

STATE OF IOWA

1943

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# JOURNAL OF THE SENATE

OF THE

FIFTIETH GENERAL ASSEMBLY

▼ ▼ ▼

Convened January 11, 1943

Adjourned April 8, 1943

BOURKE B. HICKENLOOPER, Governor

ROBERT D. BLUE, President of the Senate

HENRY W. BURMA, Speaker of the House

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Published by  
THE STATE OF IOWA  
Des Moines

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Compiled Under Direction of  
S. W. NEEDHAM  
Superintendent of Printing

**FIFTIETH GENERAL ASSEMBLY**



**OFFICERS OF THE SENATE**

LIEUT. GOVERNOR ROBERT D. BLUE, President.....Eagle Grove  
FRANK C. BYERS, President Pro Tempore.....Cedar Rapids  
W. J. SCARBOROUGH, Secretary.....West Des Moines  
IRA A. BUCKLES, Assistant Secretary and Reading Clerk.....Lake City  
HOPE HULL, Journal Clerk.....Fairfield  
EDNA GILLISPIE, Assistant Journal Clerk.....Des Moines  
MARGARET SANTEE, Engrossing Clerk.....Cedar Falls  
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CELIA GARDNER, Special Clerk.....Oxford Junction  
HAZEL PECK, Special Clerk.....Des Moines  
FRANK BUCK, Sergeant-at-Arms.....Ames  
IRA GRIPP, Assistant Sergeant-at-Arms.....Afton  
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JOHN OLSON, Bill Clerk.....Calamus  
HARRY UPHAM, File Clerk.....Fredericksburg  
ROBERT B. YOUNG, Assistant File Clerk.....Washington  
VIRGINIA THOMPSON, Lieutenant Governor's Clerk.....Eagle Grove  
MABEL MONTEITH, Secretary's Clerk.....Des Moines  
ELSIE C. KENT, Postmistress.....Des Moines



## ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

NAME	TITLE	RESIDENCE
Bourke B. Hickenlooper.....	Governor.....	Cedar Rapids
Robert D. Blue.....	Lieutenant Governor.....	Eagle Grove
Wayne M. Ropes.....	Secretary of State.....	Onawa
Chet B. Akers.....	Auditor of State.....	Ottumwa
W. G. C. Bagley.....	Treasurer of State.....	Mason City
Harry D. Linn.....	Secretary of Agriculture.....	Des Moines
John M. Rankin.....	Attorney General.....	Keokuk
David B. Long.....	Commerce Commissioner.....	Des Moines
Carl W. Reed.....	Commerce Commissioner.....	Cresco
B. M. Richardson.....	Commerce Commissioner.....	Cedar Rapids
Jessie M. Parker.....	Superintendent of Public Instruction.....	Lake Mills
Wm. L. Bliss.....	Judge of the Supreme Court.....	Mason City
T. G. Garfield.....	Judge of the Supreme Court.....	Ames
Oscar Hale.....	Judge of the Supreme Court.....	Wapello
H. J. Mants.....	Judge of the Supreme Court.....	Audubon
Frederic M. Miller.....	Judge of the Supreme Court.....	Des Moines
John E. Mulroney.....	Judge of the Supreme Court.....	Fort Dodge
Ralph A. Oliver.....	Judge of the Supreme Court.....	Sioux City
W. A. Smith.....	Judge of the Supreme Court.....	Dubuque
C. F. Wennerstrum.....	Judge of the Supreme Court.....	Chariton

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# SENATORS—FIFTIETH GENERAL ASSEMBLY

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NAME	Residence	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Service
*Augustine, A. E.	Oskaloosa	52	Broker and Farmer	Dem.	14	Mahaska	46X 47 48 49
Bekman, E. K.	Ottumwa	42	Attorney	Rep.	13	Wapello	48 49
Benson, Ralph E.	Jefferson	36	Farm Manager	Rep.	48	Carroll, Greene, Sac	48 49
Berg, John P.	Cedar Falls	54	Merchant	Rep.	38	Black Hawk, Grundy	46 46X 47 48 49
*Byers, Frank C.	Cedar Rapids	59	Attorney	Rep.	26	Linn	43 44 45 45X 46 46X 47 48 49
*Clark, Clarence L.	Corydon	65	Abstracter of Titles	Rep.	4	Lucas, Wayne	48 49
†Clem, A. D.	Sioux City	45	Attorney	Rep.	32	Woodbury	48 49
Cromwell, Fred	Burlington	37	Attorney	Rep.	9	Des Moines	48 49
*Dykhouse, J. T.	Rock Rapids	52	Real Estate and Insurance	Rep.	49	Lyons, O'Brien, Osceola, Sioux	47 48 49
*Elthon, Leo	Fertile	44	Farmer	Rep.	41	Mitchell, Winnebago, Worth	45 45X 46 46X 47 48 49
*Emerson, S. Ray	Creston	53	General Contractor	Rep.	5	Decatur, Ringgold, Union	49
*Evans, K. A.	Emerson	44	Farm Manager	Rep.	8	Mills, Montgomery	47 48 49
Paul, George	Des Moines	44	Attorney and Ins. Executive	Rep.	30	Polk	48 49
Findlay, C. V.	Fort Dodge	76	Former Co. Supt. of Schools	Rep.	27	Calhoun, Webster	37 38 38X 49
*Foster, Harlan C.	Mt. Pleasant	56	Farmer	Rep.	10	Henry, Washington	47 48 49
*Fuller, D. D.	Maquoketa	54	Banker	Rep.	23	Jackson	49
*Goode, Dewey E.	Bloomfield	44	Produce and Fur Dealer	Rep.	3	Appanoose, Davis	45 45X 46 46X 47 48 49
*Hart, Stanley L.	Keokuk	46	Wholesale Merchant	Rep.	1	Lee	47 48 49
*Harvey, Robt. W.	Missouri Valley	67	Pharmacist	Rep.	34	Crawford, Harrison, Monona	48 49
*Hattery, John R.	Nevada	45	Attorney	Rep.	31	Boone, Story	49
*Henningsen, O. H.	Clinton	59	Attorney	Rep.	22	Clinton	48 49
*Hess, R. E.	Kingsley	56	Realtor and Insurance	Rep.	46	Cherokee, Ida, Plymouth	49
*Hill, G. R.	Clarion	54	Attorney and Ins. Agent	Rep.	37	Hamilton, Hardin, Wright	46X 47 48 49
*Hunt, G. W.	Guttenberg	51	Attorney	Rep.	36	Clayton	49
*Johnson, Oscar E.	Kanawha	48	Druggist	Dem.	43	Cerro Gordo, Franklin, Hancock	46 46X 47 48 49
*Jones, Floyd	Osceola	43	Farmer and Cafe Operator	Rep.	11	Clarke, Warren	49
*Keir, Robert	Spencer	37	Farmer	Rep.	47	Clay, Dickinson, Emmet, Kossuth, Palo Alto	49
Leo, Richard V.	Dysart	54	Livestock Broker & Farmer	Rep.	45	Tama, Benton	45X 48 49
*Long, Irving D.	Manchester	47	Attorney	Rep.	33	Buchanan, Delaware	49
*Love, H. S.	Bridgewater	54	Produce Dealer	Rep.	16	Adair, Madison	46 46X 47 48 49
*Lundy, Hugh W.	Albia	47	Attorney	Rep.	15	Marion, Monroe	47 48 49
*Lynes, J. Kendall	Plainfield	39	Farmer	Rep.	39	Bremer, Butler	49
*Martin, Frank D.	Davenport	58	Retired	Rep.	21	Scott	48 49
*Mercer, Leroy S.	Iowa City	52	Printing and Publishing	Dem.	25	Iowa, Johnson	45 45X 46 46X 47 49
*Miller, Al	Gray	57	Farmer	Rep.	17	Audubon, Dallas, Guthrie	48 49
Mowry, Ross R.	Newton	60	Attorney	Rep.	29	Jasper	49
Felzer, Frank	Marne	66	Farmer	Rep.	18	Cass, Shelby	46X 47 48 49
Pine, F. J.	Columbus Jct.	49	Auto Dealer and Farmer	Rep.	20	Louisa, Muscatine	47 48 49

