled	824
Signed by President	824
Sent to Governor	824
Signed by Governor	912
214 By Byers. Leasing of city property.	
Introduced	223
Referred	241
Recommended for passage	398
Passed; ayes 27, nays none	480
Returned from House	803
Concurred	805
Passed; ayes 33, nays none	805
Reported enrolled	871
Signed by President	871
Sent to Governor	871
Signed by Governor	912
215 By Elthon and Shaw. Relating to elections on franchises.	
Introduced	223
Referred	241
216 By Berg and Doran. To appropriate expenses to return Alabama flag.	
Introduced	224
Referred	241
Recommended for passage	277
Passed; ayes 48, nays none	305
Returned from House	447
Concurred	448
Passed; ayes 37, nays none	448
Reported enrolled	466
Signed by President	466
Sent to Governor	466
Signed by Governor	490
217 By Corwin. To make appropriation to Muscatine County, Iowa, and Louisa County, Iowa.	
Introduced	221
Referred	241
Reported without recommendation	877
Amendment filed	908
Withdrawn	1034
218 By Committee on Motor Vehicles. Defining of residence, suburban districts in cities and towns; to regulate motor vehicle traffic.	
Introduced	245
Amendments adopted	410
Passed; ayes 43, nays none	411
Returned from House	803
Concurred	1004
Passed; ayes 42, nays none	1005
Reported enrolled	1098
Signed by President	1098
Sent to Governor	1098
Signed by Governor	1209
219 By Committee on Motor Vehicles. Relating to operation of vehicles of certain weight upon highways.	
Introduced	245
Passed; ayes 46, nays none	413
Returned from House	733
Concurred	739
Passed; ayes 42, nays none	739
Reported enrolled	799

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Signed by President	799	Sifting recommended calendar..	535
Sent to Governor	799	Passed; ayes 45, nays none.....	564
Signed by Governor	872		
220 By Levis. Appointment of coordinator to assist in sale of agricultural lime.		229 By Committee on Tax Revi- sion. Place of listing prop- erty for taxation by foreign corporations.	
Introduced	245	Introduced	253
Referred	260		
221 By Committee on Public Schools. Relating to mini- mum wage for teachers.		230 By Committee on Tax Re- vision. Taxation of improve- ments upon real estate.	
Introduced	246	Introduced	253
Passed; ayes 41, nays none.....	413	Passed; ayes 40, nays 7.....	414
222 By Levis, Berg, Baldwin, Cromwell, Zeigler, Kirketeg, Evans, Corwin and Harvey. To enact "Chain Store Regu- latory Act of 1939" in lieu of "Chain Store Tax Act of 1935."		231 By Moore, Sjulín, Ellis, Henningsen, Baldwin, Crom- well, Corwin, Hart, Martin, Stewart and Geske. To allow year around pole and line fishing in waters of Missis- sippi and Missouri rivers.	
Introduced	246	Introduced	253
Referred	260	Referred	260
Beardley withdraws	272		
Committee to redraft appointed.	703	232 By Faul and Kirketeg. Uni- fied supervision of child wel- fare activities.	
223 By Guernsey and Bekman. Coal mines and mining; re- quirements for registration.		Introduced	263
Introduced	246	Referred	298
Referred	260	Sifting recommended calendar..	648
Sifting recommended calendar..	1072	Deferred	660
224 By Shaw. Relating to use of city hall fund.		Special order	695
Introduced	246	Amendment filed	735
Referred	260	Deferred	745
Amendment filed	996	Amendments adopted.. 746, 747,	748
225 By Shaw. Grading fund of cities and towns; to provide for grading equipment.		Passed; ayes 50, nays none.....	748
Introduced	252	Title amended	748
Referred	260		
226 By Baldwin. Powers, du- ties, compensation of officers of cities under manager plan.		233 By Gillette. To make per- manent temporary transfer of funds of Dickinson Coun- ty, Iowa.	
Introduced	252	Introduced	264
Referred	260	Referred	298
Withdrawn	1419	Recommended for passage.....	468
227 By Smith and Hoeven. To create agricultural land cred- it fund.		234 By Faul. Vesting control of trees, shrubs in streets of cities in park boards.	
Introduced	252	Introduced	264
Referred	260	Referred	298
Reported without recommenda- tion	457	Recommended for passage.....	418
Referred	625		
Reported without recommenda- tion	648	235 By Faul. Authorizing cit- ies, school districts, to ap- propriate money for support, maintenance of health clin- ics.	
Amendment filed	689	Introduced	264
Deferred	969	Referred	298
Amendments adopted	1005	236 By Shaw. Relating to right to exclude certain pupils from school.	
Passed; ayes 38, nays 6.....	1006	Introduced	264
Returned from House.....	1368	Referred	298
Concurred	1398		
Passed; ayes 36, nays 7.....	1399	237 By Shaw. Relating to com- mitment, care, support, of in- sane persons.	
Reported enrolled	1494	Introduced	265
Signed by President.....	1495	Referred	298
Sent to Governor.....	1495		
Signed by Governor.		238 By Parker. Exemption of personal earnings of a debt- or and his family.	
228 By Committee on Tax Re- vision. Estimates of home- stead tax credit; certification of such estimates.		Introduced	265
Introduced	253	Referred	298
		Reported without recommenda- tion	436
		Amendment filed	1205

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239 By Beardsley, Guernsey, Donohue, Breen, Doran and Faul. Exemption from sales tax of certain colleges, universities.	
Introduced	271
Referred	298
Recommended for passage	437
240 By Beardsley, Guernsey, Donohue, Breen, Doran and Faul. Exemption from use tax of certain colleges, universities.	
Introduced	272
Referred	298
241 By Committee on Judiciary No. 1. To delete certain features in civil action to determine paternity of illegitimate child.	
Introduced	272
Passed; ayes 37, nays none	432
Returned from House	803
Reported enrolled	871
Signed by President	871
Sent to Governor	871
Signed by Governor	912
242 By Hill. Return by fiduciary of personal net income tax; providing limitations.	
Introduced	280
Referred	313
Amendments filed	418
Sifting recommended calendar	535
Deferred	630
Amendments adopted	641
Passed; ayes 44, nays none	642
Title amended	642
243 By Bekman. Relating to World War Educational Aid fund.	
Introduced	280
Referred	313
Sifting recommended calendar	768
Passed; ayes 41, nays none	1131
Messaged to House	1132
Returned from House	1467
Reported enrolled	1490
Signed by President	1491
Sent to Governor	1493
Signed by Governor.	
244 By Donohue. To prohibit towing of motor vehicles except in temporary emergency.	
Introduced	281
Referred	313
Recommended for passage	469
Sifting recommended calendar	648
Deferred	658
Amendments filed	687, 689
Amendments adopted	828, 829
Passed; ayes 34, nays none	829
Title amended	829
245 By Hopkins. Relating to licensing, regulation of community sales barns.	
Introduced	290
Referred	313
246 By Breen and Augustine. To limit use of white canes to the blind.	
Introduced	291
Referred	313
Recommended for passage	468

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247 By Corwin. To exempt municipally owned utilities from use tax on materials.	
Introduced	291
Referred	313
248 By Forsling. Relating to dangerous, concealed weapons.	
Introduced	291
Referred	313
Sifting recommended calendar	830
Passed; ayes 35, nays none	925
Concurred	1295
Passed; ayes 39, nays none	1295
Reported enrolled	1344
Signed by President	1344
Sent to Governor	1344
Signed by Governor	1458
249 By Breen, Bekman and Lundy. To provide for creation of a legislative council; prescribe powers, duties.	
Introduced	291
Referred	313
250 By Committee on Motor Vehicles. To confer powers of peace officers on certain employees of State Highway Commission; enforcement of law relating to size of load.	
Introduced	291
Sifting recommended calendar	525
Amendment adopted	560
Passed; ayes 43, nays none	560
251 By Berg. Bank officers, employees found guilty of embezzlement.	
Introduced	291
Referred	313
252 By Committee on Public Schools. To establish, maintain public forums in public schools.	
Introduced	302
Sifting recommended calendar	525
Deferred	552
Passed; ayes 39, nays 1	617
253 By Committee on Public Schools. To create high school tuition fund in each county.	
Introduced	302
Sifting recommended calendar	768
Deferred	1190
Deferred	1215
254 By Forsling. Relating to salary of county recorders.	
Introduced	302
Referred	313
255 By Gillette and Stewart. To provide for control and eradication of Bang's disease in cattle.	
Introduced	303
Referred	313
Referred	625
Reported without recommendation	648
Amendments filed	650, 878
Amendments adopted	968, 969
Passed; ayes 41, nays none	969
Returned from House	1368
Concurred	1373

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Passed; ayes 40, nays none.....	1373
Reported enrolled	1432
Signed by President.....	1432
Sent to Governor.....	1432
Signed by Governor.	
256 By Doran. Severance of territory from school districts.	
Introduced	310
Referred	313
257 By Elthon. Relating to qualifications of members of board of parole.	
Introduced	310
Referred	314
258 By Evans. To legalize acts and proceedings of Farmers Mercantile Co. of Red Oak, Iowa.	
Introduced	310
Referred	314
Recommended for passage.....	467
H. F. 377 substituted.....	473
Withdrawn	474
259 By Leo. To provide homestead tax credit on certain Indian lands.	
Introduced	311
Referred	314
Recommended for passage.....	437
Withdrawn	950
260 By Forsling. Relating to lien of personal tax.	
Introduced	311
Referred	314
261 By Hoeven, Gillette, Forsling, Harvey, Elthon, Shaw, Benson, Breen and Mighell. To apportion state into senatorial districts; provide time for election of state senators.	
Introduced	322
Referred	346
262 By Baldwin. Establishing of tax credits on homesteads; providing for publication of description.	
Introduced	322
Referred	346
263 By Vrba. Publishing of vote canvass in official newspapers.	
Introduced	322
Referred	346
264 By Doran, Breen and Hill. Compensation of assessors and deputies.	
Introduced	322
Referred	346
265 By Committee on Appropriations. To provide emergency appropriation to department of justice for law enforcement.	
Introduced	322
Passed; ayes 41, nays none.....	342
Messaged to House.....	342
Returned from House.....	785
Reported enrolled	824
Signed by President.....	824
Sent to Governor.....	824
Signed by Governor.....	884

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266 By Committee on Cities and Towns. Relating to civil service in certain cities.	
Introduced	322
Amendments filed	571, 667, 891
Sifting recommended calendar..	908
Sifting recommended calendar..	961
Amendment filed	996
Amendment offered	1010
Amendment to amendment adopted	1013
Special order	1013
Amendment to amendment adopted	1020
Action on amendment reconsidered	1021
Amendment adopted	1021
Amendment as amended adopted	1022
Passed; ayes 34, nays 4.....	1022
267 By Hill. Providing for licensing of vending machines, amusement devices.	
Introduced	323
Referred	346
268 By Committee on Consolidation and Co-ordination. Relating to expenditures of state highway commission.	
Introduced	323
Special order	352
Amendments adopted	375, 376
Passed; ayes 37, nays 10.....	377
Messaged to House.....	377
Returned from House.....	447
Reported enrolled	448
Signed by President.....	449
Sent to Governor.....	449
Signed by Governor.....	490
269 By Shaw. For appropriation to dredge Storm Lake in Buena Vista County, Iowa.	
Introduced	325
Referred	346
270 By Leo. Relating to expenses of judges, court reporters.	
Introduced	326
Referred	346
271 By Faul. Maintenance of streets over which street railways, passenger carriers operate.	
Introduced	326
Referred	346
Amendment filed	757
272 By Faul. Sale of certain real estate; bond to be given by a guardian.	
Introduced	327
Referred	346
273 By Faul. To permit counties to accept real estate taxes in quarterly installments.	
Introduced	327
Referred	346
Recommended for indefinite postponement	415
Indefinitely postponed	607
274 By Faul. Relating to sale or mortgage of real estate in an estate.	
Introduced	327
Referred	346
Recommended for amendment and passage	468

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S. F.	Page
275 By Shaw and Faul. To empower cities and towns to create housing assessment districts.	
Introduced	327
Referred	346
276 By Augustine. To require description of chattels to be set out conspicuously.	
Introduced	331
277 By Gillette and Elthon. Relating to notice of election for trustees of a drainage district.	
Introduced	331
Recommended for passage.....	416
278 By Committee on Consolidation and Co-ordination. To repeal standing appropriation provisions in certain instances.	
Introduced	332
Special order	377
Special order	424
H. F. 384 substituted.....	432
279 By Vrba, Augustine, Breen and Baldwin. To create housing authorities to undertake slum clearance.	
Introduced	332
Sifting recommended calendar..	768
Amendment adopted	1070
Deferred	1070
Amendment filed	1073
Amendments adopted 1090, 1091, 1092	1092
Passed; ayes 37, nays 2.....	1093
Title amended	1094
Message to House.....	1094
280 By Vrba, Augustine, Breen and Baldwin. To authorize cities, towns, counties to aid housing projects.	
Introduced	332
281 By Vrba, Augustine, Breen and Baldwin. To permit financial institutions and public bodies to invest in housing bonds.	
Introduced	333
282 By Hart. Relating to fees for prosecution of prison breach, parole cases.	
Introduced	333
283 By Cromwell. Exemption from execution of motor vehicles used for business purpose.	
Introduced	333
284 By Cromwell. Payment of expenses of administration, last illness, burial of insured persons.	
Introduced	334
285 By Vrba. Power of supervisors to exempt property of aged, infirm persons.	
Introduced	334
286 By Committee on Consolidation and Co-ordination. To require that budgeting of highway commission be approved by legislature.	
Introduced	334
Withdrawn	404

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287 By Committee on Motor Vehicles. To place motor vehicle department under governor; provide for appointment of commissioner.	
Introduced	334
288 By Schadt. Providing, maintaining homes for dependent, neglected, delinquent children.	
Introduced	334
Sifting recommended calendar..	908
Amendment filed	934
Sifting recommended consideration	961
Amendment adopted	1048
Passed; ayes 39, nays none.....	1048
Message to House.....	1048
Returned from House.....	1172
Reported enrolled	1255
Signed by President.....	1255
Sent to Governor.....	1256
Signed by Governor.....	1379
289 By Guernsey. Additional forms of insurance that may be written by mutual insurance associations.	
Introduced	334
Recommended for passage.....	437
Sifting recommended calendar..	585
Passed; ayes 42, nays none.....	631
Returned from House.....	1017
Reported enrolled	1098
Signed by President.....	1098
Sent to Governor.....	1098
Signed by Governor.....	1209
290 By Evans. To legalize action of supervisors of Mills County, Iowa.	
Introduced	335
Recommended for passage.....	416
Proof of publication.....	489
Withdrawn	629
291 By Faul. Authorizing increased capacity registration of motor vehicles.	
Introduced	335
Recommended for passage.....	459
292 By Faul. Relating to plats prepared, filed, by county auditor.	
Introduced	335
293 By Faul. Relating to the bringing of actions against certain insurance exchanges.	
Introduced	335
Recommended for amendment and passage	437
Amendment filed	460
Sifting recommended calendar..	585
Deferred	631
Amendment adopted	642
Passed; ayes 39, nays 5.....	643
Returned from House.....	693
Reported enrolled	704
Signed by President.....	704
Sent to Governor.....	704
Signed by Governor.....	760
294 By Shaw. To legalize warrants issued by Norway township, Humboldt county, Iowa.	
Introduced	335
Proof of publication.....	331
Recommended for passage.....	416