\*Holdover Senators

†To fill vacancy. Term expires December 31, 1944

MEMBERS OF THE SENATE

# SENATORS—FIFTIETH GENERAL ASSEMBLY—Continued

NAME	Residence	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Service
Kelly, Robert C.	Dubuque	38	Merchant	Dem.	35	Dubuque	48 49
Schuster, Edwin C.	Clarence	55	Attorney	Rep.	24	Cedar, Jones	
Shaw, Albert J.	Pocahontas	66	Attorney	Rep.	50	Buena Vista, Humboldt, Pocahontas	46 46X 47 48 49
Stull, Carl O.	Hamburg	52	Nurseryman	Rep.	7	Fremont, Page	48 49
*Stewart, Paul P.	Maynard	66	Farmer	Rep.	40	Allamakee, Fayette	47 48 49
*Turner, Oliver	Lenox	57	Farmer	Rep.	6	Adams, Taylor	49
Vittetoe, Luke	Sigourney	56	Retail Druggist	Rep.	12	Keokuk, Poweshiek	
Vrba, Ed.	Cresco	34	Farmer	Dem.	42	Howard, Winneshiek	48 49
*Watson, De Vere	Council Bluffs	49	Attorney	Rep.	19	Pottawattamie	49
*Whitehill, B. C.	Marshalltown	67	Retired	Rep.	28	Marshall	46X 47 48 49
Zastrow, Ralph W.	Charles City	52	Attorney	Rep.	44	Chickasaw, Floyd	
*Ziegler, Jr., Sanford	Fairfield	51	Farmer	Rep.	2	Jefferson, Van Buren	46 46X 47 48 49

\*Holdover Senators

(To fill vacancy. Term expires December 31, 1944)