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Passed; ayes 84, nays none	474	304 By Baldwin. To promote safety of employees in night switch service.	
Returned from House	589	Introduced	353
Reported enrolled	613	Referred	383
Signed by President	613	Withdrawn	932
Sent to Governor	613		
Signed by Governor	688		
		306 By Baldwin. To provide an exemption of personal earnings of blind persons eligible to assistance.	
295 By Gillette and Elthon. Relating to election, bonds of trustees of drainage districts.		Introduced	353
Introduced	336	Referred	383
Recommended for passage	416	Sifting recommended calendar	768
		Passed; ayes 45, nays none	980
296 By Evans. To provide for qualified life saving guards at all public swimming pools.		Messaged to House	980
Introduced	336	Returned from House	1172
Amendment filed	400	Reported enrolled	1256
		Signed by President	1256
297 By Henningsen. Providing washing facilities for railroad employees.		Sent to Governor	1255
Introduced	352	Signed by Governor	1379
Referred	383		
		306 By Faul. To increase maximum old age pension; personal property exclusions.	
298 By Kirketeg. Relating to provisions for surviving spouse of deceased persons.		Introduced	353
Introduced	352	Referred	383
Referred	383	Amendment filed	503
Sifting recommended calendar	908		
Sifting recommended consideration	961	307 By Faul. Investment of trust funds by fiduciaries.	
Deferred	990	Introduced	354
Deferred	1006	Referred	383
Deferred	1042		
Amendments filed	1078, 1099	308 By Faul. To provide penitentiary sentence for fourth conviction for false drawing or uttering of checks.	
Amendment to amendment adopted	1129	Introduced	354
Deferred	1131	Referred	383
Amendment filed	1142	Recommended for indefinite postponement	467
Amendment as amended adopted	1177	Indefinitely postponed	607
Passed; ayes 37, nays none	1177		
Title amended	1178	309 By Faul. Filing of shorthand reporter's notes in connection with appeal to supreme court.	
Engrossed, messaged to House	1178	Introduced	354
		Referred	383
299 By Committee on Public Schools. Relating to length of school year.		310 By Mowry. Personal exemptions deductible from income tax.	
Introduced	352	Introduced	354
Referred	383	Referred	383
300 By Hill. Relating to damages to persons or property by motor vehicles.		311 By Cromwell. Authorizing assessor in assessment of merchandise, manufacturers' property.	
Introduced	352	Introduced	354
Referred	383	Referred	383
Amendment filed	585		
		312 By Cromwell. To empower courts of record to make declaratory judgments and decrees.	
301 By Martin. State sinking fund for public deposits.		Introduced	354
Introduced	353	Referred	383
Referred	383		
		313 By Zeigler. Rates for electric energy outside cities and towns.	
302 By Martin. Appointment of trustees of county public hospitals.		Introduced	355
Introduced	353	Referred	383
Referred	383		
		314 By Committee on Farm Tenancy. To provide for individual applications for foreclosure moratorium; define "emergency."	
303 By Vrba. Relating to interest rate which may be charged a purchaser of school lands.		Introduced	355
Introduced	353	Referred	383
Referred	383		
Sifting recommended calendar	951		
Passed; ayes 33, nays none	1149		
Returned from House	1268		
Reported enrolled	1312		
Signed by President	1312		
Sent to Governor	1313		
Signed by Governor	1458		

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315 By Committee on Farm Tenancy. To levy annual license on all persons, firms having more than 160 acres of land.	
Introduced	355
Amendment filed	440
Referred	318
316 By Augustine. To create board of motion picture censors.	
Introduced	355
Referred	384
317 By Shaw. Redemption from execution where repeal or stay is taken.	
Introduced	355
Referred	384
Recommended for passage	467
318 By Bekman and Kirketeg. To entitle state unemployment compensation commission to use of state supplies, postal meter.	
Introduced	355
Referred	384
319 By Bekman and Kirketeg. Unemployment compensation; to disqualify employee receiving other benefits.	
Introduced	356
Referred	384
Amendment filed	378
Sifting recommended calendar	908
Amendments adopted	1055, 1056
Passed; ayes 40, nays none	1057
Title amended	1057
Returned from House	1211
Reported enrolled	1278
Signed by President	1278
Sent to Governor	1278
Signed by Governor	1304
320 By Bekman and Kirketeg. To give unemployment compensation commission right to operate with railroad retirement board; to set up reciprocal agreements.	
Introduced	356
Referred	384
Sifting recommended calendar	688
Amendment filed	934
Sifting recommended consideration	961
Amendment adopted	1007
Passed; ayes 38, nays none	1008
Returned from House	1172
Reported enrolled	1255
Signed by President	1256
Sent to Governor	1256
Signed by Governor	1379
321 By Bekman and Kirketeg. To change beginning of "benefit year" in unemployment compensation law.	
Introduced	357
Referred	384
Amendments filed	879, 951
Amendments adopted	1058
Passed; ayes 42, nays none	1059
Title amended	1058
Returned from House	1268
Reported enrolled	1312
Signed by President	1312
Sent to Governor	1313
Signed by Governor	1458

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322 By Levis. Relating to time for bringing of actions against peace officers.	
Introduced	357
Referred	384
Sifting recommended calendar	688
Sifting recommended consideration	961
Passed; ayes 36, nays none	1009
Returned from House	1211
Concurred	1298
Passed, ayes 41, nays none	1298
Reported enrolled	1344
Signed by President	1344
Sent to Governor	1344
Signed by Governor	1458
323 By Berg. Regulation of boarding houses housing recipients of old age assistance.	
Introduced	357
Referred	384
Amendment filed	757
Sifting recommended calendar	768
Sifting recommended consideration	961
Amendments adopted	1046
Deferred	1046
Amendment filed	1142
Deferred	1180
324 By Hill. Relating to payment of fiduciaries of personal taxes to county.	
Introduced	357
Referred	384
325 By Sjulín, Stewart and Kirketeg. To make appropriation for exhibit of Iowa draft horses at Golden Gate Exposition.	
Introduced	358
Referred	384
326 By Byers. Inspection of stock, transfer of books of corporations.	
Introduced	358
Referred	384
327 By Byers. Relating to official publications of boards of supervisors.	
Introduced	358
Referred	384
Sifting recommended calendar	908
Sifting recommended consideration	961
Passed; ayes 38, nays none	995
Returned from House	1467
Reported enrolled	1490
Signed by President	1491
Sent to Governor	1493
Signed by Governor	
328 By Kirketeg. To vest in commerce commission control of leasing, drilling of oil wells.	
Introduced	358
Referred	384
Sifting recommended calendar	625
Deferred	645
Deferred	657
Amendment filed	668
Amendment adopted	700
Passed; ayes 38, nays none	701
Title amended	701
Returned from House	1309
Concurred	1319

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Passed; ayes 39, nays none.....	1319	Amendments adopted	826
Reported enrolled	1408	Passed; ayes 43, nays none.....	827
Signed by President.....	1408	Title amended	827
Sent to Governor.....	1408	Messaged to House.....	827
Signed by Governor.....	1494	Concurred	1322
329 By Kirketeg. To make an appropriation for first pro- ducing oil well in Iowa.		Passed; ayes 41, nays none.....	1323
Introduced	359	Reported enrolled	1408
Referred	384	Signed by President.....	1408
330 By Corwin. Retirement systems for policemen and firemen applicable to special charter cities.		Sent to Governor.....	1408
Introduced	364	Signed by Governor.....	1494
Referred	384	336 By Parker. To govern can- teens, commissaries operated at or within state institu- tions.	
Sifting recommended calendar..	648	Introduced	366
Passed; ayes 44, nays none.....	657	Referred	384
Returned from House.....	1000	337 By Shaw and Dean. System of civil service for employees in county highway depart- ments.	
Reported enrolled	1098	Introduced	366
Signed by President.....	1098	Referred	384
Sent to Governor.....	1098	338 By Stewart. To limit speed of motor vehicles on high- ways.	
Signed by Governor.....	1209	Introduced	366
331 By Corwin. To legalize police and firemen retirement systems now in operation.		Referred	384
Introduced	364	339 By Stewart. To give pe- troleum retailers lien on cer- tain farm products.	
Referred	384	Introduced	366
Sifting recommended calendar..	648	Referred	384
Amendment adopted	658	340 By Hart. Qualifications for mine inspectors.	
Passed; ayes 42, nays none.....	658	Introduced	367
Returned from House.....	1000	Referred	384
Reported enrolled	1098	341 By Leo. To authorize mem- bers of General Assembly to award scholarships in state schools.	
Signed by President.....	1098	Introduced	367
Sent to Governor.....	1098	Referred	384
Signed by Governor.....	1209	Amendment filed	756
332 By Berg. To fix compen- sation of assessors, deputies, in cities of second class.		342 By Schadt. To increase optional secondary road maintenance levy.	
Introduced	364	Introduced	367
Referred	384	Referred	384
333 By Berg. Petitions for re- stricted residence districts.		343 By Breen, Shaw and Au- gustine. To abolish farm ten- ancy in Iowa.	
Introduced	365	Introduced	367
Referred	384	Referred	384
Withdrawn	1425	344 By Husted. To prohibit dancing where beer is sold; relating to Federal liquor tax.	
334 By Edwards. Benefits pro- vided by fraternal beneficiary associations; to add endow- ment and annuity benefits.		Introduced	367
Introduced	365	Referred	384
Referred	384	345 By Augustine. To define contiguous lot or tract of land in relation to homestead tax credit.	
Amendments filed 503, 668, 735, 736, 771, 961	638	Introduced	368
Sifting recommended calendar..	638	Referred	384
Amendments withdrawn	764	346 By Augustine. To permit fence viewlers to employ reg- istered land surveyor.	
Amendment adopted	1066	Introduced	368
Passed; ayes 41, nays none.....	1066	Referred	384
Messaged to House.....	1066		
Returned from House.....	1211		
Reported enrolled	1278		
Signed by President.....	1278		
Sent to Governor.....	1278		
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335 By Edwards. Authorizing Commissioner of Insurance in real estate conveyances.			
Introduced	365		
Referred	384		
Amendments filed	503		
Sifting recommended calendar..	625		
Deferred	657		
Amendments filed	667, 771		
Amendments withdrawn	764		

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347 By Augustine. Clarifying eligibility for homestead exemption.	
Introduced	369
Referred	384
348 By Benson. Relating to flares, warning lights for motor vehicles.	
Introduced	369
Referred	384
349 By Breen, Elthon, Dean and Gillette. Providing for community credit banks in towns of 2500 or less.	
Introduced	369
Referred	384
350 By Donohue. To legalize warrants of Independent school district of New Hampton, Iowa.	
Introduced	369
Referred	384
Proof of publication.....	489
Sifting recommended calendar..	571
351 By Kirketeg. To allow attorneys fees in suits upon hail insurance policies and for damages by motor vehicles.	
Introduced	369
Referred	384
352 By Faul. Relating to regulation of dogs; prohibiting the running at large of same.	
Introduced	370
Referred	384
353 By Sjulln. To legalize acts, proceedings of Farmers Mutual Fire Insurance Association of Fremont County, Iowa.	
Introduced	370
Referred	384
354 By Vrba and Breen. Relating to appointment of members of county old age assistance board.	
Introduced	370
Referred	384
Amendment filed	460
355 By Hill. Tax levy by cities for cemetery fund.	
Introduced	370
Referred	384
356 By Husted, Levis, Gillette, Dewey and Dean. Relating to anticipation of special taxes, providing for vote thereon.	
Introduced	370
Referred	384
Amendment filed	549
Sifting recommended calendar..	768
Sifting recommended consideration	961
Amendment filed	996
Amendments adopted	1010
Deferred	1010
Passed; ayes 43, nays none.....	1052
Title amended	1052
Returned from House.....	1329
Reported enrolled	1408

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Signed by President.....	1408
Sent to Governor.....	1408
Signed by Governor.....	1494
357 By Elthon and Forsling. Relating to sale, distribution of beer, malt liquors.	
Introduced	370
Referred	384
358 By Faul. Retirement systems for deputy bailiffs in municipal courts.	
Introduced	371
Referred	384
359 By Faul. Granting additional powers to cities in seizure, protection, destruction of dogs; contracts therefor with certain societies, associations.	
Introduced	371
Referred	384
360 By Beardsley. To provide building fund for state office buildings, state institutions, from liquor profit fund.	
Introduced	371
Referred	384
361 By Beardsley. To define territorial jurisdiction of justices of the peace.	
Introduced	372
Referred	384
362 By Doran. To provide automatic exception to adverse rulings on evidence in equity trials.	
Introduced	372
Referred	384
363 By Doran, Sjulln, Husted and Levis. To create Iowa Oil and Gas Development Fund, make appropriation therefor.	
Introduced	372
Referred	384
Committee recommended for passage	457
Sifting recommended calendar..	768
Amendment filed	996
Deferred	1068
Withdrawn	1183
364 By Sjulln and Harvey. To compel blending of ethyl alcohol with gasoline.	
Introduced	372
Referred	384
365 By Cromwell. To create boiler inspection department; office of boiler inspector.	
Introduced	372
Referred	384
Recommended for passage.....	457
Amendment filed	724
366 By Forsling, Baldwin and Harvey. To provide for payment of certain taxes in installments; to legalize certain tax sale certificates.	
Introduced	373
Referred	386
Sifting recommended calendar..	626

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Deferred	656
Amendments filed	667, 784
Amendments adopted	751
Passed; ayes 46, nays none	752
Returned from House	975
Concurred	984
Passed; ayes 41, nays none	984
Reported enrolled	1098
Signed by President	1098
Sent to Governor	1098
Signed by Governor	1209
367 By Vrba, Donohue, Faul, Foraling and Sjulin. To ex- empt for first five years first \$5000 of actual valuation of new buildings.	
Introduced	373
Referred	385
Sifting recommended calendar	688
Amendments filed	831, 1074, 1099
Amendment adopted	1067
Deferred	1067
Amendment adopted	1121
Passed; ayes 47, nays none	1122
Title amended	1122
Messaged to House	1122
368 By Berg and Baldwin. To provide that fire equipment may be used outside cities and towns subject to regula- tions by council.	
Introduced	373
Referred	385
Sifting recommended calendar	625
Passed; ayes 41, nays none	645
Returned from House	1268
Reported enrolled	1312
Signed by President	1312
Sent to Governor	1313
Signed by Governor	1458
369 By Stewart. Prohibiting unfair discrimination in prices of commodities.	
Introduced	373
Referred	385
370 By Parker. To regulate, license, tax wholesale egg and poultry dealers.	
Introduced	374
Referred	385
371 By Gillette and Hoeven. To complete project known as "Sewer and Sewage Diver- sion Works" in Dickinson county.	
Introduced	374
Referred	385
Sifting recommended calendar	571
Referred	571
Recommended for passage	769
Passed; ayes 35, nays 9	1023
Reconsidered; ayes 35, nays 1	1026
Amendment adopted	1026
Passed; ayes 42, nays 3	1026
Returned from House	1451
Reported enrolled	1490
Signed by President	1491
Sent to Governor	1493
Signed by Governor	
372 By Moore. To number state representative districts.	
Introduced	374
Referred	385
373 By Dewey and Shaw. To impose a prepaid retail trans- action and sales tax.	
Introduced	374

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Referred	385
Amendments filed	502, 525, 549, 734, 892
Sifting recommended calendar	1072
Amendment filed	1313
374 By Committee on Judiciary No. 1. To provide for ad- vance notice of defense of in- sanity or alibi in criminal cases.	
Introduced	375
Referred	385
375 By Vrba. To give truck- ers' lien on farm produce transported.	
Introduced	375
Referred	385
376* By Dean. To provide for dredging and improvement of Clear Lake.	
Introduced	383
Referred	385
Sifting recommended calendar	830
Amendment filed	879
Recalled by sifting committee	903
377* By Dean. To legalize acts, renewal of the Portland Co- operative Company.	
Introduced	383
Referred	385
Amendment filed	879
Sifting recommended calendar	908
Sifting recommended considera- tion	961
Amendments adopted	989
Passed; ayes 39, nays none	990
Returned from House	1106
Reported enrolled	1140
Signed by President	1140
Sent to Governor	1140
Signed by Governor	1267
378 By Committee on Railroads. Relating to change in name of railroad commissioners.	
Introduced	402
Sifting recommended calendar	571
Passed; ayes 44, nays none	623
Returned from House	743
Reported enrolled	762
Signed by President	762
Sent to Governor	762
Signed by Governor	1040
379 By Committee on Consoli- dation and Co-ordination. To create department of public safety.	
Introduced	402
Amendments filed	460, 481, 503
Special order	489
Amendments adopted	511
Amendments filed	525, 526, 527, 528
Amendment as amended adopted	534
Amendments adopted	535, 536, 540, 541, 542, 543, 544, 545, 546, 547, 548
Passed; ayes 36, nays 5	549
Title to be amended	549
Refused concurrence	722
Conference committee appointed	734
Report of conference committee	764
Second conference committee appointed	764
Report of second conference committee adopted	867
Passed; ayes 33, nays none	870

*Titles of Senate Files 376, 377, on page 383, are transposed.

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Reported enrolled	1018
Signed by President	1018
Sent to Governor	1018
Signed by Governor	1115
380 By Committee on Consolidation and Co-ordination. To change name of board of assessment and review to state tax commission.	
Introduced	404
Special order	563
Sifting recommended calendar..	571
Amendment adopted	580
Passed; ayes 45, nays none....	580
Messaged to House.....	581
Returned from House.....	761
Reported enrolled	799
Signed by President	799
Sent to Governor.....	799
Signed by Governor.....	872
381 By Committee on Judiciary No. 1. Relating to levy to pay for certain property and equipment on installment plan.	
Introduced	422
Sifting recommended calendar..	908
Sifting recommended calendar..	1072
Passed; ayes 41, nays none....	1120
Reported enrolled	1312
Signed by President.....	1312
Sent to Governor.....	1313
Signed by Governor.....	1458
382 By Committee on Judiciary No. 1. To legalize election, proceedings in independent school district of Dayton, Iowa.	
Introduced	423
Proof of publication.....	507
Sifting recommended calendar..	571
Proof of publication.....	507
383 By Committee on Printing. Pertaining to advertising by school boards and junior colleges.	
Introduced	423
384 By Committee on Printing. Relating to official newspapers and counties divided for court purposes.	
Introduced	423
385 By Committee on Printing. Defining bona fide subscribers of official newspapers.	
Introduced	423
Sifting recommended calendar..	625
Amendment adopted	646
Passed; ayes 44, nays none....	646
Concurred	740
Passed; ayes 42, nays none....	740
Returned from House	708
Reported enrolled	799
Signed by President.....	799
Sent to Governor.....	799
Signed by Governor.....	872
386 By Committee on Printing. Definition of a legal newspaper; to enact substitute.	
Introduced	423
387 By Committee on Printing. Monthly statements for school districts.	
Introduced	423

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388 By Committee on Printing. Relating to council proceedings.	
Introduced	423
Amendment filed	962
389 By Committee on Judiciary No. 1. Relating to transfer of records from superior, police and mayor's court to municipal court.	
Introduced	424
Sifting recommended calendar..	908
Sifting recommended calendar..	1072
Passed; ayes 41, nays none....	1120
Returned from House.....	1268
Reported enrolled	1312
Signed by President.....	1312
Sent to Governor.....	1313
Signed by Governor.....	1458
390 By Committee on Military Affairs. Relating to Iowa Soldiers Home at Marshalltown.	
Introduced	424
Sifting recommended calendar..	625
Passed; ayes 47, nays none....	647
Returned from House.....	743
Reported enrolled	762
Signed by President.....	762
Sent to Governor.....	762
Signed by Governor.....	1040
391 By Committee on Public Schools. Relating to mandatory subjects taught in schools.	
Introduced	442
392 By Committee on Social Security. Unified supervision of child welfare activities.	
Introduced	442
Sifting recommended calendar..	1350
Passed; ayes 40, nays none....	1379
393 By Committee on Judiciary No. 1. Relating to granting of pardons, suspension, commutation of sentences by the Governor.	
Introduced	462
Sifting recommended calendar..	571
Amendment adopted	624
Passed; ayes 40, nays none....	624
394 By Committee on Tax Revision. Time of filing statements of companies operating transmission lines; certification of assessment.	
Introduced, referred	489
395 By Committee on County and Township Affairs. Relating to certain fees to be charged by sheriff.	
Introduced, referred	507
396 By Committee on county and Township Affairs. Providing for filing of additional liens by holder of sheriff's sale certificate or junior lien upon real estate.	
Introduced, referred	507
397 By Committee on Ways and Means. Relating to disposal of personal property by executive council.	
Introduced, referred	507
Sifting recommended calendar..	525

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Passed; ayes 41, nays none.....	561	Deferred	750
Returned from House.....	975	Amendment adopted	766
Reported enrolled	1098	Passed; ayes 40, nays none.....	766
Signed by President.....	1098	Returned from House.....	975
Sent to Governor.....	1098	Reported enrolled	1098
Signed by Governor.....	1209	Signed by President.....	1098
		Sent to Governor.....	1098
		Signed by Governor.....	1209
398 By Committee on Pharm- acymy. Relating to sale, dis- tribution of poisons.		404 By Committee on Agricul- ture. Relating to registra- tion, labeling of commercial feed; relating to methods of collection of inspection fees.	
Introduced, referred	513	Introduced, referred	575
Amendment filed	735	Sifting recommended calendar..	688
		Amendment filed	723
399 By Committee on Pharm- acymy. To provide for licens- ing of drug stores and issuance of drug permits in certain in- stances.		Amendment as amended adopted	1054
Introduced, referred	514	Passed; ayes 43, nays none.....	1055
Amendments filed	585, 609	Reported enrolled	1278
Sifting recommended calendar..	951	Signed by President.....	1278
Amendments filed	1035, 1206, 1265	Sent to Governor.....	1278
		Signed by Governor.....	1458
400 By Committee on Board of Control. Powers, duties of superintendents of state in- stitutions; to change name of Glenwood institution.		405 By Committee on Judiciary No. 2. To provide statute of limitations to certain claims against real estate.	
Introduced, referred	530	Introduced, referred	575
Sifting recommended calendar..	688	Sifting recommended calendar..	768
Passed; ayes 48, nays none.....	743	Sifting recommended considera- tion	961
Returned from House	975	Passed; ayes 39, nays none.....	991
Concurred	1002		
Passed; ayes 34, nays 1.....	1004	406 By Committees on Judiciary Nos. 1 and 2. To revise, mod- ernize laws relating to cer- tain corporations for pecuni- ary profit; relating to annual reports.	
Reported enrolled	1255	Introduced, referred	588
Signed by President.....	1256	Sifting recommended calendar..	648
Sent to Governor.....	1256	Deferred	657
Signed by Governor.....	1379	Amendment filed	668
		Special order	750
		Amendment filed	831
		Deferred	876
401 By Committee on Consol- idation and Co-ordination. Relating to report of state highway commission and time of filing same.		407 By Committee on Claims. To make appropriation for settlement of claims for dam- ages by highway equipment.	
Introduced, referred	574	Introduced, referred	637
Sifting recommended calendar..	585	Reported without recommenda- tion	649
Passed; ayes 39, nays none.....	631	Amendment filed	672
Returned from House.....	744	Amendments adopted	683
Reported enrolled	762	Passed; ayes 36, nays none.....	683
Signed by President.....	762	Returned from House.....	1041
Sent to Governor.....	762	Reported enrolled	1098
Signed by Governor.....	1040	Signed by President.....	1098
		Sent to Governor.....	1098
		Signed by Governor.....	1209
402 By Committee on Consol- idation and Co-ordination. Relating to postage on old age assistance checks.		408 By Committee on Claims. To make appropriations to Vern Logan et al for expenses in mine examining board suit.	
Introduced, referred	575	Introduced, referred	637
Sifting recommended calendar..	585	Reported without recommenda- tion	649
Amendment adopted	632	Amendment filed	672
Passed; ayes 30, nays 7.....	632	Amendments adopted	684
Returned from House.....	744	Passed; ayes 43, nays none.....	684
Reported enrolled	762	Returned from House.....	785
Signed by President.....	762	Reported enrolled	824
Sent to Governor.....	762	Signed by President.....	824
Signed by Governor.....	872	Sent to Governor.....	824
		Signed by Governor.....	884
403 By Committee on Consol- idation and Co-ordination. Relating to payment for sup- plies used by certain state departments.			
Introduced, referred	575		
Sifting recommended calendar..	585		
Amendments filed	608, 689		
Deferred	632		
Deferred	643		
Deferred	656		
Deferred	700		

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409 By Committee on Claims. To make appropriation to the Electric Equipment Company, Des Moines, Iowa.	
Introduced, referred	638
Reported without recommenda- tion	649
Passed; ayes 40, nays none.....	685
Returned from House.....	785
Reported enrolled	824
Signed by President.....	824
Sent to Governor.....	824
Signed by Governor.....	884
410 By Committee on Claims. To make appropriation to Melvin Apel.	
Introduced, referred	638
Reported without recommenda- tion	649
Passed; ayes 43, nays none.....	686
Returned from House.....	785
Reported enrolled	824
Signed by President.....	824
Sent to Governor.....	824
Signed by Governor.....	884
411 By Committee on Claims. To make appropriations to Amana Society, et al.	
Introduced, referred	638
Reported without recommenda- tion	649
Amendment filed	672
Amendments adopted.....	686, 687
Passed; ayes 47, nays none.....	687
Returned from House.....	1041
Reported enrolled.....	1255
Signed by President.....	1256
Sent to Governor.....	1256
Signed by Governor.....	1379
412 By Committee on Claims. To make appropriations to Readlyn Savings Bank et al for refunds of overpayment.	
Introduced, referred	638
Reported without recommenda- tion	650
Amendments filed	673, 689
Amendments adopted	696
Passed; ayes 38, nays none.....	696
Title amended	697
Returned from House.....	785
Reported enrolled	824
Signed by President.....	824
Sent to Governor.....	824
Signed by Governor.....	884
413 By Committee on County and Township Affairs. Author- izing counties to antici- pate revenues, to insure an- ticipatory warrants; to nego- tiate loans on warrants and certificates.	
Introduced, referred	638
414 By Committee on Judiciary No. 1. To legalize acts, re- newal of Farmers Mutual In- surance Association of Corn- ing, Iowa.	
Introduced, referred	639
Sifting recommended calendar..	638
Sifting recommended considera- tion	961
Passed; ayes 46, nays none.....	985
Messaged to House.....	985
Returned from House.....	1106
Reported enrolled	1140

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Signed by President.....	1140
Sent to Governor.....	1140
Signed by Governor.....	1267
415 By Committee on Consoli- dation and Co-ordination. To transfer duties of board of control to board of social welfare.	
Introduced, referred	639
Sifting recommended calendar..	951
Special order	950
Deferred	978
Amendment filed	997
416 By Committee on Claims. To make appropriation to Des Moines County, Iowa.	
Introduced, referred	653
Reported without recommenda- tion	666
Passed; ayes 37, nays none.....	697
Returned from House.....	785
Reported enrolled	824
Signed by President.....	824
Sent to Governor.....	824
Signed by Governor.....	884
417 By Committee on Claims. To make appropriation to Vera B. Tripp, Newton, Iowa.	
Introduced, referred	653
Reported without recommenda- tion	666
Amendments adopted	698
Passed; ayes 36, nays 3.....	698
Returned from House.....	785
Reported enrolled	824
Signed by President.....	824
Sent to Governor.....	824
Signed by Governor.....	884
418 By Committee on Claims. To make appropriation to Mrs. Olive Davis, Newton, Iowa.	
Introduced, referred	653
Reported without recommenda- tion	666
Passed; ayes 38, nays none.....	699
Returned from House.....	785
Reported enrolled	824
Signed by President.....	824
Sent to Governor.....	824
Signed by Governor.....	884
419 By Committee on Appro- priations. To make appropria- tion to Iowa Industrial Com- missioner for payment of compensation benefits.	
Introduced, referred	653
Reported without recommenda- tion	667
Passed; ayes 45, nays none.....	753
Returned from House.....	1017
Reported enrolled	1098
Signed by President.....	1098
Sent to Governor.....	1098
Signed by Governor.....	1209
420 By Committee on Claims. To make appropriations to Brown & Son, Cedar Falls, Iowa, et al for funeral ex- penses of recipients of old age assistance.	
Introduced, referred	653
Reported without recommenda- tion	666
Passed; ayes 39, nays none.....	700

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Returned from House.....	785	Passed; ayes 43, nays none.....	1127
Reported enrolled.....	824	Title amended.....	1127
Signed by President.....	824	Returned from House.....	1268
Sent to Governor.....	824	Reported enrolled.....	1312
Signed by Governor.....	912	Signed by President.....	1312
		Sent to Governor.....	1313
		Signed by Governor.....	1459
421 By Committee on Agriculture. State aid to fairs and agricultural societies; short courses in agriculture.		428 By Committee on Tax Revision. To restore certain powers of board of assessment and review.	
Introduced, referred.....	654	Introduced, referred.....	675
422 By Committee on Agriculture. To make appropriation for control of grasshoppers and other crop pests; control of crop diseases.		Amendment filed.....	879
Introduced, referred.....	654	429 By Committee on Tax Revision. To correct inaccuracies in sales tax law.	
Committee recommended for passage.....	668	Introduced, referred.....	675
Passed; ayes 41, nays none.....	828	430 By Committee on Tax Revision. To require listing of exempt property.	
Reconsidered.....	1478	Introduced, referred.....	675
Amendments adopted.....	1486	431 By Committee on Public Schools. To authorize investment of permanent school funds in state bonds.	
Passed; ayes 30, nays none.....	1487	Introduced, referred.....	675
Returned from House.....	1467	432 By Committee on Cities and Towns. To make bus and utility franchise law applicable to charter cities.	
Reported enrolled.....	1490	Introduced, referred.....	676
Signed by President.....	1491	433 By Committee on Consolidation and Co-ordination. To make attorney general a member of board of parole.	
Sent to Governor.....	1493	Introduced, referred.....	676
Signed by Governor.....		Amendment filed.....	800
423 By Committee on Insurance. Relating to investments by certain insurance companies.		Sifting recommended calendar.....	951
Introduced, referred.....	654	Special order.....	950
Sifting recommended calendar.....	768	Amendment filed.....	962
Sifting recommended consideration.....	961	Amendment as amended adopted.....	973
Passed; ayes 41, nays none.....	989	Failed; ayes 10, nays 36.....	973
Messaged to House.....	989	434 By Committee on Election Reform. To provide for mandatory appointment of double election boards.	
Returned from House.....	1211	Introduced, referred.....	676
Reported enrolled.....	1278	Sifting recommended calendar.....	768
Signed by President.....	1278	Sifting recommended consideration.....	961
Sent to Governor.....	1278	Deferred.....	891
Signed by Governor.....	1459	Deferred.....	1006
424 By Committee on Consolidation and Co-ordination. Providing that legal work of the state shall be under attorney general.		Deferred.....	1042
Introduced, referred.....	654	Deferred.....	1180
Amendment filed.....	772	435 By Committee on Election Reform. Providing for schools of instruction for election boards.	
Amendment adopted.....	874	Introduced, referred.....	692
Passed; ayes 40, nays none.....	874	Sifting recommended calendar.....	768
Concurred in part.....	1047	Sifting recommended consideration.....	961
Passed; ayes 31, nays none.....	1147	Passed; ayes 43, nays none.....	992
Returned from House.....	1106	436 By Committee on Highways. To prevent voting of additional primary road bonds in counties which have previously authorized one or more bond issues.	
Reported enrolled.....	1255	Introduced, referred.....	707
Signed by President.....	1256	Sifting recommended calendar.....	763
Sent to Governor.....	1256		
Signed by Governor.....	1379		
425 By Committee on Election Reform. Order in which candidates are listed on official abstract of votes.			
Introduced, referred.....	674		
426 By Committee on Tax Revision. To limit amount of gasoline which can be brought into state tax free in tanks of trucks and busses.			
Introduced, referred.....	675		
427 By Committee on Tax Revision. To permit storage of gasoline at marine, pipeline terminals without payment of tax.			
Introduced, referred.....	675		
Sifting recommended calendar.....	908		