## MEMBERS OF THE HOUSE—FIFTIETH GENERAL ASSEMBLY

NAME	Residence	Age	Occupation	Politics	District	County	Former Legislative Service
Anderson, Carl A.	Swedesburg	52	Farmer	Rep.	20	Henry	
Avery, A. H.	Spencer	72	Insurance	Rep.	83	Clay	44 45X 46 46X 48 49
Baldwin, C. E.	Eddyville	52	Publisher	Rep.	18	Wapello	
Blatti, Arthur C.	New Hampton	56	Dairyman and Farmer	Rep.	89	Chickasaw	49
Blewett, H. B.	Meservey	52	Farmer	Rep.	74	Franklin	
Bockwoldt, M. F.	Ida Grove	66	Farmer and Feeder	Rep.	59	Ida	49
Bonn, Walter H.	Victor	65	Attorney	Rep.	40	Iowa	
Brindle, J. P.	Conrad	67	Farmer and Banker	Rep.	65	Grundy	49
Bryson, C. A.	Iowa Falls	68	Attorney	Rep.	64	Hardin	49
Burk, I. J.	Ripley	65	Farmer	Rep.	54	Greene	48 49
Burma, Henry W.	Allison	47	Farmer	Rep.	73	Butler	47 48 49
Butterfield, Dewey S.	Waterloo	44	Life Insurance	Rep.	66	Black Hawk	49
Carlson, Robert	Sioux City	47	Oil Business	Rep.	58	Woodbury	49
Carver, Glenn J.	Ruthven	50	Farming	Rep.	84	Palo Alto	49
Colburn, Jay C.	Harlan	49	Farmer	Rep.	33	Shelby	49
Cooper, Elmer E.	Corning	59	Farmer	Rep.	13	Adams	48 49
Cowan, James A.	What Cheer	65	Auto Salesman	Rep.	24	Keokuk	
Cox, Harry E.	Fort Dodge	57	Dairyman and Farmer	Rep.	62	Webster	
Datisman, B. L.	Inwood	64	Farmer	Rep.	99	Lyon	
Dodds, Bert E.	Danville	57	Farmer	Rep.	21	Des Moines	47 48 49
Donohue, D. A.	Tipton	31	Real Estate Broker	Rep.	44	Cedar	
Doud, Jr., A. L.	Douds	45	Attorney	Rep.	2	Van Buren	
Dufield, R. E.	Guthrie Center	67	Attorney	Rep.	35	Guthrie	49
Dvorak, Raphael R. R.	Toledo	34	Attorney	Rep.	50	Tama	48 49
Edwards, E. L.	Shannon City	57	Merchant	Rep.	14	Union	49
Farmer, George E.	Cedar Rapids	55	Attorney	Rep.	48	Linn	49
Felton, Harold	Indianola	52	Grain and Feed Mfg.	Rep.	27	Warren	49
Fimmen, W. R.	Bloomfield	43	Attorney	Rep.	3	Davis	49
Fishbaugh, Jr., Earl C.	Shenandoah	33	Attorney	Rep.	9	Page	46 46X 47 48 49
Gardner, Joe F.	Waverly	48	Salesman	Rep.	72	Bremer	49
Gardner, John R.	Lisbon	67	Physician and Surgeon	Rep.	48	Linn	47 48 49
Getscher, Edwin A.	Hamburg	29	Attorney	Rep.	10	Fremont	
Good, C. G.	Ogden	69	Farming & Horse Breeding	Rep.	53	Boone	47 49
Graft, Don W.	Oskaloosa	30	Salesman	Rep.	25	Mahaska	49
Greene, A. C.	Denison	61	Former Sheriff	Rep.	56	Crawford	49
Hall, J. R.	Malvern	64	Retail Lumber	Rep.	11	Mills	48 49
Hawkins, R. B.	Leon	57	Attorney	Rep.	6	Decatur	
Hedin, Philip T.	Davenport	60	Real Estate Salesman	Rep.	43	Scott	
Hefner, John S.	Webster City	59	Farmer and Stockman	Rep.	63	Hamilton	48 49
Hicklin, M. F.	Wapello	34	Attorney	Rep.	22	Louisa	
Hoeness, S. G.	Winterset	62	Farmer	Rep.	28	Madison	
Huston, T. H.	Crawfordsville	61	Farmer	Rep.	23	Washington	
Hutchison, Theo. C.	Algona	37	Attorney	Rep.	85	Kossuth	49

## MEMBERS OF THE HOUSE—FIFTIETH GENERAL ASSEMBLY—Continued

NAME	Residence	Age	Occupation	Politics	District	County	Former Legislative Service
Jessen, Peter A.	Exira	45	Oil Jobber	Rep.	34	Audubon	49
Johannes, W. J.	Ashton	52	Banker	Dem.	98	Osceola	46 46X 47 48 49
Johnson, A. J.	Moorhead	51	Farmer	Rep.	51	Monona	
Johnson, Carroll	Knoxville	29	Attorney	Rep.	26	Marion	48 49
Judd, William N.	Clinton	55	Railroad Yardmaster	Rep.	45	Clinton	47 48 49
Klemesrud, Theo.	Thompson	40	Newspaper Publisher	Rep.	95	Winnebago	
Knippling, John	Elma	55	Farming	Dem.	92	Howard	47 48 49
Knowlton, W. P.	Decorah	57	Real Estate Broker	Rep.	91	Winneshek	48 49
Knudson, Herman M.	Mason City	55	Printer and Florist	Rep.	87	Cerro Gordo	46 46X 48 49
Kruse, William	Charles City	52	Farmer	Rep.	88	Floyd	48 49
Kuester, G. T.	Griswold	54	Farmer	Rep.	30	Cass	46 46X 47 48 49
Kuhn, Thos. L.	Bedford	50	Former County Auditor	Rep.	8	Taylor	
Lage, Alfred F.	Davenport	56	Retired	Rep.	43	Scott	
Lane, Carroll A.	Carroll	37	Owner of Theater	Rep.	55	Carroll	
Latchaw, F. A.	Wilton Junction	58	Electrical Contractor	Rep.	42	Muscatine	47 48 49
Less, Frank W.	Cascade	37	Attorney	Dem.	69	Dubuque	
Long, Harvey J.	Clinton	48	Roofing Material	Rep.	45	Clinton	49
Lynch, Mae A.	Pocahontas	58	Attorney	Dem.	77	Pocahontas	
Martin, S. A. (Steve)	Centerville	71	Ice Manufacturer	Rep.	4	Appanoose	48 49
McFarlane, Arch W.	Waterloo	57	Fuel Dealer	Rep.	66	Black Hawk	36 37 38 38X 39 42 42X 43 44 45 45X 46 46X 48 49
Miller, J. F.	Humboldt	56	Farmer and Grain Dealer	Rep.	76	Humboldt	48 49
Mills, Ivan R.	Adair	64	Minister	Rep.	29	Adair	49
Morrissey, Edward J.	Valeria	54	Farming and Livestock	Rep.	38	Jasper	48 49
Moyle, B. S.	Maquoketa	58	Salesman	Rep.	46	Jackson	49
Nelson, Harold F.	Sioux City	38	Attorney	Rep.	58	Woodbury	49
Newsome, J. A.	Derby	64	Farming	Rep.	16	Lucas	
Nielsen, Andrew J.	Council Bluffs	53	Attorney	Rep.	31	Pottawattamie	49
Noble, Kenneth C.	Sutherland	43	Newspaper Publisher	Rep.	82	O'Brien	
Norland, Norman	Kensett	54	Farmer	Dem.	94	Worth	
Orebaugh, Sam	Des Moines	39	Attorney	Rep.	37	Polk	
Peterson, Oscar	Alta	68	Farmer and Feeder	Rep.	78	Buena Vista	
Pieper, Elmer	Waukon	55	Attorney	Rep.	90	Allamakee	48 49
Poston, Gene	Corydon	59	Attorney and Farmer	Dem.	5	Wayne	49
Prentiss, X. T.	Mt. Airy	46	Hatchery and Feeds	Rep.	7	Ringgold	48 49
Pritchard, W. S.	Garner	71	Automobile Dealer	Rep.	86	Hancock	49
Reed, Wilson	Fairfield	69	Tax Consultant	Rep.	19	Jefferson	49
Ritchie, Fred J.	Marcus	63	Farming	Rep.	79	Cherokee	48 49
Robb, George H.	Estherville	61	Livestock	Rep.	96	Emmet	
Robinson, Glenn E.	Colesburg	38	Attorney	Rep.	68	Delaware	
Scott, E. W.	Lake View	62	Farming and Banking	Rep.	60	Sac.	46 46X 47 48 49
Scott, George L.	West Union	55	Farmer	Rep.	71	Fayette	46 46X 47 48 49
Seemann, Herbert G.	Jesup	51	Farming	Rep.	67	Buchanan	49

## MEMBERS OF THE HOUSE—FIFTIETH GENERAL ASSEMBLY—Continued

NAME	Residence	Age	Occupation	Politics	District	County	Former Legislative Service
Sharp, F. E.	Elkader	48	Attorney	Rep.	70	Clayton	48 49
Shimanek, C. F.	Monticello	32	Attorney	Rep.	47	Jones	48 49
Siefkas, Henry	Osceola	45	Farmer	Rep.	15	Clarke	48 49
Sloane, Ted	Des Moines	39	Attorney	Rep.	37	Polk	
Steinberg, Albert	Ames	52	Attorney	Rep.	52	Story	48 49
Stinemetes, George W.	Grant	65	Farmer	Rep.	12	Montgomery	49
Swaner, John J.	Iowa City	44	Dairy Products	Dem.	41	Johnson	49
Tatum, William M.	Logan	51	Attorney	Dem.	32	Harrison	49
TePaske, Anthony	Sioux Center	74	Attorney	Rep.	81	Sioux	44
Troeger, Paul	Ottumwa	42	Teacher	Rep.	18	Wapello	48
Tyrrell, Jr., W. C.	Belmond	36	Farmer	Rep.	75	Wright	
Utzig, Arnold	Dubuque	49	Shoe Merchant	Dem.	69	Dubuque	
Walter, H. W.	Council Bluffs	31	Attorney	Rep.	31	Pottawattamie	48 49
Walter, W. Eldon	Beaman	44	Farmer	Rep.	57	Marshall	49
Wamstad, Brede	Osage	64	Farmer	Rep.	93	Mitchell	39 40 40X 42 42X 43 44
Weichman, Harry E.	Newhall	50	Farmer	Rep.	49	Benton	47 48 49
Wellington, Thomas W.	Fort Madison	67	Retired Rwy. Mail Clerk	Rep.	1	Lee	49
Whitehead, G. E.	Perry	50	Editor and Publisher	Rep.	36	Dallas	
Wichman, Henry	Malcom	60	Farmer	Rep.	39	Poweshiek	48 49
Wilson, A. M.	Albia	62	Real Estate Broker	Rep.	17	Monroe	
Wilson, Melvin	Lake City	52	Rendering and Stockman	Rep.	61	Calhoun	48 49
Wormley, Henry W.	Kingsley	44	Attorney	Rep.	80	Plymouth	
Yager, W. A.	Spirit Lake	54	Real Estate Agent	Dem.	97	Dickinson	45 45X 46 46X 47 48 49

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 11, 1943.

Pursuant to law the Senate of the Fiftieth General Assembly convened at 10 o'clock a. m., and was called to order by Lieutenant Governor B. B. Hickenlooper, President of the Senate.

Prayer was offered by Rev. L. E. Koenig, Presbyterian minister, Des Moines, Iowa.

## TEMPORARY OFFICERS

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

W. J. Scarborough of Polk county, temporary secretary.

Hope Hull, of Jefferson county, temporary journal clerk.

Edna Gillespie of Polk county, assistant journal clerk.

Frank Buck of Story county, 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 Stewart moved that a committee of five be appointed as a committee on credentials.

The motion prevailed and the President appointed as such committee Senators Stewart, Ziegler, Keir, Harvey, and Johnson.

## REPORT OF THE COMMITTEE ON CREDENTIALS

Senator Stewart, 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 Fiftieth General Assembly:

First District—Stanley L. Hart.

Seventh District—Carl O. Sjulín.

Ninth District—Fred Cromwell.

Tenth District—Harlan C. Foster.

Twelfth District—Luke Vittetoe.

Thirteenth District—E. K. Bekman.  
Eighteenth District—Frank Pelzer.  
Twentieth District—F. J. Pine.  
Twenty-first District—Frank D. Martin.  
Twenty-second District—O. H. Henningsen.  
Twenty-ninth District—Ross R. Mowry.  
Thirtieth District—George Faul.  
Thirty-fourth District—Robt. W. Harvey.  
Thirty-fifth District—Robert C. Reilly.  
Thirty-seventh District—G. R. Hill.  
Thirty-eighth District—John P. Berg.  
Forty-second District—Ed Vrba.  
Forty-fourth District—Ralph W. Zastrow.  
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 Senate:

Second District—Sanford Zeigler, Jr.  
Third District—Dewey E. Goode.  
Fourth District—Clarence L. Clark.  
Fifth District—S. Ray Emerson.  
Sixth District—Oliver Turner.  
Eighth District—K. A. Evans.  
Eleventh District—Floyd Jones.  
Fourteenth District—A. E. Augustine.  
Fifteenth District—Hugh W. Lundy.  
Sixteenth District—H. S. Love.  
Seventeenth District—Ai Miller.  
Nineteenth District—DeVere Watson.  
Twenty-third District—D. D. Fuller.  
Twenty-fifth District—Leroy S. Mercer.  
Twenty-sixth District—Frank C. Byers.  
Twenty-seventh District—C. V. Findlay.  
Twenty-eighth District—B. C. Whitehill.  
Thirty-first District—John R. Hattery.  
Thirty-third District—Irving D. Long.  
Thirty-sixth District—G. W. Hunt.  
Thirty-ninth District—J. Kendall Lynes.  
Fortieth District—Paul P. Stewart.  
Forty-first District—Leo Elthon.  
Forty-third District—Oscar E. Johnson.  
Forty-sixth District—R. E. Hess.  
Forty-seventh District—Robert Keir.  
Forty-ninth District—J. T. Dykhouse.