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Sifting recommended consideration	961
Passed; ayes 34, nays 3	1045
Messaged to House	1045
Returned from House	1268
Reported enrolled	1312
Signed by President	1312
Sent to Governor	1313
Signed by Governor	1459
 437 By Committee on Judiciary No. 1. Relating to transcript of testimony in arbitration proceedings.	
Introduced, referred	729
 438 By Committee on Judiciary No. 1. Relating to audit of counties, cities and towns, school districts.	
Introduced, referred	729
Sifting recommended calendar	753
Amendments filed	935
Sifting recommended consideration	961
Amendments adopted	992, 993
Passed; ayes 38, nays none	993
Returned from House	1165
Reported enrolled	1255
Signed by President	1256
Sent to Governor	1256
Signed by Governor	1379
 439 By Committee on Judiciary No. 1. Authorizing guardians to encumber personal property and to obtain benefits by sealing grain.	
Introduced, referred	730
Sifting recommended calendar	768
Sifting recommended consideration	961
Passed; ayes 39, nays none	1043
Messaged to House	1043
Returned from House	1211
Reported enrolled	1378
Signed by President	1278
Sent to Governor	1278
Signed by Governor	1304
 440 By Committee on Public Lands and Buildings. To provide for erection, equipment of state office building on capitol grounds.	
Introduced, referred	737
Reported without recommendation	769
Amendment filed	879
Amendment filed	893
Deferred	1190
 441 By Committee on Judiciary No. 2. To legalize action of supervisors of Floyd County, Iowa.	
Introduced, referred	745
Sifting recommended calendar	768
Proof of publication	882
Sifting recommended consideration	961
Passed; ayes 41, nays none	1044
Messaged to House	1044
Returned from House	1172
Reported enrolled	1255
Signed by President	1256
Sent to Governor	1256
Signed by Governor	1379

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442 By Committee on Cities and Towns. Authorizing cities of first class to levy Emergency Fund Tax share of federal work relief projects.	
Introduced, referred	746
Sifting recommended calendar	1072
Amendments adopted	1124
Passed; ayes 38, nays none	1124
Messaged to House	1125
Returned from House	1211
Reported enrolled	1278
Signed by President	1278
Sent to Governor	1278
Signed by Governor	1304
 443 By Committee on Judiciary No. 2. Authorizing garnishment proceedings by Iowa board of assessment and review.	
Introduced, referred	746
Sifting recommended calendar	768
Sifting recommended consideration	961
Passed; ayes 38, nays none	1045
Returned from House	1467
Reported enrolled	1494
Signed by President	1495
Sent to Governor	1495
Signed by Governor	
 444 By Committee on Public Schools. To provide for payment of losses of permanent school fund from temporary fund.	
Introduced, referred	746
 445 By Committee on Consolidation and Co-ordination. Transferring certain duties to commissioner of insurance; providing method for removal of.	
Introduced, referred	759
Sifting recommended calendar	830
Passed; ayes 38, nays none	874
Returned from House	1268
Reported enrolled	1312
Signed by President	1312
Sent to Governor	1313
Signed by Governor	1459
 446 By Committee on Conservation. Relating to construction, operation of mill dams.	
Introduced, referred	774
 447 By Committee on Conservation. Relating to inspection and licensing of boats operated for hire.	
Introduced, referred	775
Amendment filed	831
 448 By Committee on Conservation. To provide for cooperation in wild life restoration projects.	
Introduced, referred	775
Amendment filed	831
Placed on calendar	1147
Amendment adopted	1161
Deferred	1161
Amendment adopted	1184
Passed; ayes 33, nays 4	1184
Messaged to House	1185
Returned from House	1268
Reported enrolled	1312

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Signed by President.....	1312
Sent to Governor.....	1313
Signed by Governor.....	1459
449 By Committee on Conservation. Providing for improvement of state-owned streams, lakes and other waters.	
Introduced, referred	776
Amendment filed	1074
Sifting recommended calendar.....	1313
Amendment as amended adopted	1342
Passed; ayes 34, nays 1.....	1343
Messaged to House.....	1343
450 By Committee on Conservation. Relating to duties, powers of conservation commission; obstructions along shores of state-owned waters and removal of materials therefrom.	
Introduced, referred	776
Sifting recommended calendar.....	908
Amendments filed	1100, 1142, 1206, 1265
Sifting recommended calendar.....	1313
Amendments adopted	1356, 1357, 1358
Passed; ayes 34, nays none.....	1358
Messaged to House.....	1358
Returned from House.....	1491
Concurred	1492
Passed; ayes 29, nays none.....	1493
Reported enrolled.....	1494
Signed by President.....	1495
Sent to Governor.....	1495
Signed by Governor.....	
451 By Committee on Claims. To make appropriation to Davenport Oil and Supply Company, et al; and Real Estate Division.	
Introduced, referred	776
Reported without recommendation	877
Amendment filed	963
Amendment adopted	1031
Passed; ayes 39, nays none.....	1031
Title amended	1031
Returned from House.....	1269
Reported enrolled	1312
Signed by President.....	1312
Sent to Governor.....	1313
Signed by Governor.....	1459
452 By Committee on Conservation. Relating to powers, duties of conservation commission with respect to use of boats of state lakes; protection of fish and game.	
Introduced, referred.....	776
Amendments filed	800, 893, 1074, 1148
Sifting recommended calendar.....	830
Amendments adopted	1200, 1201, 1202, 1203, 1204
Deferred	1204
Amendments filed	1206
Amendments adopted	1214
Passed; ayes 33; nays none.....	1215
Ordered engrossed	1215
Messaged to House.....	1215
Concurred	1474
Passed, ayes 42, nays none.....	1475
Returned from House.....	1457
Reported enrolled	1494

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Signed by President.....	1495
Sent to Governor.....	1495
Signed by Governor.....	
453 By Committee on Conservation. Relating to state ownership and title of fish, mussels, clams and frogs; to territorial jurisdiction and reciprocity of states; providing for field meets.	
Introduced, referred	777
Sifting recommended calendar.....	908
Amendments filed	1083, 1206
Sifting recommended calendar.....	1313
454 By Committee on Appropriations. To appropriate not to exceed \$4,000,000 for old age assistance for ensuing biennium.	
Introduced	778
Amendment filed	879
Deferred	1027
Deferred	1048
Deferred	1180
Sifting recommended calendar.....	1313
Deferred	1367
Re-referred to sifting.....	1428
455 By Committee on Appropriations. To make emergency appropriation to state planning board.	
Introduced	778
Passed; ayes 27, nays 11.....	1028
Recalled from House.....	1431
Withdrawn	1431
456 By Special Chain Store Tax Committee. To regulate chain stores and license same on graduated free basis; providing sales and advertising regulations.	
Introduced, referred.....	778
Special order	797
Sifting recommended calendar.....	796
Amendments filed	831, 832, 835, 879, 880
Call of Senate requested.....	885
Amendments filed	893, 894, 909
Amendments adopted	900, 901, 903, 905, 906
Amendments adopted	914, 915, 917, 918
Passed; ayes 50, nays none.....	918
457 By Committee on Consolidation and Co-ordination. Changing method for removal of auditor of state highway commission.	
Introduced, referred	795
Sifting recommended calendar.....	830
Passed; ayes 42, nays none.....	870
Returned from House.....	1041
Reported enrolled	1098
Signed by President.....	1098
Sent to Governor.....	1098
Signed by Governor.....	1209
458 By Committee on Consolidation and Co-ordination. To require legislative budgeting of state banking department.	
Introduced, referred	795
Sifting recommended calendar.....	951
Special order	950
Amendments adopted	971
Failed; ayes 17, nays 30.....	971

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Motion to reconsider.....	971
Reconsidered	1061
Amendment adopted	1061
Passed; ayes 26, nays 16.....	1062
Title amended	1062
459 By Committee on Consolidation and Co-ordination. Transferring collection of motor vehicle tax to state tax commission.	
Introduced, referred	802
Sifting recommended calendar.....	1072
Amendment filed	1100
460 By Committee on Banks and Banking. Authorizing trustees, executors, administrators and guardians in investment of funds.	
Introduced, referred	836
Sifting recommended calendar..	908
461 By Committee on Election Reform. Recording of absent voters ballots.	
Introduced, referred	837
462 By Committee on Election Reform. Relating to double election boards, to provide for duties of same.	
Introduced, referred	837
463 By Committee on Election Reform. Relating to voting machines; to provide for report of result of canvass.	
Introduced, referred	837
464 By Committee on Judiciary No. 2. Penalties for violating law relating to practice of certain professions and trades.	
Introduced, referred	871
465 By Committee on Consolidation and Co-ordination. Tax upon freight line and equipment companies; payment of same to general fund.	
Introduced, referred	872
466 By Committee on Consolidation and Co-ordination. To legalize certain past levies and collection of taxes.	
Introduced, referred	872
467 By Committee on Judiciary No. 2. To provide that salaries, wages, compensation of federal employees shall be subject to state income tax.	
Introduced, referred	872
Amendment filed	1035
Sifting recommended calendar.....	1072
Amendment adopted	1126
Passed; ayes 43, nays none.....	1126
Concurred in amendment as amended	1179
Passed; ayes 39, nays none.....	1179
Messaged to House.....	1126
Returned from House.....	1165
Reported enrolled	1312
Signed by President.....	1312
Sent to Governor	1313
Signed by Governor	1459

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468 By Committee on Judiciary No. 2. Penalty for intoxication.	
Introduced, referred	882
Sifting recommended calendar..	908
Sifting recommended calendar.....	1072
Passed; ayes 35, nays none.....	1116
Returned from House.....	1269
Reported enrolled	1312
Signed by President.....	1312
Sent to Governor.....	1313
Signed by Governor.....	1459
469 By Committee on Judiciary No. 2. Relating to hearings prior to adoption of city planning program.	
Introduced, referred	882
Sifting recommended calendar. 908	
Sifting recommended calendar.....	1072
Passed; ayes 36, nays none.....	1117
Returned from House.....	1269
Reported enrolled	1312
Signed by President.....	1312
Sent to Governor.....	1313
Signed by Governor.....	1459
470 By Committee on Judiciary No. 2. Assessment of property in drainage districts.	
Introduced, referred	882
Sifting recommended calendar. 908	
Sifting recommended calendar.....	1072
Passed; ayes 39, nays none.....	1118
Returned from House.....	1269
Reported enrolled	1312
Signed by President.....	1312
Sent to Governor	1313
Signed by Governor	1459
471 By Committee on Judiciary No. 1. Submission to voters question of erecting public township hall.	
Introduced, referred	883
Sifting recommended calendar..	908
Sifting recommended calendar.....	1072
Passed; ayes 38, nays none.....	1118
Returned from House.....	1269
Reported enrolled	1312
Signed by President.....	1312
Sent to Governor	1313
Signed by Governor.....	1459
472 By Committee on Judiciary No. 2. Enforcement of Iowa liquor control act.	
Introduced, referred	883
Sifting recommended calendar..	908
Sifting recommended calendar.....	1072
Passed; ayes 42, nays none.....	1119
Returned from House.....	1269
Reported enrolled	1312
Signed by President	1312
Sent to Governor	1313
Signed by Governor	1459
473 By Committee on Judiciary No. 2. Authorizing code editor to publish advance sheets of supreme court opinions.	
Introduced, referred	883
Sifting recommended calendar..	908
474 By Committee on Judiciary No. 2. Relating to contemptes for violation of injunctions; providing for trial by jury in labor disputes.	
Introduced, referred	886

475 By Committee on Social Security. Relating to powers and duties of state board of social welfare.

Introduced, referred 897
 Sifting recommended calendar.. 908
 Special order 950
 Passed; ayes 47, nays none..... 979
 Amendment to a amendment adopted1324
 Concurring in amendment as amended1324
 Passed; ayes 39, nays none...1325
 Returned from House.....1349
 Reported enrolled1408
 Signed by President.....1408
 Sent to Governor.....1408
 Signed by Governor.....1494

476 By Committee on Social Security. To provide for administration of funds made available to counties for emergency relief.

Introduced, referred 897
 Sifting recommended calendar.. 908
 Special order 950
 Passed; ayes 44, nays none..... 979
 Amendments to amendments adopted1449
 Concurring in amendments as amended1449
 Passed; ayes 34, nays 2.....1450
 Messaged to House.....1450
 Returned from House.....1467
 Reported enrolled1494
 Signed by President.....1495
 Sent to Governor.....1495
 Signed by Governor.....

477 By Committee on Judiciary
 No. 2. To legalize proceedings relating to waterworks improvement of city of Charlton, Iowa.

Introduced, referred 897
 Sifting recommended calendar.. 908
 Proof of publication..... 955
 Passed; ayes 44, nays none..... 960
 Messaged to House..... 960
 Returned from House..... 1017
 Reported enrolled 1098
 Signed by President..... 1098
 Sent to Governor 1098
 Signed by Governor 1210

478 By Committee on Judiciary
 No. 2. To amend Senate File 2 with reference to payment of expense of state auditors.

Introduced, referred 897

479 By Committee on Appropriations. To establish general fund for State of Iowa for biennium beginning July 1, 1939.

Introduced 955
 Amendments filed977
 1035, 1036, 1085, 1102, 1111, 1206
 Special order1001
 Deferred1094
 Sub. for H. F. 200 substituted.. 1220

480 By Committee on Claims.
 To make appropriations to Hurwich Furniture Company, et al.

Introduced, referred 955
 Reported without recommendation1013
 Passed; ayes 41, nays none....1029

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 Returned from House.....1269
 Reported enrolled1312
 Signed by President.....1312
 Sent to Governor.....1313
 Signed by Governor1459

481 By Committee on Claims.
 To make appropriations to certain persons in settlement of damage suits for accidental injuries.

Introduced, referred 956
 Reported without recommendation1013
 Amendment filed1015
 Deferred1030
 Deferred1048
 Amendment adopted1180
 Passed; ayes 41, nays none....1181
 Returned from House.....1290
 Reported enrolled1344
 Signed by President.....1344
 Sent to Governor1344
 Signed by Governor1459

482 By Committee on Claims.
 To make appropriations to certain persons to cover refund on motor vehicle registration fees.