We also find the following newly elected Senators to fill vacancies to be entitled to seats in the Senate:

Twenty-fourth District—Edwin C. Schluter.



Thirty-second District—A. D. Clem.

PAUL P. STEWART.

SANFORD ZEIGLER, JR.

ROBERT KEIR.

ROBT. W. HARVEY.

OSCAR E. JOHNSON.

Committee on Credentials.

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:

E. K. Bekman	Robt. W. Harvey	Robert C. Reilly
Ralph E. Benson	O. H. Henningsen	Albert J. Shaw
John P. Berg	G. R. Hill	Edwin C. Schluter
A. D. Clem	Richard V. Leo	Carl O. Sjulín
Fred Cromwell	Frank D. Martin	Luke Vittetoe
George Faul	Ross R. Mowry	Ed Vrba
Harlan C. Foster	Frank Pelzer	Ralph W. Zastrow
Stanley L. Hart	F. J. Pine	

Roll call showed all members present except Senator Fuller, who was granted a leave of absence for the day on request of Senator Henningsen.

#### SELECTION OF SEATS

Senator Bekman moved that the hold-over and re-elected senators be granted the privilege of retaining the seats occupied by them during the Forty-ninth 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:

Augustine .....	7	Foster .....	45
Bekman .....	16	Fuller .....	42
Benson .....	41	Goode .....	14
Berg .....	26	Hart .....	36
Byers .....	34	Harvey .....	4
Clark .....	1	Hattery .....	40
Clem .....	35	Henningsen .....	38
Cromwell .....	6	Hess .....	10
Dykhouse .....	46	Hill .....	32
Elthon .....	18	Hunt .....	8
Emerson .....	9	Johnson .....	17
Evans .....	24	Jones .....	49
Faul .....	13	Keir .....	48
Findlay .....	19	Leo .....	37

Long .....	22	Schluter .....	33
Love .....	20	Shaw .....	27
Lundy .....	3	Sjulin .....	11
Lynes .....	47	Stewart .....	21
Martin .....	31	Turner .....	39
Mercer .....	5	Vittetoe .....	44
Miller .....	2	Vrba .....	25
Mowry .....	28	Watson .....	15
Pelzer .....	30	Whitehill .....	23
Pine .....	29	Zastrow .....	12
Reilly .....	43	Zeigler .....	50

### COMMITTEE TO NOTIFY THE GOVERNOR

Senator Emerson 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 Emerson, Mercer, and Schluter.

### COMMITTEE TO NOTIFY THE HOUSE

Senator Pine 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 Pine, Jones, and Reilly.

### 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.

### REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Senator Emerson 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 Pine 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.

#### ASSIGNMENT OF SEATS IN PRESS GALLERY

Senator Hart moved that the Secretary be authorized to assign seats to representatives of the press.

The motion prevailed and the secretary assigned the following seats:

51. C. C. Clifton, Des Moines Register.
52. Cliff Millen, Des Moines Tribune.
53. John H. Chapman, Associated Press.
54. Winthrop Lyman, United Press.
55. Otto Weber, International News Service.
56. Frank T. Nye, Iowa Daily Press Association.
57. I. C. Kartack, Iowa Press Association.
58. Wallace M. Short, Unionist and Public Forum.
60. Louis Gardner, Republican News.

#### RENTAL OF TYPEWRITERS

Senator Long 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 Fiftieth General Assembly.

The motion prevailed and the President named Senators Long, Findlay, and Martin.

#### COMMITTEE ON CHAPLAINS

Senator Faul moved that a committee of one be appointed to provide chaplains for the Senate during the Fiftieth General Assembly which motion prevailed and Senator Findlay was appointed as such committee.

#### COMMITTEE ON MILEAGE

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

The motion prevailed and the President appointed as such committee Senators Dykhouse, Hess, and Whitehill.

## BADGES

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

## ELECTION OF PRESIDENT PRO TEMPORE

Senator Hill placed in nomination the name of Senator Frank C. Byers as a candidate for the office of President pro tempore of the Fiftieth General Assembly.

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

The result of the roll call was as follows:

Ayes, 48:

Augustine	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Clark	Harvey	Lundy	Stewart
Clem	Hattery	Lynes	Turner
Cromwell	Henningsen	Martin	Vittetoe
Dykhousé	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler

Nays, none.

Absent or not voting, 2:

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

Senator Byers, escorted by Senators Hill, Hunt, and Faul appeared before the President, took the oath of office, and was presented to the Senate by Senator Hill.

Senator Byers addressed the Senate briefly.

Senator Byers, President pro tempore, took the chair at 11:13 a. m.

Senator Faul asked and received unanimous consent to take up the following concurrent resolution and moved its adoption:

## SENATE CONCURRENT RESOLUTION 1

*Resolved by the Senate, the House Concurring:* That a joint committee be named, consisting of nine members of the Senate to be appointed by

the President of the Senate and nine 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 motion prevailed and the resolution was adopted, and the Chair appointed as such committee on the part of the Senate, Senators Faul, Henningsen, Sjulín, Elthon, Hart, Dykhousé, Shaw, Bekman, and Johnson.

### ADOPTION OF RULES

Senator Hattery moved that the Rules of the Forty-ninth General Assembly be made the temporary rules of the Senate of the Fiftieth General Assembly, which motion prevailed.

### RESOLUTION FOR CLERKS

Senator Evans asked and received unanimous consent to take up the following resolution, and moved its adoption:

#### SENATE RESOLUTION 1

*Be It Resolved:* That each Senator and the Lieutenant Governor be and he 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 and by the Lieutenant Governor not later than the day on which the committees are announced. Each clerk shall be sworn in when found to be 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.

The Chair appointed Senators Evans, Benson, and Goode on such 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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, providing for a joint convention of the Fiftieth General Assembly to be held Tuesday, January 12th, to hear the biennial message of the Governor.

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 to select extra help, and the Speaker has appointed as

such committee on the part of the House, Representatives Martin, Hall and Wilson.