Introduced, referred 956
 Reported without recommendation1014
 Passed; ayes 42, nays none....1030
 Returned from House.....1305
 Concurring1310
 Passed; ayes 41, nays none....1311
 Reported enrolled1408
 Signed by President.....1408
 Sent to Governor1408
 Signed by Governor.....1494

483 By Committee on Claims.
 To make appropriations to Louisa County, Iowa, et al.

Introduced, referred 956
 Reported without recommendation1014
 Passed; ayes 36, nays none....1032
 Returned from House.....1211
 Reported enrolled1273
 Signed by President.....1278
 Sent to Governor1278
 Signed by Governor1304

484 By Committee on Appropriations. To make appropriation for payment of loud speaker system installed in Senate.

Introduced 956
 Passed; ayes 34, nays none....1029
 Returned from House.....1269
 Reported enrolled1312
 Signed by President.....1312
 Sent to Governor1313
 Signed by Governor1459

485 By Committee on Claims.
 To make an appropriation to Greene County Fair Association.

Introduced, referred 956
 Reported without recommendation1014
 Deferred1032
 Deferred1048
 Amendment filed1169
 Amendment adopted1181
 Passed; ayes 30, nays 1.....1182
 Title amended1182
 Ordered engrossed1182

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486 By Committee on Conservation. To make appropriation for use of state conservation commission.	
Introduced, referred	960
Reported without recommendation	1014
Amendment adopted	1049
Passed; ayes 33, nays 14	1049
Returned from House	1421
Reported enrolled	1490
Signed by President	1491
Sent to Governor	1493
Signed by Governor.	
487 By Committee on Insurance. Relating to beneficiaries of fraternal insurance.	
Introduced, referred	974
488 By Committee on Educational Institutions. Authorizing establishment of school of industrial science, mechanics and building trades under supervision of State College of Agriculture.	
Introduced, referred	999
489 By Special Agricultural Relief Committee. To extend time for entering decree of foreclosure under certain conditions; to provide for continuance and appointment of receiver.	
Introduced, referred	1000
Sifting recommended calendar	1072
Amendment adopted	1133
Passed; ayes 43, nays none	1134
Concurred	1321
Passed; ayes 33, nays 3	1322
Messaged to House	1136
Returned from House	1290
Reported enrolled	1408
Signed by President	1408
Sent to Governor	1408
Signed by Governor	1494
490 By Committee on Judiciary No. 1. To legalize action of board of supervisors of Webster county, Iowa.	
Introduced, referred	1024
Proof of publication	1208
Passed; ayes 37, nays none	1316
Messaged to House	1316
Returned from House	1339
Reported enrolled	1408
Signed by President	1408
Sent to Governor	1408
Signed by Governor	1494
491 By Committee on Judiciary No. 2. To provide for relinquishment of jurisdiction over certain lands in Lee county, Iowa.	
Introduced, referred	1024
Sifting recommended calendar	1072
H. F. 651 substituted	1122
492 By Committee on Cities and Towns. Authorizing cities and towns and state highway commission relative to paving primary road extensions within such city or town.	
Introduced, referred	1056
Sifting recommended calendar	1072

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Passed; ayes 40, nays none	1126
Messaged to House	1126
493 By Committee on Appropriations. To make appropriation for purpose of assisting in expenses of Rainbow division drum corps and ladies' drill team to national convention and New York world's fair.	
Introduced	1096
Passed; ayes 34, nays 5	1190
Messaged to House	1204
494 By Committee on Tax Revision. All relating to the sales tax.	
Introduced, referred	1112
495 By Committee on Tax Revision. All relating to the use tax.	
Introduced, referred	1118
496 By Committee on Claims. To make appropriations to Fannie Allber, Alta M. Hamaker and Alice O'Malley.	
Introduced, referred	1180
Sifting recommended calendar	1350
Passed; ayes 38, nays 1	1361
Messaged to House	1361
Returned from House	1468
Reported enrolled	1490
Signed by President	1491
Sent to Governor	1493
Signed by Governor.	
497 By Committee on Banks and Banking. Relating to liquidation, termination of trusts created as part of reorganization of certain banks.	
Introduced, referred	1130
498 By Committee on Consolidation and Co-ordination. To transfer supervision of registration of motor vehicles to department of public safety; to make funds heretofore appropriated available to the department.	
Introduced, referred	1144
Amendment filed	1207
Placed on calendar	1217
Amendments adopted	1219
Passed; ayes 35, nays none	1220
Concurred	1466
Passed; ayes 35, nays none	1466
Engrossed, messaged to House	1220
Returned from House	1450
Reported enrolled	1494
Signed by President	1495
Sent to Governor	1495
Signed by Governor.	
499 By Committee on Board of Control. Employment of prisoners in state institutions.	
Introduced, referred	1171
500 By Committee on Board of Control. Relating to books of accounts of the board of control.	
Introduced, referred	1171

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501 By Committee on Board of Control. Placing of minor wards of the state in private homes.		507 By Committee on Judiciary No. 1. Relating to free distribution of reports of the supreme court.	
Introduced, referred	1171	Introduced, referred	1337
502 By Committee on Board of Control. Relating to rules for punishment of wards of the state.		508 By Committee on Consolidation and Co-ordination. To amend S. F. 424 of the Forty-eighth General Assembly relating to legal work under direction of attorney general.	
Introduced, referred	1171	Introduced	1337
503 By Committee on Consolidation and Co-ordination. To correct certain inaccuracies in regard to old age assistance.		Passed; ayes 43, nays none	1338
Introduced, referred	1171	Returned from House	1368
504 By Committee on Consolidation and Co-ordination. To correct certain inaccuracies relative to corporation, income and sales tax.		Reported enrolled	1432
Introduced, referred	1172	Signed by President	1432
505 By Committee on Appropriations. To create a fund for emergency relief for biennium; to provide for appropriation and administration thereof by board of social welfare.		Sent to Governor	1432
Introduced	1289	Signed by Governor.	
Sifting recommended calendar	1350	509 By Committee on Judiciary No. 2. To provide for standing committee on retrenchment and reform.	
Amendment adopted	1396	Introduced, referred	1364
Passed; ayes 44, nays none	1396	Sifting recommended calendar	1380
Messaged to House	1397	Amendments filed	1409, 1410
Returned from House	1481	Amendment adopted	1420
Concurred	1488	Passed; ayes 36, nays none	1420
Passed; ayes 34, nays none	1489	Title amended	1420
Reported enrolled	1494	Refused to concur	1484
Signed by President	1495	Messaged to House	1421
Sent to Governor	1495	Returned from House	1491
Signed by Governor.		Reported enrolled	1494
506 By Committee on Appropriations. To make appropriation for typewriter rental, miscellaneous expenses of the Forty-eighth General Assembly.		Signed by President	1495
Introduced	1305	Sent to Governor	1495
Sifting recommended calendar	1313	Signed by Governor.	
Amendment filed	1350	510 By Committee on Social Security. Relating to unemployment compensation.	
Amendments adopted	1362	Introduced, referred	1364
Passed; ayes 43, nays none	1362	Sifting recommended calendar	1380
Messaged to House	1363	Passed; ayes 38, nays none	1422
Returned from House	1481	Returned by House	1489
Concurred in part	1483	Reported enrolled	1494
Concurred	1490	Signed by President	1495
Passed; ayes 38, nays none	1490	Sent to Governor	1495
Reported enrolled	1494	Signed by Governor.	
Signed by President	1495	511 By Committee on Consolidation and Co-ordination. Relating to definition of an owner under homestead exemption law.	
Sent to Governor	1495	Introduced, referred	1393
Signed by Governor.		512 By Committee on Judiciary No. 2. To legalize certain appointments by the Governor, confirmed by Senate.	
		Introduced, referred	1434
		Sifting recommended calendar	1460
		Amendment adopted	1462
		Passed; ayes 29, nays 11	1463
		Messaged to House	1463
		Returned from House	1481
		Reported enrolled	1494
		Signed by President	1495
		Sent to Governor	1495
		Signed by Governor.	

HISTORY OF HOUSE BILLS IN SENATE

HOUSE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED—149

J. R. 1, 2, 4.

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442, 443, 457, 462, 477, 501, 502, 503, 505, 506, 507, 508, 509, 510, 511,
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613, 623, 628, 633, 639, 641, 642, 645, 647, 651, 652, 653.

Passed both Houses, vetoed by Governor—408, 433, 566, 636, 640.

RECORD OF EACH HOUSE BILL IN SENATE

H. F.	Page	H. F.	Page
8 By Bowers and Kuester. Relating to bounties on cer- tain animals and birds.		39 By Haug. Relating to mu- nicipal bands.	
Received	172	Received	231
Referred	189	Referred	241
Sifting recommended calendar..	648	40 By Pine. Use of domestic animal fund.	
Deferred	661	Received	182
Amendments filed	667, 771	Referred	189
Passed; ayes 45, nays none.....	940	44 By Hallagan. Compensation of officers, enlisted men, while in active service; compensa- tion to dependents for death.	
Signed by President.....	1018	Received	254
19 By Yager, Pine, Ross, Kohl- haas, Scott of Sac and Burk. Relating to artisans' lien and enforcement thereof.		Referred	260
Received, referred	761	Recommended for passage.....	437
22 By Kuester and Dykhouse. Duties of superintendent of printing; mandatory annual listing of state employees and their salaries.		Sifting recommended calendar..	768
Received	160	Amendment filed	1086
Referred	168	Amendment adopted	1163
Recommended for passage	202	Passed; ayes 33, nays none.....	1164
Passed; ayes 40, nays none.....	294	Messaged to House.....	1164
Signed by President.....	329	Signed by President.....	1278
24 By Johannes. Thresher- man's or corn sheller's lien.		45 By Hallagan. Transfer of civil, criminal cases where military district has been es- tablished; establishment of military court.	
Received	182	Received	254
Referred	189	Referred	260
Recommended for amendment and passage	417	Recommended for passage.....	437
Sifting recommended calendar..	585	Sifting recommended calendar..	1072
Amendments adopted	633	Passed; ayes 33, nays none.....	1158
Passed; ayes 39, nays none.....	634	Signed by President.....	1278
Signed by President.....	688	46 By Hallagan. Providing that judge advocate shall be- come assistant attorney gen- eral when national guard is in service.	
32 By Johannes. Relating to showing of prize-fight pic- tures.		Received	266
Received	142	Referred	298
Referred	161	Recommended for passage.....	314
Recommended for passage.....	435	Sifting recommended calendar..	525
Sifting recommended calendar..	648	Deferred	582
Passed; ayes 37, nays 5.....	948	Passed; ayes 43, nays none.....	599
Signed by President.....	1013	Signed by President.....	647
33 By Kuester. Relating to county conventions by politi- cal parties.		49 By Thompson of Pocahon- tas and Alesch. To provide emergency appropriation for rental of accounting equipment in connection with Iowa unemployment compensation commission.	
Received	172	Received	142
Referred	189	Referred	161
Sifting recommended calendar..	648		
Passed; ayes 40, nays none.....	661		
Signed by President.....	704		

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Recommended for passage.....	277
Passed; ayes 43, nays none.....	296
Signed by President.....	329
52 By Morrissey. Relating to definition of infectious and contagious diseases of live stock	
Received	328
Referred	346
Sifting recommended calendar..	648
Passed; ayes 44, nays none.....	662
Signed by President.....	704
54 By Johnson of Hancock. To provide emergency appropriation for enforcement of narcotic drug act.	
Received	142
Referred	161
Recommended for passage.....	177
Passed; ayes 44, nays none.....	207
Signed by President.....	251
57 By Morrow, Moore, Gardner, Reilly and Bulow. Relating to venereal diseases; requiring blood test from expectant mothers.	
Received	328
Referred	346
Sifting recommended calendar..	1072, 1350
Amendments filed	1409
Amendments adopted.....	1423, 1424
Passed; ayes 40, nays 4.....	1424
Messaged to House.....	1424
Concurred	1477
Passed; ayes 40, nays 2.....	1478
Signed by President.....	1495
58 By Morrow, Moore, Gardner, Reilly and Bulow. Relating to reports on persons infected with venereal diseases.	
Received	328
Referred	346
Sifting recommended calendar	908, 1350
Amendment filed	1409
Passed; ayes 41, nays 2.....	1423
Signed by President.....	1495
59 By Morrow, Pine, Moore, Gardner, Reilly and Bulow. To require medical examination of applicants for marriage license.	
Received	310
Referred	313
Amendment filed	1110
61 By Hauge and Hallagan. To legalize certain ordinance of Des Moines, Iowa, relating to fire limits and regulation.	
Received	172
Referred	189
Recommended for passage.....	277
Proof of publication.....	230
Passed; ayes 39, nays none.....	407
Reconsidered	411
Amendment adopted	411
Passed; ayes 43, nays none.....	412
Messaged to House.....	412
Signed by President.....	490

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62 By Hauge and Hallagan. To legalize city zoning ordinance of 1932 of Des Moines, Iowa.	
Received	337
Sifting recommended calendar..	648
Amendments adopted	663
Passed; ayes 27, nays 10.....	664
Signed by President.....	704
66 By Scott of Fayette, Latchaw, Pine, Yager and Martin. To make installation of mechanical signals on motor vehicles optional.	
Received, referred	640
Sifting recommended calendar..	683
Amendment adopted	1063
Passed; ayes 39, nays none	1063
Title amended	1063
Concurred	1145
Passed; ayes 32, nays none.....	1146
Signed by President.....	1278
69 By Roan. To give certain employees of board of assessment and review power to administer oath.	
Received, referred	532
Sifting recommended calendar..	648
Passed; ayes 38, nays 4.....	665
Signed by President.....	704
71 By Johnson of Linn and Gardner. Authorizing township trustees in connection with fire apparatus and equipment.	
Received	266
Referred	298
Recommended for amendment and passage	298
Sifting recommended calendar..	525
Amendments adopted	561, 562
Passed; ayes 38, nays none.....	563
Signed by President.....	634
74 By Hallagan. To include parkways among special improvements; assessment against benefited district.	
Received	231
Referred	241
76 By Hallagan and Hauge. Relating to construction, repair, of street improvements and sewers.	
Received	254
Referred	260
Sifting recommended calendar..	648
Passed; ayes 42, nays none.....	941
Signed by President.....	1013
77 By Hauge and Hallagan. Relating to bridges, viaducts and grade crossings.	
Received, referred	1264
Sifting recommended calendar..	1313
Passed; ayes 41, nays none.....	1374
Signed by President.....	1457
78 By Hallagan. Relating to trials on appeals from local board of review.	
Received	395
Sifting recommended calendar..	648
Amendments filed	830
Amendments adopted	941, 942
Passed; ayes 44, nays none.....	942
Title amended	942
Signed by President.....	1098

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84 By Dietz and Eckerman. Relating to levies for aid to widows with dependent chil- dren.	
Received, referred	532
Sifting recommended calendar..	1313
Amendment filed	1350
Amendment adopted	1377
Passed; ayes 41, nays none.....	1378
Signed by President.....	1457
85 By Randall, Dodds, Kues- ter, Johnson of Hancock and Johannes. To legalize tax rates computed by county auditors 1934-1937 inclusive.	
Received	173
Referred	189
Recommended for passage.....	191
Amendments adopted	206
Passed; ayes 47, nays 1.....	207
Messaged to House.....	207
Signed by President.....	251
89 By Randall. Distribution of proceeds from tax on mon- eys and credits.	
Received	266
Referred	298
Returned to House.....	309
Received, referred	603
Sifting recommended calendar..	1313
Deferred	1372
90 By Hallagan and Hauge. Taxes for particular pur- poses; special tax for police department maintenance fund.	
Received, referred	698
Sifting recommended calendar..	1380
Passed; ayes 38, nays none.....	1428
Signed by President.....	1495
91 By Hallagan and Hauge. Relating to cost of construct- ing roadway in certain cities.	
Received, referred	1349
93 By Hallagan. To legalize certain indebtedness and ex- penditures of Des Moines, Iowa; warrants issued in pay- ment thereof.	
Received, referred	1042
94 By Hauge and Hallagan. To make appropriation to city of Des Moines, Iowa, to reim- burse for expenditures in connection with state-owned property.	
Received, referred	753
Recommended for passage.....	769
Passed; ayes 46, nays none.....	1027
Signed by President.....	1110
95 By Bulow, Reilly, Roan and Judd. Relating to construc- tion, equipment of cabooses.	
Received	266
Substituted for S. F. 58.....	291
Passed; ayes 42, nays none.....	292
Signed by President.....	329
114 By Committee on Roads and Highways. To designate farm-to-market road system; to secure benefit of funds al- lotted by federal government.	
Received	201

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Referred	241
Amendments filed... 316, 608, 609,	668
Sifting recommended calendar..	571
Special order	576
Change in special order.....	624
Change in special order.....	654
Deferred	711
Amendments adopted	712, 713, 715, 716, 718, 720,
..... 721, 721, 721, 721, 720,	721
Passed; ayes 43, nays 7.....	721
Title amended	721
Insists	745
Conference committee appointed	756
Conference report and amend- ments adopted	958
Passed; ayes 34, nays 14.....	959
Signed by President.....	1071
116 By Burma. Grounds for withholding of registration of motor vehicles by county treasurer.	
Received	142
Referred	161
Amendment filed	177
Amendments proposed without recommendation	468
119 By Thompson of Guthrie, Yager and McFarlane. To make confidential reports on auto accidents available to persons involved.	
Received	338
Sifting recommended calendar..	648
Amendment adopted	943
Deferred	943
Amendment filed	951
Amendment offered	966
Amendment as amended adopted	970
Passed; ayes 45, nays none.....	970
Signed by President.....	1098
121 By Yager, Blue, Pine, Dav- enport, Johannes, Ross, Knud- son of Marshall, Kohlhaas, Scott of Sac and Shimanek. To restrict traffic in used cars; to provide for withhold- ing of motor vehicle dealers license for 30 days.	
Received	395
Recommended for passage.....	459
Sifting recommended calendar..	1313
Amendment adopted	1346
Passed; ayes 40, nays none.....	1347
Messaged to House.....	1347
Signed by President.....	1408
122 By Wilson, Burk, Scott of Sac, Hocum, Schwendemann and Heffner. Definition of spe- cial mobile equipment.	
Received, referred	1130
Sifting recommended calendar..	1380
Passed; ayes 35, nays 1.....	1454
Signed by President.....	1495
130 By Johnson of Linn. To limit fees that may be charged by employment agencies.	
Received, referred	1173
Sifting recommended calendar..	1313
Passed; ayes 42, nays none.....	1375
Signed by President.....	1457
136 By Johnson of Marion. Ex- emption from execution of proceeds of certain insurance policies.	
Received, referred	833

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Sifting recommended calendar..	1072	159 By Hallagan and Hauge.	
Passed; ayes 31, nays none.....	1160	Levy of annual tax for bridge purposes.	
Signed by President.....	1278	Received, referred	1264
133 By Burma, Johannes, Dodds		Sifting recommended calendar..	1313
and Knudson of Cerro Gordo.		Passed; ayes 40, nays none.....	1375
Commitment, care, support of		Signed by President.....	1457
insane persons.		165 By Thompson of Pocahontas.	
Received, referred	755	To permit sale of gravel to private parties.	
Sifting recommended calendar..	951, 1350	Received, referred	756
Passed; ayes 26, nays 13.....	1453	166 By Hallagan and Hauge. To provide that registration fees on motor vehicles in certain cases shall be in lieu of all other taxes.	
Signed by President.....	1496	Received, referred	761
145 By Alesch. To make appropriation for additional salaries in State Historical Department.		Sifting recommended calendar..	1072
Received	161	Passed; ayes 35, nays none.....	1162
Referred	168	Signed by President.....	1278
Recommended for passage.....	177	174 By Committee on Consolidation and Co-ordination. To create state library board; provide for library extension; establish regional libraries.	
Passed; ayes 48, nays none.....	208	Received	173
Signed by President.....	251	Amendment adopted	185
151 By Prentis, Nelson, Scott of Fayette, Dancer and Wood. Relating to sale of live stock, young domestic fowls; licensing of handlers, dealers thereof.		Passed; ayes 48, nays none.....	186
Received, referred	680	Signed by President.....	251
Sifting recommended calendar..	768	176 By Martin. Licensing of refrigerated locker plants; to provide lien upon food therein.	
Amendment filed	1141	Received	455
Deferred	1190	Sifting recommended calendar..	585
Amendment as amended adopted	1217	Deferred	634
Failed; ayes 6, nays 29.....	1217	Amendment adopted	644
154 By McFarlane. To legalize corporate acts, renewal of East Waterloo Hotel Company.		Passed; ayes 46, nays none.....	644
Received	337	Messaged to House.....	644
Recommended for passage.....	435	Signed by President.....	688
Sifting recommended calendar..	571	189 By Blue. To require liability, property damage insurance on all vehicles operated by state departments.	
Passed; ayes 30, nays none.....	625	Received, referred	753
Signed by President.....	688	191 By Knowlton. To legalize warrants issued by city of Decorah, Iowa, to assist in diversion of flood waters.	
155 By McFarlane. A x m e a r, Bittner, Blue, Brodersen, Bulow, Burma, Davenport, Dietz, Dvorak, Eckerman, Hall, Hocum, Hultman, Hyett, Johnson of Marlon, Johnson of Hancock, Knippling, Knowlton, Knudson of Cerro Gordo, Kruse, Lichty, Manley, Miller, Odden, Van Oosterhout, Peyton, Prall, Reilly, Roan, Scott of Fayette, Scott of Sac, Thompson of Pocahontas, Welchman and Wichman. To define, regulate, license and tax itinerant merchants.		Received	360
Received, referred	755	Referred	385
Amendments filed	756, 890	Passed; ayes 45, nays none.....	405
Sifting recommended calendar..	908	Signed by President.....	449
Amendments filed	1086, 1087, 1142, 1204, 1390, 1392	Sub. 200 By Committee on Appropriations. To establish general fund of State of Iowa for biennium beginning July 1, 1939.	
Sifting recommended calendar..	1380	Received, referred	1173
Amendments adopted	1402	Substituted for S. F. 479.....	1220
Passed; ayes 46, nays none.....	1403	Amendments to amendment adopted	1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261
Messaged to House.....	1403	Amendment as amended adopted	1262
Concurred	1426	Passed; ayes 37, nays 4.....	1263
Passed; ayes 46, nays none.....	1427	Insists, conference committee appointed	1275
Signed by President.....	1496	Conference report	1380
156 By Committee on Consolidation and Co-ordination. Relating to geological survey.		Report adopted; ayes 27, nays 19.	1404
Received	142	Passed; ayes 32, nays 14.....	1404
Referred	161	Signed by President.....	1495

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204 By Committee on Consolidation and Co-ordination. To reorganize state board of social welfare.	
Received	201
Amendments filed	241, 242
Referred	241
Substituted for S. F. 139	270
Amendment offered	270
Amendments adopted	278, 274
Passed; ayes 35, nays 10	274
Title amended	274
Signed by President	309
206 By Prentiss and Dykhouse. Tax on alcoholic liquor, distribution thereof; amount of old age assistance.	
Received, referred	804
209 By Committee on Consolidation and Co-ordination. To transfer functions, funds, property of Iowa emergency relief administration to board of social welfare.	
Received	201
Referred	241
Passed; ayes 44, nays none	285
Signed by President	329
210 By Knudson of Marshall. To legalize transfer of funds of Marshall county.	
Received	337
Recommended for passage	417
Sifting recommended calendar	571
Passed; ayes 31, nays none	626
Signed by President	688
217 By Committee on Motor Vehicles. Exemption of certain trade-in property, gross receipts from sales thereof.	
Recommended for passage	306
Received	465
Sifting recommended calendar	648
Amendments adopted	946
Passed; ayes 46, nays none	947
Signed by President	1013
221 By Steinberg. To legalize action of board of supervisors of Story county.	
Received	360
Referred	385
Recommended for passage	467
Passed; ayes 34, nays none	475
Signed by President	535
222 By Knudson of Cerro Gordo. To legalize special election in incorporated town of Thornton, Iowa.	
Received	337
Substituted for S. F. 135	342
Passed; ayes 38, nays none	343
Signed by President	408
224 By Judd and Bulow. To legalize proceedings taken for levy and collection of taxes by park board of Clinton, Iowa.	
Proof of publication	196
Received	201
Recommended for passage	202
Passed; ayes 47, nays none	203
Signed by President	212

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225 By Judd and Bulow. To legalize warrants issued by park board of Clinton, Iowa.	
Proof of publication	196
Received	201
Recommended for passage	202
Passed; ayes 46, nays none	204
Signed by President	212
229 By McFarlane, Blue, Hoegh, Schwendemann, Claypool, Latchaw and Prentiss. To provide a use tax fund; apportionment of said fund to homestead credit fund, general fund.	
Received	160
Referred	188
Recommended for passage	238
Amendments adopted	252, 258
Deferred	252
Passed; ayes 41, nays none	259
Title amended	259
Signed by President	329
233 By Hauge. To exclude binding, repairs of library collections from term "printing."	
Received, referred	754
Sifting recommended calendar	1072
Passed; ayes 29, nays 12	1298
Signed by President	1408
235 By Morrow, Blue, Johnson of Hancock, Wood, Goode, Peyton, Reilly, Davenport, Siefkas and Gardner. Funeral expenses for persons receiving old age assistance.	
Received, referred	709
Sifting recommended calendar	951
Amendment filed	963
Deferred	1264
Passed; ayes 35, nays none	1272
Signed by President	1312
236 By Dvorak. Relating to time of seating officers of cities and towns.	
Received, referred	978
Sifting recommended calendar	1313
Passed; ayes 39, nays none	1371
Signed by President	1457
238 By Dvorak. To provide for homestead tax credit for certain Indian lands.	
Received, referred	603
Sifting recommended calendar	648
Passed; ayes 46, nays none	950
Signed by President	1013
242 By Roan. To legalize action of supervisors of Lee county, Iowa.	
Proof of publication	220
Received	360
Referred	885
Passed; ayes 32, nays none	471
Signed by President	535
245 By Bulow, Reilly, Judd and Hauge. Salaries of minor officers, employees under commission form of government.	
Received, referred	754
Sifting recommended calendar	951, 1313
Passed; ayes 34, nays none	1345
Signed by President	1408

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246 By Pelsen. Duties of highway commission in relation to lights adjacent to railroad crossings, primary road intersections.	
Received, referred	1001
Sifting recommended calendar	1072
Passed; ayes 33, nays none	1147
Signed by President	1278
247 By Pelsen. Authority of commerce commission in connection with electric signs interfering with railroad signals.	
Received, referred	1001
Sifting recommended calendar	1072
Passed; ayes 31, nays none	1148
Signed by President	1278
251 By Hallagan. To provide that life insurance shall not be exempt from cost of administering insured's estate.	
Received, referred	1264
256 By Knudson of Marshall. Relating to width of doors in school busses.	
Received, referred	786
Amendment filed	831
Sifting recommended calendar	1072
Passed; ayes 32, nays none	1154
Signed by President	1312
260 By Weichman. Relating to expenses of district judges.	
Received, referred	796
262 By Bowers. To legalize acts, renewal of Farmers' Co-operative Exchange at Kent, Iowa.	
Received	361
Referred	385
Recommended for passage	466
Passed; ayes 31, nays none	477
Signed by President	535
270 By Hermsen. To make permanent temporary transfer of certain funds of Carroll county, Iowa.	
Proof of publication	652
Received, referred	693
Sifting recommended calendar	768
Passed; ayes 44, nays none	944
Signed by President	1013
271 By Committee on Appropriations. To make appropriation for payment of loud speaker system for House of Representatives.	
Received	454
Recommended for passage	648
Amendment filed	757
Sifting recommended calendar	768
Amendment adopted	824
Passed; ayes 41, nays none	825
Title amended	825
Messaged to House	825
Signed by President	871
272 By Miller. To legalize, validate proceedings of town council, officials of Bode, Iowa.	
Received	361
Referred	385
Passed; ayes 34, nays none	472
Signed by President	535

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276 By Yager. To make permanent temporary transfer of funds of Dickinson county, Iowa.	
Received	360
Referred	385
Recommended for passage	467
Sifting recommended calendar	571
Proof of publication	610
Passed; ayes 44, nays none	627
Signed by President	683
281 By Lampman. To legalize acts, renewal of Primghar Hotel Company.	
Received	337
Recommended for passage	435
Passed; ayes 38, nays none	444
Signed by President	490
286 By Johnson of Hancock. To permit administrators, executors, guardians to invest funds in savings accounts and time certificates.	
Received, referred	1106
Amendment adopted	1164
Passed; ayes 31, nays none	1165
Title amended	1165
Signed by President	1278
294 By Dykhouse. To legalize proceedings of council of Rock Rapids, Iowa.	
Proof of publication	263
Received	361
Referred	385
Passed; ayes 32, nays none	472
Signed by President	535
296 By Gregory. To legalize acts of council, officers, agents of Adel, Iowa, in constructing a swimming pool.	
Proof of publication	220
Received, referred	603
Sifting recommended calendar	768
Sifting recommended consideration	961
Passed; ayes 37, nays none	967
Signed by President	1093
305 By Manley. To legalize acts, renewal of Dennis Brothers Company of Dubuque, Iowa.	
Received	361
Referred	385
Passed; ayes 34, nays none	470
Signed by President	535
307 By Committee on Public Health. To authorize nonprofit corporations to offer hospital insurance.	
Received	464
Sifting recommended calendar	648
Amendments adopted	948
Passed; ayes 42, nays none	949
Messaged to House	949
Signed by President	1013
317 By Walter, Knudson of Marshall and Hoegh. Relating to assignments, compromise of certificates of purchase by supervisors.	
Received, referred	532
Sifting recommended calendar	648
Amendment adopted	944
Passed; ayes 44, nays none	944
Signed by President	1093

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327 By Committee on Consolidation and Co-ordination. To vest in the Governor authority in state owned cars; to create position of state car dispatcher.	
Received	465
Sifting recommended calendar..	688
Amendment filed	831
Amendments adopted	875
Passed; ayes 4b, nays none	876
Insists	932
Conference committee appointed	934
Conference report adopted.....	1437
Passed; ayes 33, nays none.....	1438
Signed by President.....	1495
329 By Stewart and Nelson. State aid to county, district fairs.	
Received, referred	804
334 By Roan. To legalize action of city council of Fort Madison, Iowa, in transfer of certain funds.	
Proof of publication.....	390
Received	465
Sifting recommended calendar..	571
Passed; ayes 32, nays none.....	627
Motion to reconsider filed.....	648
Reconsidered	763
Amendment adopted	763
Passed; ayes 46, nays none.....	764
Signed by President.....	799
340 By Goode. Relating to registration plates for motor vehicles.	
Received, referred	761
Sifting recommended calendar..	1072
Passed; ayes 33, nays none.....	1154
Signed by President.....	1278
358 By Stewart and Guernsey. Relating to length of school year.	
Received, referred	1264
Sifting recommended calendar..	1313
Passed; ayes 39, nays none.....	1339
Signed by President.....	1408
376 By Stewart and Gardner. Relating to care, maintenance of veterans graves.	
Received, referred	978
Sifting recommended calendar..	1313
Passed; ayes 40, nays none.....	1376
Signed by President.....	1457
377 By Hultman. To legalize acts, proceedings of Farmers Mercantile Co. of Red Oak, Iowa.	
Received	466
Substituted for S. F. 258.....	473
Passed; ayes 34, nays none.....	473
Signed by President.....	535
381 By Avery. To provide for sealing of adoption records.	
Received, referred	1369
Sifting recommended calendar..	1380
Failed; ayes 22, nays 25.....	1430
382 By Randall, Claypool, Hallagan and Lucas. To provide for care, custody, transfer of war veterans.	
Received, referred	508
Sifting recommended calendar..	585
Passed; ayes 43, nays none.....	601
Signed by President.....	647

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384 By Committee on Consolidation and Co-ordination. To repeal standing appropriation provisions for highway commission, other state departments.	
Received	407
Amendment adopted	432
Passed; ayes 33, nays 11.....	434
Signed by President.....	585
391 By Hallagan and Hauge. To provide for fees from street busses, trackless trolleys.	
Received, referred	708
Sifting recommended calendar..	951
Passed; ayes 35, nays none.....	1151
Signed by President.....	1278
395 By Lampman and Blue. Providing for payment by fiduciaries of personal taxes.	
Received, referred	923
Sifting recommended calendar..	1072
Amendment adopted	1155
Passed; ayes 33, nays none.....	1156
Signed by President.....	1278
400 By Committee on Liquor Control. To revamp beer law; separate beer and dancing.	
Received, referred	754
Amendment filed	935
408 By Lampman. Inheritance tax on property passing to aliens.	
Received, referred	1343
Sifting recommended calendar..	1380
Passed; ayes 44, nays none.....	1426
Signed by President.....	1495
412 By Van Oosterhout. To legalize acknowledgments of instruments in writing heretofore taken by notaries public.	
Received	465
Sifting recommended calendar..	571
Passed; ayes 42, nays none.....	628
Signed by President.....	688
421 By Hall. To legalize action of supervisors of Mills county, Iowa.	
Received	465
Sifting recommended calendar..	571
Passed; ayes 42, nays none.....	629
Signed by President.....	688
422 By Fishbaugh. To permit honorably discharged veterans of certain wars to operate news stand in the state capitol.	
Received, referred	1369
Sifting recommended calendar..	1380
Amendment adopted	1429
Passed; ayes 45, nays none.....	1429
Reconsidered	1478
Amendments adopted	1486
Passed; ayes 30, nays none.....	1487
Signed by President.....	1495
425 By Randall. To legalize action of treasurer of Worth county, Iowa.	
Proof of publication.....	955
Received, referred	976
Sifting recommended calendar..	1072
Passed; ayes 31, nays none.....	1155
Signed by President.....	1278