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

House Concurrent Resolution 3, providing for the printing of daily clip-sheets.  
A. C. GUSTAFSON, *Chief Clerk*.

#### HOUSE CONCURRENT RESOLUTION 1

*Be It Resolved by the House, the Senate Concurring:* That a joint convention of the two houses of the Fiftieth General Assembly be held on January 12, 1943, at 2:00 p. m.

*Be It Further Resolved:* That Governor Wilson 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.

#### 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 the session and that the committee recommend the position to be filled.

#### HOUSE CONCURRENT RESOLUTION 3

*Be It Resolved by the House, the Senate Concurring:* That the Secretary of the Senate and the Chief Clerk of the House are hereby directed to prepare a daily clipsheet showing all amendments to bills, offered or filed, to be attached to the bills in the bill files.

*Be It Further Resolved,* That the Joint Committee on Rules prepare a suitable rule covering the foregoing procedure and determine whether amendments filed shall be printed in the Journal at the time of their filing or when the bill to which they apply is up for consideration.

Senator Zeigler asked and received unanimous consent to take up House Concurrent Resolution 1 at this time, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Evans asked and received unanimous consent to take up House Concurrent Resolution 2, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Hunt asked and received unanimous consent to take up House Concurrent Resolution 3, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### COMMITTEE ON LUNCH ROOM

Senator Lynes moved that a committee of one be appointed to confer with the executive council relative to providing facilities for serving lunches in the basement of the State House.

Senator Faul moved that parking facilities be included in the arrangements made by the above committee.

The motion as amended was adopted and the Chair appointed Senator Lynes as such committee.

Senator Clark 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 1939, the session laws of the Forty-ninth General Assembly and the Journals of the Senate and House of the Forty-ninth General Assembly to the members of the press assigned seats in the Senate and House press galleries.

The motion prevailed and the resolution was adopted.

#### TELLERS OF JOINT CONVENTION

Senator Elthon moved that the President 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 Chair appointed Senators Elthon, Mercer, and Keir.

#### COMMITTEE ON COMMITTEE ROOMS

Senator Vrba 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 Chair appointed as such committee, Senators Vrba, Miller, and Fuller.

**SPECIAL BILLS COMMITTEE**

Senator Hunt moved that the committee designated as an efficiency committee, appointed previous to the Session, be made a temporary committee on special bills to function until the standing committees are appointed.

The motion prevailed and the Chair announced Senators Hill, Lynes, Mercer, and Evans as such committee.

**COMMITTEE ON EXTRA HELP**

The Chair announced the appointment of Senators Evans, Berg, and Zeigler, on the part of the Senate under House Concurrent Resolution 2.

**INTRODUCTION OF BILLS**

Senate File 1, by Senators Emerson, Faul, Evans, Berg and Bekman, a bill for an act to continue in force certain capital appropriations made by the Forty-ninth General Assembly, to provide for the segregation of funds so appropriated and to provide for investment of said funds so appropriated, and to provide for the executive council to determine the availability of said funds and to amend Chapters three (3) and sixteen (16), Acts of the Forty-ninth General Assembly.

Read first and second times and passed on file.

Senate File 2, by Senator Faul, a bill for an act to amend section ten thousand two hundred sixty and four tenths (10260.4) of the Code, 1939, authorizing the sale of real estate acquired by a county for delinquent taxes.

Read first and second times and passed on file.

Senator Faul offered the following resolution:

**SENATE CONCURRENT RESOLUTION 3**

*Whereas*, The tragedy of a world conflagration is imposing unprecedented financial demand upon the people of the entire Nation, in the form of greatly increased tax levies and the voluntary investment of private funds in defense savings; and

*Whereas*, The Nation's "all-out" effort for an overwhelming victory over the Axis powers will place upon our people from time to time in the months ahead new and increased financial burdens to meet the demands of the war program and insure adequate defense of our Nation and the American way of life; and



*Whereas*, One of the vital contributions which the Iowa Legislature can make toward an efficient prosecution of the Nation's war effort is to safeguard and strengthen the financial resources of the people of Iowa to the end that they may be better able to meet and fulfill their financial obligations to the Nation; and

*Whereas*, This Fiftieth session of the General Assembly of the State of Iowa desires to express a legislative policy in the matter of state and local expenditures; now, therefore,

*Be It Resolved by the Senate of the State of Iowa, the House Concurring:*

It is hereby determined and declared that it be the policy throughout the Fiftieth session of the Legislature of the State of Iowa to enact no legislative measures which will require increased or additional levies or additional expenditures in any county, municipality or school district of the State which are not a necessary part of the Nation's defense program, or are necessary for the relief of the needy or for the maintenance of standards of efficiency required by the public welfare; and

*Be It Further Resolved*, That the respective appropriation committees of the Legislature in drafting the General Appropriation Bill for the fiscal year beginning July 1, 1943 be and it is hereby requested to include only those expenditures which support the essential functions of the State government, provide for needy persons, and those necessary to establish an adequate defense of our people; and

*Be It Further Resolved*, That this session of the State Legislature refrain from enacting any supplemental appropriation bills excepting emergency measures essential to the welfare of the people, or required to maintain proper standards of efficiency in the functioning of the State Government.

GEORGE FAUL.

K. A. EVANS.

S. RAY EMERSON.

JOHN P. BERG.

SANFORD ZEIGLER, JR.

A. J. SHAW.

J. T. DYKHOUSE.

PAUL P. STEWART.