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433 By Lucas. To make appropriation to first person, firm or corporation to drill first Iowa producing oil well.		462 By Committee on Military Affairs. To make appropriation to Iowa National Guard for repairs and improvements at Camp Dodge.	
Received, referred	1001	Received, referred	786
Reported without recommendation	1072	Recommended for passage	878
Failed; ayes 25, nays 18	1183	Amendment filed	1037
Motion to reconsider filed	1204	Amendments adopted	1051
Reconsidered	1406	Passed; ayes 42, nays none	1051
Passed; ayes 28, nays 12	1406	Messaged to House	1051
Signed by President	1457	Signed by President	1110
435 By Pieper. To make permanent temporary transfer of funds in Allamakee county, Iowa.		466 By Committee on Compensation of Public Officers. Liability of driver of emergency vehicle carrying fire apparatus.	
Received, referred	804	Received, referred	755
Sifting recommended calendar ..	908	472 By Hallagan and Hauge. Making of estimates for local tax budget in certain cities.	
Passed; ayes 40, nays none	1050	Received, referred	923
Signed by President	1110	477 By Ropes. To legalize action of supervisors of Monona county, Iowa.	
436 By Clark. To provide additional time for sale of lands acquired under permanent school fund.		Proof of publication	882
Received, referred	923	Received, referred	923
Sifting recommended calendar ..	951	Sifting recommended calendar ..	1072
Amendment filed	1111	Passed; ayes 32, nays none	1156
Amendment adopted	1149	Signed by President	1278
Passed; ayes 35, nays none	1150	500 By Johnson of Hancock. To make marihuana a primary noxious weed.	
Title amended	1150	Received, referred	906
Signed by President	1278	501 By Committee on Consolidation and Co-ordination. Relating to official reports and documents.	
439 By Kerr. To legalize acts, proceedings of Farmers Mutual Fire Insurance Association of Fremont county, Iowa.		Received, referred	786
Received	465	Sifting recommended calendar ..	830
Sifting recommended calendar ..	571	Passed; ayes 38, nays none	838
Passed; ayes 42, nays none	630	Signed by President	898
Signed by President	688	502 By Committee on Consolidation and Co-ordination. Relating to collection of tax on cigarettes and tobacco.	
442 By Yager. To legalize proceedings, issuance of warrants by council of incorporated town of West Okoboji.		Received, referred	786
Received, referred	603	Sifting recommended calendar ..	830
Proof of publication	610	Amendment adopted	838
Sifting recommended calendar ..	648	Passed; ayes 34, nays none	839
Amendment filed	650	Signed by President	1013
Sifting recommended consideration	961	503 By Committee on Consolidation and Co-ordination. Relating to collection of tax on beer and malt liquors.	
Amendment adopted	967	Received, referred	786
Passed; ayes 37, nays none	968	Sifting recommended calendar ..	830
Signed by President	1098	Amendment adopted	839
443 By Schwendemann. To legalize election, proceedings of independent school district of Dayton, Iowa.		Passed; ayes 40, nays none	840
Received, referred	603	Signed by President	1013
Passed; ayes 44, nays none	622	504 By Committee on Consolidation and Co-ordination. Relating to tax on oleomargarine and collection thereof.	
Signed by President	688	Received, referred	787
457 By Scholz. To legalize warrants issued by independent school district of New Hampton, Iowa.		505 By Committee on Consolidation and Co-ordination. Relating to reimbursement of school districts for loss of taxes.	
Received, referred	603	Received, referred	787
Passed; ayes 40, nays none	621	Sifting recommended calendar ..	830
Signed by President	688	459 By Troeger and Knudson of Cerro Gordo. Relating to city manager form of government.	
459 By Troeger and Knudson of Cerro Gordo. Relating to city manager form of government.		Received, referred	1042

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Passed; ayes 38, nays none.....	841
Reported enrolled	1161
Signed by President.....	898
506 By Committee on Consolidation and Co-ordination. Relating to reimbursement of counties for loss of taxes.	
Received, referred	787
Sifting recommended calendar..	830
Passed; ayes 39, nays none.....	841
Signed by President.....	898
507 By Committee on Consolidation and Co-ordination. Relating to tax levy for county bonds.	
Received, referred	787
Sifting recommended calendar..	830
Passed; ayes 39, nays none.....	842
Signed by President.....	898
508 By Committee on Consolidation and Co-ordination. Relating to tax levy to pay bridge bonds.	
Received, referred	787
Sifting recommended calendar..	830
Passed; ayes 39, nays none.....	843
Signed by President.....	898
509 By Committee on Consolidation and Co-ordination. Relating to valuation, assessment of property in cities under special charter.	
Received, referred	787
Sifting recommended calendar..	830
Passed; ayes 41, nays none.....	843
Signed by President.....	898
510 By Committee on Consolidation and Co-ordination. Relating to collection of sales, income and corporation taxes.	
Received, referred	788
Sifting recommended calendar..	830
Amendment adopted	844
Passed; ayes 39, nays none.....	845
Signed by President.....	1013
511 By Committee on Consolidation and Co-ordination. Relating to collection of chain-store tax.	
Received, referred	789
Sifting recommended calendar..	830
Amendment adopted	846
Passed; ayes 38, nays none.....	846
Signed by President.....	1013
512 By Committee on Consolidation and Co-ordination. Relating in general to listing of property for taxation.	
Received, referred	789
Sifting recommended calendar..	830
Amendment adopted	846
Passed; ayes 36, nays none.....	847
Signed by President.....	1013
513 By Committee on Consolidation and Co-ordination. Relating to assessment of moneys and credits.	
Received, referred	789
Sifting recommended calendar..	830
Amendment adopted	847
Passed; ayes 36, nays none.....	848
Signed by President.....	1013

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514 By Committee on Consolidation and Co-ordination. Relating to collection of taxes from insurance companies.	
Received, referred	789
Sifting recommended calendar..	830
Amendment adopted	848
Passed; ayes 37, nays none.....	849
Signed by President.....	1013
515 By Committee on Consolidation and Co-ordination. Relating to collection of taxes from telephone and telegraph companies.	
Received, referred	789
Sifting recommended calendar..	830
Amendment adopted	849
Passed; ayes 39, nays none.....	850
Signed by President.....	1013
516 By Committee on Consolidation and Co-ordination. Relating to collection of taxes from railroad companies.	
Received, referred	790
Sifting recommended calendar..	830
Amendment adopted	850
Passed; ayes 37, nays none.....	851
Signed by President.....	1013
517 By Committee on Consolidation and Co-ordination. Relating to payment of taxes by freight line and equipment companies.	
Received, referred	790
Sifting recommended calendar..	830
Amendment adopted	851
Passed; ayes 37, nays none.....	852
Signed by President.....	1013
518 By Committee on Consolidation and Co-ordination. Relating to collection of taxes from express companies.	
Received, referred	790
Sifting recommended calendar..	830
Amendment adopted	852
Passed; ayes 38, nays none.....	852
Signed by President.....	1013
519 By Committee on Consolidation and Co-ordination. Relating to collection of taxes from transmission lines.	
Received, referred	790
Sifting recommended calendar..	830
Amendment adopted	853
Passed; ayes 42, nays none.....	853
Signed by President.....	1013
520 By Committee on Consolidation and Co-ordination. Relating to assessment of omitted property.	
Received, referred	791
Sifting recommended calendar..	830
Amendment adopted	854
Passed; ayes 39, nays none.....	854
Signed by President.....	1013
521 By Committee on Consolidation and Co-ordination. Relating to collection of taxes from pipe line companies.	
Received, referred	791
Sifting recommended calendar..	830
Amendment adopted	855
Passed; ayes 38, nays none.....	855
Signed by President.....	1013

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522 By Committee on Consolidation and Co-ordination. Relating to reassessment and reliev of taxes.		Sifting recommended calendar..	830
Received, referred	791	Passed; ayes 38, nays none.....	863
Sifting recommended calendar..	830	Signed by President.....	898
Amendment adopted	856		
Passed; ayes 39, nays none.....	856	531 By Committee on Consolidation and Co-ordination. Relating to collection of tax on motor vehicle fuel.	
Signed by President.....	1013	Received, referred	794
		Sifting recommended calendar..	830
523 By Committee on Consolidation and Co-ordination. Relating to local assessors and assessment of property.		Deferred	867
Received, referred	791		
Sifting recommended calendar..	830	532 By Committee on Consolidation and Co-ordination. Relating to collection of income tax from nonresidents.	
Amendment adopted	857	Received, referred	794
Passed; ayes 41, nays none.....	857	Sifting recommended calendar..	830
Signed by President.....	1013	Passed; ayes 41, nays none.....	864
		Signed by President.....	898
524 By Committee on Consolidation and Co-ordination. Relating to boards of review.			
Received, referred	792	533 By Committee on Consolidation and Co-ordination. Relating to administration of homestead tax law.	
Sifting recommended calendar..	830	Received, referred	794
Amendment adopted	858	Sifting recommended calendar..	830
Passed; ayes 41, nays none.....	858	Passed; ayes 41, nays none.....	865
Signed by President.....	1013	Signed by President.....	898
525 By Committee on Consolidation and Co-ordination. Relating to listing of property for taxation.		534 By Committee on Consolidation and Co-ordination. Relating to collection of sales tax.	
Received, referred	792	Received, referred	795
Sifting recommended calendar..	830	Sifting recommended calendar..	830
Passed; ayes 40, nays none.....	859	Passed; ayes 39, nays none.....	865
Signed by President.....	898	Signed by President.....	898
526 By Committee on Consolidation and Co-ordination. Relating to tax levies and certificate of taxes.		535 By Committee on Consolidation and Co-ordination. Relating to collection of use tax.	
Received, referred	792	Received, referred	795
Sifting recommended calendar..	830	Sifting recommended calendar..	830
Passed; ayes 38, nays none.....	859	Amendments adopted	866
Signed by President.....	898	Passed; ayes 40, nays none.....	866
		Title amended	867
527 By Committee on Consolidation and Co-ordination. Relating to collection of inheritance tax.		Signed by President.....	1013
Received, referred	792		
Sifting recommended calendar..	830	540 By Committee on Appropriations. Relating to liability of relatives for support of insane persons.	
Amendment adopted	861	Received, referred	709
Passed; ayes 40, nays none.....	861	Sifting recommended calendar..	951
Signed by President.....	1013	Deferred.....	1028, 1048, 1180
		Sifting recommended calendar..	1313
528 By Committee on Consolidation and Co-ordination. Relating to collection of Iowa estate tax.		Passed; ayes 36, nays none.....	1366
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Passed; ayes 39, nays none.....	862	541 By Committee on Appropriations. To make counties share expense for support of inmates at Woodward institution.	
Signed by President.....	898	Received, referred	693
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529 By Committee on Consolidation and Co-ordination. Relating to collection of motor vehicle taxes.		Deferred	1028, 1048, 1180
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Passed; ayes 38, nays none.....	863	Signed by President.....	1457
Vote reconsidered	1471		
Re-referred to sifting.....	1471	542 By Committee on Appropriations. To require counties to share expense for support of inmates at Glenwood institution.	
		Received, referred	710
530 By Committee on Consolidation and Co-ordination. Relating to duties of state comptroller.		Sifting recommended calendar..	951
Received, referred	793	Deferred	1028, 1048, 1180
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Deferred	1367
Failed; ayes 21, nays 24.....	1405
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544 By Bittner, Irwin of Boone and Hocum. Relating to restricted residence districts.	
Received, referred	1343
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Passed; ayes 45, nays none.....	1425
Signed by President.....	1495
563 By Martin, Irwin of Boone, Wood and Hoegh. To provide fee for opening, licensing of coal mines.	
Received, referred	1343
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Amendment filed	1460
Amendment adopted	1484
Failed; ayes 21, nays 16.....	1485
564 By Reilly and Knudson of Cerro Gordo. Additional compensation to city assessors office.	
Received, referred	1264
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Passed; ayes 39, nays none.....	1419
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566 By Hoegh. To validate funds deposited by school corporations in banks unapproved by school board.	
Received, referred	923
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Deferred	1157
Amendment filed	1205
Amendment offered	1294
Deferred	1294
Sifting recommended calendar.....	1313
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Passed; ayes 29, nays 10.....	1341
Title amended	1341
Refused to concur	1428
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Report of conference committee.....	1475
Report adopted	1476
Passed; ayes 34, nays 3.....	1477
Signed by President.....	1495
567 By Reilly and Manley. To require that claims against city manager cities must be filed in thirty days.	
Received, referred	1265
575 By Miller, Hocum, Hall, Axmear and Scott of Sac. Relating to bonded warehouses for agricultural products.	
Received, referred	1130
Sifting recommended calendar.....	1313
Passed; ayes 39, nays none.....	1377
Signed by President.....	1495
601 By Committee on Motor Vehicles. To define common, contract and private carriers by motor vehicle.	
Received, referred	907
Amendments filed	1102, 1410
Special order	1432
Amendments as amended adopted	1445
Passed; ayes 46, nays none.....	1446
Title amended	1446
Message to House.....	1446
Concurred	1472
Passed; ayes 40, nays none.....	1474
Signed by President.....	1495

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603 By Committee on Judiciary No. 1. To legalize proceedings relating to issuance, sale of bonds of Farragut, Iowa.	
Received, referred	693
Sifting recommended calendar.....	768
Sifting recommended consideration	961
Passed; ayes 43, nays none.....	987
Signed by President.....	1098
602 By Committee on Schools and Textbooks. Authorizing investment of permanent school fund moneys in state bonds.	
Received, referred	804
Sifting recommended calendar.....	908
Passed; ayes 34, nays none.....	1163
Signed by President.....	1278
604 By Committee on Pharmacy. To provide for licensing of drug stores; permits to general dealers in certain instances.	
Received, referred	1432
613 By Committee on Printing. To require recognition by federal postal laws of bona fide circulation of legal newspapers.	
Received, referred	924
Sifting recommended calendar.....	951
Amendments filed	1169, 1205
Amendment adopted	1279
Passed; ayes 35, nays none.....	1280
Message to House.....	1280
Signed by President.....	1344
614 By Committee on Judiciary No. 1. To make unlawful the possession of pin ball or marble machines.	
Received, referred	976
Sifting recommended calendar.....	1072
Amendment filed	1142
Sifting recommended calendar.....	1380
Amendments adopted	1455, 1456
Failed; ayes 22, nays 18.....	1456
Reconsidered	1480
Failed; ayes 22, nays 19.....	1481
619 By Committee on Agriculture. State aid for agricultural societies; short courses in agriculture.	
Received, referred	977
620 By Committee on Agriculture. Relating to imitation butter and oleomargarine.	
Received, referred	937
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622 By Committee on Fish and Game. Relating to trapping of fur-bearing animals.	
Received, referred	978
623 By Committee on Banks and Banking. Authorizing disinterested employees of corporations to take acknowledgments of instruments.	
Received, referred	755
Sifting recommended calendar.....	768
Sifting recommended consideration	961
Amendments adopted	987, 988
Passed; ayes 40, nays 1.....	988
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628 By Committee on Old Age Assistance. All relating to old age assistance.	
Received, referred	977
Sifting recommended calendar	1072
Amendment filed	1284
Amendment offered	1300
Amendment adopted	1307
Passed; ayes 44, nays none	1307
Title amended	1308
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Amendment as amended adopted	1327
Passed; ayes 49, nays none	1328
Signed by President	1495
633 By Committee on Fish and Game. Relating to seizure of unlawful game; territorial jurisdiction; construction of fishways and dams; protection of fish and game.	
Received, referred	1166
Sifting recommended calendar	1313
Amendment filed	1313
Amendments adopted	1360
Passed; ayes 43, nays none	1360
Title amended	1360
Messaged to House	1361
Signed by President	1496
635 By Committee on Public Lands and Buildings. Relating to distribution of class "A" permit fees and the barrel tax; providing said fees shall accrue to general fund.	
Received, referred	1033
Amendment filed	1037
Sifting recommended calendar	1313
Amendment adopted	1348
Passed; ayes 29, nays none	1348
Title amended	1348
Messaged to House	1348
Recalled by Senate	1396
Reconsidered	1472
Re-referred to sifting	1472
636 By Committee on Judiciary No. 1. To legalize proceedings of trustees of Green Bay Levee district, Lee county, Iowa.	
Received, referred	924
Sifting recommended calendar	951
Passed; ayes 32, nays none	1159
Signed by President	1278
639 By Committee on Appropriations. To provide emergency appropriation for salaries of assistants; expenses of office of state planning board.	
Received, referred	1034
Amendment filed	1392
Amendment adopted	1430
Passed; ayes 34, nays 4	1431
Title amended	1431
Messaged to House	1431
Signed by President	1431
640 By Committee on Banks and Banking. Concerning trust receipts and certain security transactions; to make law uniform.	
Received, referred	1265
Sifting recommended calendar	1460