E. K. BEKMAN.

Senator Whitehill submitted the following:

#### FINANCIAL STATEMENT

#### IOWA INDUSTRIAL AND DEFENSE COMMISSION

March 1, 1941 to January 9, 1943

TOTAL APPROPRIATION.....\$50,000.00

#### EXPENDITURES

March 1, 1941 to June 30, 1941

Salaries .....	\$1,703.36
Extra Office Help.....	188.50
Traveling Expense .....	882.60
Legislative Committee's Traveling Expense .....	57.04
Office Supplies .....	93.52
Office Equipment .....	584.56

Telephone and Telegraph.....	61.72	
Printing and Publications.....	232.60	
Postage .....	23.92	
Newspaper Clipping Service.....	34.06	
Rent .....	100.00	
Miscellaneous Expense .....	25.17	\$ 3,987.05

July 1, 1941 to June 30, 1942

Salaries .....	\$6,439.75	
Extra Office Help.....	374.90	
Traveling Expense .....	1,679.86	
Legislative Committee's Travel- ing Expense .....	406.31	
Office Equipment .....	996.25	
Office Supplies .....	761.01	
Rent .....	971.00	
Postage .....	693.48	
Telephone and Telegraph.....	1,010.95	
Addressograph Service .....	239.97	
Printing .....	491.36	
Civilian Defense Training School Expense .....	145.02	
Newspaper Clipping Service.....	233.52	
Typewriter Rental and Repair...	55.25	
Miscellaneous Expense .....	70.91	\$14,569.54

July 1, 1942 to January 9, 1943

Salaries .....	\$4,443.38	
Extra Office Help.....	10.75	
Traveling Expense .....	823.09	
Legislative Committee's Travel- ing Expense .....	235.13	
Rent .....	520.00	
Civilian Defense Training School Expense .....	142.57	
Civilian Defense Training Films and Expense .....	455.02	
Addressograph .....	31.55	
Office Equipment .....	344.00	
Printing .....	797.10	
Office Supplies .....	334.03	
Air Raid Warning Expense.....	668.76	
Postage .....	244.81	
Express .....	45.75	
Electric Service .....	43.21	
Newspaper Clipping Service.....	174.88	
Telephone and Telegraph.....	373.94	

Miscellaneous Expense .....	49.35	\$9,737.32	\$28,293.91
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Estimated Expenditures to June 30, 1943

Salaries .....	\$6,720.00		
Traveling Expense .....	1,500.00		
Rent .....	540.00		
Training School Expense.....	150.00		
Training Film Expense.....	250.00		
Air Raid Warning Expense.....	1,600.00		
Printing .....	200.00		
Postage .....	240.00		
Telephone and Telegraph.....	300.00		
Office Supplies and Equipment	500.00		
Claim of Legislative Comm. for			
Compensation .....	520.00	\$12,520.00	\$12,520.00 \$40,813.91

Balance of Appropriation.....	\$ 9,186.09
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The foregoing statement of expenditures of the Iowa Industrial and Defense Commission is filed by the National Defense Coordination Committee of the 49th General Assembly in compliance with Section 7, Chapter 75, Acts of the 49th General Assembly.

SANFORD ZEIGLER, JR., *Chairman.*

H. W. WALTER, *Secretary.*

B. C. WHITEHILL.

F. J. PINE.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 12, 1948.

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

Prayer was offered by Rev. Loren M. Edwards, First Methodist Church, Newton, Iowa.

## INTRODUCTION OF BILLS

Senate File 3, by Senator Hill, a bill for an act to amend section ten thousand four hundred ninety-two (10492) of the 1939 Code of Iowa, pertaining to the manner of attaining majority by all minors entering any branch of the military or naval service of the United States.

Read first and second times and passed on file.

Senate File 4, by Senator Martin, a bill for an act to amend section fifty-seven hundred ninety-two (5792) of the Code of Iowa, 1939, relating to the levy of taxes for park purposes.

Read first and second times and passed on file.

Senate File 5, by Senator Martin, a bill for an act to amend sub-section twenty-five (25) of section sixty-two hundred eleven (6211) of the Code of Iowa, 1939, relating to levy of taxes for maintenance, operation and improvement of playgrounds or swimming pools.

Read first and second times and passed on file.

Senate File 6, by Senator Martin, a bill for an act to make applicable to special charter cities sub-section thirty-two (32) of section sixty-two hundred eleven (6211) of the Code of Iowa, 1939, and so to authorize such cities to levy annually a tax not exceeding three and one-half ( $3\frac{1}{2}$ ) mills for a police department maintenance fund.

Read first and second times and passed on file.

Senate File 7, by Senators Faul, Henningsen, Berg, and Reilly, a bill for an act to amend section fifty-seven hundred forty-five (5745), Code, 1939, as amended by Chapter 205 of the Laws of

the Forty-ninth General Assembly, by granting additional powers to cities or towns to regulate the seizure, collection, protection and disposal of dogs, and to enter into contracts therefor with certain societies or associations.

Read first and second times and passed on file.

Senate File 8, by Senators Evans, Lynes, Sjulín and Goode, a bill for an act to amend section forty (40) of the Code, 1939, relating to the appointment of members of the Committee on Retrenchment and Reform.

Read first and second times and passed on file.

Senate File 9, by Senator Mowry, a bill for an act to amend section three thousand eight hundred twenty-eight and one hundred fourteen thousandths (3828.114), Code, 1939, permitting the boards of supervisors of the various counties of the state to levy an additional millage for the support of the poor.

Read first and second times and passed on file.

#### ELECTION OF PERMANENT OFFICERS

Senator Evans asked and received unanimous consent to take up the election of permanent officers and employees of the Senate, and placed in nomination the following persons and moved their election:

Secretary—W. J. Scarborough, Polk county.

Assistant Secretary and Reading Clerk—Ira Buckles, Calhoun county.

Journal Clerk—Hope Hull, Jefferson county.

Assistant Journal Clerk—Edna Gillespie, Polk county.

Engrossing Clerk—Margaret Santee, Black Hawk county.

Enrolling Clerk—Mary Margaret Heminger, Van Buren county.

Enrolled Bills Clerk—Marie Spencer, Polk county.

Bill Clerk—Clarence Judd, Clinton county.

Clerk to Secretary of Senate—Mabel Monteith, Polk county.

File Clerk—Harry Upham, Chickasaw county.

Assistant File Clerk—Jack Martin, Polk county.

Postmistress—Mrs. Elsie C. Kent, Sioux county.

Sergeant-at-Arms—Frank Buck, Story county.

Assistant Sergeant-at-Arms—Ira Gripp, Union county.

Chief Doorkeeper—George Mamminga, Grundy county.