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Passed; ayes 38, nays none	1479
Signed by President	1495
641 By Committee on Judiciary No. 2. To legalize reincorporation of Ladies Professors Association of Fayette county, Iowa.	
Received, referred	1034
Amendment filed	1087
Placed on calendar	1147
Amendment adopted	1160
Passed; ayes 33, nays none	1161
Messaged to House	1161
Signed by President	1278
642 By Committee on Judiciary No. 2. To legalize special election held in Hopkinton, Iowa.	
Received, referred	924
Sifting recommended calendar	1072
Proof of publication	1112
Passed; ayes 31, nays none	1157
Signed by President	1278
645 By Committee on Appropriations. To make appropriation for expenses incurred in certain election contests.	
Received, referred	1034
Reported without recommendation	1072
Passed; ayes 39, nays none	1189
Signed by President	1278
647 By Committee on Appropriations. To make appropriations to board of control for use of various state institutions; providing for manner of expenditures thereof.	
Received, referred	1270
Amendments adopted	1281, 1283
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Deferred	1283
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Amendments adopted	1333, 1334, 1335
Passed; ayes 39, nays 1	1335
Insists	1365
Conference committee appointed	1365
Report of conference committee	1415
Conference report adopted	1447
Passed; ayes 39, nays 5	1448
Signed by President	1495
651 By Committee on Judiciary No. 1. To provide for relinquishment to state of Missouri of jurisdiction over certain lands in Lee county, Iowa.	
Received, referred	1042
Substituted for S. F. 491	1122
Amendment adopted	1123
Passed; ayes 43, nays none	1123
Signed by President	1145

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652 By Committee on Judiciary No. 2. To legalize proceedings of council of Orange City, Iowa; providing for issuance of refunding bonds.	
Received, referred	1173
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Passed; ayes 43, nays none	1337
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653 By Committee on Judiciary No. 2. To legalize special election for construction of town hall in Wilton Junction, Iowa.	
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Passed; ayes 44, nays none	1336
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Referred	85
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Failed to pass; ayes 25, nays 20	146
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Passed; ayes 36, nays 11	184
Returned from House	1329
Concurred	1363
Passed; ayes 38, nays none	1364
Reported enrolled	1432
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2 By Dewey. Proposing printing of names, salaries of all state employees in pamphlet form.	
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3 By Breen and Bekman. Proposing amendment to Constitution of Iowa making offices of Secretary of State, Auditor of State and Treasurer of State appointive	
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4 By Berg. To designate G. A. R. memorial highway; provide suitable markers.	
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5 By Vrba and Baldwin. An amendment to Constitution of Iowa relative to filling of vacancies in office.	
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7 By Moore, Geske and Baldwin. Relating to term of office of members of House of Representatives.	
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8 By Donohue and Levis. Distribution of money subject to support and maintenance of common schools.	
Introduced, referred	945
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9 By Committee on Judiciary No. 2. Creating commission to investigate and recommend state program to include both primary and secondary roads.	
Introduced, referred	1172
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10 By Donohue, Geske, Corwin, Vrba, Henningsen, Forsling and Martin. To create commission to investigate liquor control in Iowa; to define duties, provide for expenses of such commission.	
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2 By Morrow. Fixing compensation of chaplains, making appropriation therefor.		5 By Fishbaugh. To amend Constitution in regard to pensions; to vest power in voters of Iowa.	
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CROMWELL, FRED—Senator Ninth District.

Bills introduced—Nos. 30, 66, 120, 133, 146, 223, 231, 283, 284, 311, 312, 365.

Committee assignments	42,	43,	44,	45,	47,	1463
Petitions presented	163,	169,	180,	219,	321,	389,
	551,	587,	610,	611,	636,	637,
	691,	725,	737,	774,	881,	895,
	910,	912,	936,	954,	998,	1039,
	1171,	1289				
Amendments offered	178,	229,	300,	564,	594,	672,
	678,	682,	683,	686,	689,	695,
	696,	697,	698,	699,	700,	733,
	918,	931,	932,	1021,	1031,	1058
Resolutions offered	339,	681				
Motions made	284,	364,	388,	581,	593,	594,
	683,	684,	685,	686,	687,	688,
	695,	696,	697,	698,	699,	700,
	733,	918,	931,	932,	1021,	1029,
	1030,	1031,	1032,	1180,	1181,	1182,
	1310,	1311,	1361,	1474,	1475,	1492
Asked unanimous consent	564,	581,	593,	620,	665,	731,
	1021,	1024,	1030,	1048,	1136,	1361,
	1475					
Leave of absence granted	150,	421,	441,	485,	1151,	1208
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DEAN, EARL—Senator Forty-third District

Bills introduced—Nos. 13, 34, 115, 135, 143, 337, 349, 356, 376, 377.

Committee assignments	5,	42,	43,	44,	45,	46,	47,	1317
Petitions presented	35,	87,	180,	219,	321,	351,	506,	773,
	881,	954,	1088,	1104				
Amendments offered	387,	410,	440,	835,	879,	989		
Resolutions offered	681,	1409						
Motions made	95,	342,	343,	410,	411,	989,	990	
Asked unanimous consent	342,	973,	1277					
Leave of absence granted	107,	150,	998					
Explanation of vote	1115							
Remarks by	721							

DEWEY, A. CLAIRE—Senator Tenth District

Bills introduced—Nos. 1, 11, 138, 143, 171, 356, 378; J. R. 2.

Committee assignments	8,	42,	43,	44,	45,	46,	47,	682
Petitions presented	180,	320,	422,	530,	759,	998,	1112	
Amendments offered	86,	133,	135,	142,	143,	177,	502,	525,
	549,	734,	757,	824,	825,	831,	892,	1074,
	1142,	1190,	1191,	1261,	1313,	1342,	1366,	1359
Resolutions offered	681							
Motions made	3,	61,	98,	123,	144,	682,	724,	824,
	825,	1018,	1023,	1029,	1049,	1107,	1161,	1184,
	1214,	1215,	1255,	1314,	1342,	1343,	1355,	1358,
	1360,	1366						
Asked unanimous consent	133,	134,	145,	404,	424,	681,	825,	1161,
	1185,	1215,	1277,	1310,	1343,	1358		
Leave of absence granted	279,	1460						
Presided at sessions of the Senate	1127							

DONOHUE, E. P.—Senator Forty-fourth District.

Bills introduced—Nos. 62, 63, 64, 93, 105, 118, 159, 160, 190, 191, 239, 240, 244, 350, 367; J. R. 8, 10.

Committee assignments	11,	42,	43,	44,	45,	47,	250,	491,	766
Petitions presented	422,	551,	737						
Amendments offered	131,	133,	210,	252,	258,	259,	273,	274,	
	288,	311,	390,	391,	410,	445,	450,	453,	
	460,	481,	493,	511,	528,	542,	543,	544,	
	545,	548,	556,	584,	606,	650,	667,	668,	
	714,	715,	720,	721,	735,	767,	797,	807,	
	823,	828,	829,	831,	875,	890,	893,	926,	
	934,	935,	944,	951,	952,	966,	970,	971,	
	987,	991,	992,	1007,	1037,	1048,	1050,	1056,	
	1062,	1067,	1073,	1074,	1086,	1090,	1100,	1121,	
	1138,	1139,	1150,	1155,	1163,	1164,	1179,	1182,	
	1183,	1206,	1265,	1260,	1276,	1293,	1360,	1409,	
	1410,	1418,	1419,	1420,	1439,	1444,	1446		

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Resolutions offered	36,	297,	681,	1094
Motions made1,	4,	6,	7,	9,
128,	156,	158,	159,	225,
231,	249,	250,	257,	258,
286,	312,	383,	394,	431,
435,	469,	470,	471,	472,
478,	494,	534,	542,	543,
548,	549,	568,	569,	570,
594,	599,	600,	621,	664,
665,	673,	690,	702,	703,
716,	766,	781,	795,	823,
828,	829,	876,	894,	904,
918,	927,	930,	931,	939,
982,	985,	986,	987,	988,
1009,	1023,	1024,	1025,	1043,
1044,	1061,	1094,	1096,	1125,
1143,	1149,	1154,	1155,	1157,
1159,	1174,	1179,	1185,	1204,
1265,	1283,	1294,	1303,	1304,
1328,	1341,	1345,	1346,	1370,
1371,	1372,	1405,	1407,	1418,
1420,	1421,	1432,	1433,	1436,
1438,	1445,	1453,	1461,	1462,
1468,	1471,	1472,	1474	
Asked unanimous consent	9,	10,	135,	
157,	158,	159,	175,	209,
210,	250,	257,	327,	411,
469,	470,	471,	472,	479,
480,	494,	542,	545,	547,
549,	556,	566,	584,	621,
645,	658,	701,	715,	716,
718,	720,	750,	837,	991,
1055,	1109,	1129,	1147,	1157,
1180,	1182,	1217,	1276,	1309,
1316,	1346,	1352,	1367,	1371,
1418,	1419,	1421,	1438,	1446,
1469				
Leave of absence granted	71,	137,	330	
Raised point of order 273,	513,	702,	716,	718,
719,	1174,	1261,	1461	
DORAN, L. H.—Senator Thirty-first District.				
Bills introduced—Nos. 6, 17, 47, 83, 105, 140, 211, 216, 239, 240, 256,	264, 362, 363.			
Committee assignments	8,	42,	43,	44,
45,	46,	47,	250,	276,
1275,	1365			
Petitions presented ..170,	220,	244,	280,	321,
331,	351,	390,	401,	486,
530,	551,	573,	586,	611,
636,	692,	895,	1112,	1171
Amendments offered	37,	146,	205,	230,
241,	300,	307,	325,	410,
433,	453,	460,	528,	541,
542,	547,	548,	561,	608,
623,	667,	687,	771,	800,
832,	835,	885,	893,	939,
951,	996,	1035,	1036,	1051,
1062,	1073,	1102,	1128,	1135,
1199,	1200,	1220,	1251,	1252,
1253,	1256,	1258,	1259,	1261,
1350,	1361,	1392,	1430,	1431
Resolutions offered	8,	681,	1096	
Motions made	70,			
72,	112,	149,	207,	208,
211,	230,	252,	261,	272,
278,	295,	296,	303,	304,
305,	324,	325,	349,	375,
395,	410,	461,	475,	504,
524,	535,	609,	706,	716,
732,	736,	752,	753,	772,
822,	835,	880,	953,	974,
997,	1027,	1028,	1029,	1070,
1096,	1143,	1188,	1189,	1190,
1262,	1263,	1275,	1280,	1330,
1361,	1362,	1363,	1365,	1366,
1367,	1431,	1447,	1448,	1483,
1489,	1490			
Asked unanimous consent	16,	95,	176,	207,
208,	212,	230,	290,	294,
295,	304,	324,	325,	341,
433,	531,	541,	547,	561,
702,	716,	824,	899,	939,
966,	1061,	1022,	1027,	1028,
1068,	1094,	1180,	1183,	1189,
1200,	1204,	1220,	1251,	1262,
1263,	1306,	1363,	1365,	1367,
1395,	1403,	1404,	1430,	1431,
1447,	1483			
Leave of absence granted	1144			
Personal privilege	1109			
Explanation of vote	1113,	1175		
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Bills introduced—No. 488.				
EDWARDS, HOWARD W.—Senator Fifth District.				
Bills introduced—Nos. 111, 176, 185, 334, 335.				
Committee assignments	42,	44,	45,	47,
639				
Petitions presented	124,	195,	196,	220,
321,	390,	422,	610,	637,
910,	998			
Amendments offered	178,	1217		
Resolutions offered	681,	1409		
Motions made	175,	232,		
233,	234,	476,	477,	660,
939,	940,	1064,	1066,	1263,
1271,	1272			
Asked unanimous consent	167,	661,	676,	837,
1066				

ELECTION REFORM, COMMITTEE ON—

Bills introduced—Nos. 425, 424, 435, 461, 462, 463.

ELLIS, FRANK E.—Senator Twenty-third District.

Bills introduced—No. 231.

Committee assignments	8,	42,	43,	44,	45,	47
Petitions presented	124,	219,	244,	422,	530,	801, 954
Resolutions offered	681, 1460					
Motions made	37,	72,	86,	186,	187,	1425
Asked unanimous consent	167, 1424					
Leave of absence granted.....	150,	485,	1170,	1208,	1266,	1289
Explanation of vote	1115					
Remarks by	722					

ELTHON, LEO—Senator Forty-first District.

Bills introduced—Nos. 53, 76, 85, 153, 169, 215, 257, 261, 277, 295, 349, 357.

Committee assignments	8,	42,	43,	44,	45,	46,	47
Petitions presented	179,	196,	219,	245,	262,	487,	551, 936
Amendments offered	285, 349,						
	376,	730,	797,	927,	1026,	1067,	1068, 1184, 1260, 1314, 1332, 1335
Resolutions offered	681, 1094						
Motions made	6,	106,	285,	289,	568,	703,	938,
	960,	1023,	1026,	1068,	1145,	1154,	1155, 1184, 1283, 1335, 1372, 1404
Asked unanimous consent	107,	111,	204,	918,	927,	1260	
Leave of absence granted	137, 389, 572						
Raised point of order	742, 1261						

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EVANS, K. A.—Senator Eighth District.

Bills introduced—Nos. 54, 60, 91, 130, 166, 222, 258, 290, 296.

Committee assignments							11, 42, 43, 44, 45, 46, 47, 491, 756, 1267, 1365, 1460
Petitions presented							487, 998
Amendments offered	114,	196,	344,	345,	351,	392, 400, 608, 644, 668, 687, 696, 711, 712, 1037, 1347, 1348	
Resolutions offered							8, 681
Motions made	98,	149,	153,	154,	178,	183, 184, 382, 392, 448, 473, 474, 481, 494, 628, 629,	
	630,	644,	721,	745,	957,	958,	959, 1045, 1105, 1107, 1267, 1348
Asked unanimous consent							393, 473, 474, 576, 624, 629, 644, 654, 713, 1045, 1348
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FAUL, GEORGE M.—Senator Thirtieth District.

Bills introduced—Nos. 21, 44, 52, 75, 90, 111, 122, 123, 124, 125, 126, 127, 138, 146, 150, 172, 232, 234, 235, 239, 240, 271, 272, 273, 274, 275, 291, 292, 293, 306, 307, 308, 309, 352, 358, 359, 367.	
Committee assignments	43, 44, 45, 47, 55, 1460, 1495
Petitions presented	195, 244, 351, 401, 442, 488, 551, 572, 674, 725, 759, 896, 998, 999
Amendments offered	204, 241, 242, 255, 261, 268, 270, 273, 329, 411, 412, 503, 526, 527, 535, 536, 541, 585, 617, 619, 662, 663, 667, 717, 735, 736, 746, 747, 748, 770, 799, 807, 821, 826, 827, 830, 893, 902, 941, 942, 961, 997, 1012, 1035, 1063, 1065, 1070, 1087, 1091, 1124, 1126, 1142, 1169, 1205, 1206, 1254, 1258, 1265, 1279, 1350, 1377, 1455
Resolutions offered	681, 1409
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FORSLING, L. B.—Senator Thirty-second District.

Bills introduced—Nos. 13, 39, 40, 58, 93, 113, 120, 136, 138, 145,	
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Committee assignments	6,
11, 42, 43, 44, 45, 48, 704, 734, 764, 934, 1275, 1460	
Petitions presented	486, 530, 574, 636
Amendments offered	174, 195, 205, 432,
439, 444, 445, 460, 510, 511, 526, 536, 548, 580, 600,	
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Resolutions offered	297, 681, 1094
Motions made	173, 174, 184,
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