Assistant Doorkeepers—Walter Homeyer, Scott county; John Olson, Clinton county; Carl W. Hempstead, Bremer county; O. L. Frazier, Decatur county; E. M. Bryan, Polk county; Frank Goodale, Wright county.

Telephone Messenger—Willa Mae Williams, Wapello county.

Matron—Thelma Seals, Lee county.

Cloak Room Attendants—George Redmond, Polk county; Fred Miller, Polk county.

Lavatory Attendants—Calvin Casey, Black Hawk county; Nathaniel Williams, Polk county.

The motion prevailed and the foregoing officers were declared elected and appeared before the bar of the Senate and were duly sworn and subscribed to their respective oaths of office.

#### COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

January 8, 1943.

Secretary of the Senate

Senate Chamber

Dear Sir:

I hand you herewith a report of the activities of the Iowa Industrial and Defense Commission, covering the period from March 1, 1941, to December 31, 1942, which has been submitted to me and which I refer to you in the thought that you will want to reproduce it in the Journal.

Sincerely yours,

GEO. A. WILSON.

The financial report appearing on pages 11 to 13 inclusive of the Senate Journal of January 11, 1943, and the complete report on pages 18 to 40 inclusive of the House Journal of January 11, 1943.

#### COMMUNICATION FROM STATE APPEAL BOARD

The following communication was received from the State Appeal Board:

January 12, 1943.

To the Secretary of the Senate  
and

Chief Clerk of the House

Gentlemen:

There is enclosed herewith for transmittal to the Claims Committee of the Fiftieth General Assembly a list of claims against the State of Iowa and the Highway Commission with recommendations of the State Appeal Board showing their approval or disapproval.

Highway Commission Claims—1 to 87, inc.

Miscellaneous State Claims—1 to 40, inc.

All claims have been investigated by Mr. Kenneth F. Neu, Attorney for the Appeal Board. Mr. Neu has all original claims in his possession and will submit them to you at the proper time.

Very truly yours,

C. FRED PORTER,

*Chairman, State Appeal Board.*

C. B. AKERS,

W. G. C. BAGLEY,

*Members, State Appeal Board.*

E. E. CORNWALL, *Secretary.*

## HIGHWAY COMMISSION CLAIMS

## 1943 LEGISLATURE

Number of Claim	Name and Address of Claimant	Approved	Not Approved
H- 1-43	Harvey Mikel, Grinnell.....		\$ 21.12
H- 2-43	Leo Scholl, Anita.....	\$ 4.29	
H- 3-43	Henry W. Hause, Fillmore, Missouri.....		20.30
H- 4-43	Robert E. Twaitis, Dubuque.....	20.00	
	Reduced from \$29.75.		
H- 5-43	B. J. Langdon, Missouri Valley.....	14.89	
H- 6-43	C. R. I. & P. Ry., Cedar Rapids.....	30.74	
H- 7-43	Harold Alleman, Clear Lake.....	24.66	
H- 8-43	K. Shanks & M. Merritt, Nora Springs....	34.50	
H- 9-43	S. W. Iowa Telephone Exchange, Pack- wood .....	10.00	
H-10-43	Anderson Bros., Creston.....	1.30	
H-11-43	Hossac Motor Co., Emmetsburg.....	27.33	
H-12-43	Ia. Farm. Mut. Ins. Co., Des Moines, Iowa .....		30.13
H-13-43	F. L. Edwards, Storm Lake.....	24.95	
H-14-43	Murry D. Johnson, Coin, Iowa.....	12.09	
H-15-43	Henry Memders, Latimer.....	28.40	
H-16-43	Dell Johnson, Cedar Rapids.....	35.15	
H-17-43	Warren E. Clark, Rockwell.....	30.39	
H-18-43	Central Iowa Oil Co., Ames.....	3.50	
H-19-43	Dr. O. F. Cox, Millard.....	9.00	
H-20-43	Ralph Waterman, Waverly.....	40.75	
H-21-43	David Lewis, Mystic.....	50.00	
	Reduced from \$85.30.		
H-22-43	Rev. H. H. Steege, Garnavillo.....	300.00	
	Reduced from \$497.30.		
H-23-43	Paul J. Carlson, Muscatine.....	145.05	
H-24-43	Edwin Narratil, Cedar Rapids.....	24.50	
H-25-43	Oscar Thorsen, Ellsworth.....	4.65	
H-26-43	Glen Shoemaker, Waterloo.....	21.00	
H-27-43	Cleo Vale, Tama.....	7.59	
H-28-43	W. A. Schell, Runnels.....	15.00	
H-29-43	Joe Kidd, Perry.....	6.88	
H-30-43	Leon Blodgett, Oakville.....		2,026.25
H-31-43	Philip J. Rashed, Crawfordsville.....	12.42	
H-32-43	Geo. O. Thompson, St. Edward, Nebraska	9.87	
H-33-43	LaVern A. LaTour, Waterloo.....		30.50
H-34-43	Arthur M. White, Est., Fort Dodge.....		3,000.00
H-35-43	Henry Janke, Castalia.....	35.03	
H-36-43	Iowa Mutual Liability Insurance Co., Cedar Rapids .....		384.05
H-37-43	Lt. Francis M. Cox, Est., Hamilton Fd., California .....		50.00
H-38-43	Mrs. Hugo Birkner, Creston.....		137.50

Number of Claim	Name and Address of Claimant	Approved	Not Approved
H-39-43	Hdw. Mut. Casualty Co., St. Louis, Missouri .....		109.51
H-40-43	Mrs. Dora Stettinichs, Doon.....	50.00	
H-41-43	Archer Donald, Afton.....		403.00
H-42-43			
H-43-43			
H-44-43			
H-45-43			
H-46-43	Roy Long, Centerville.....		44.80
H-47-43	C. R. I. & P. Ry., Chicago.....		45.52
H-48-43	Marcus P. Floy, Thornton.....	10.00	
H-49-43	W. L. Buttler and National Fire Insur- ance Co., c/o E. C. Corry, Jr., Des Moines, Iowa .....		43.75
H-50-43	Western Grocery Co., Mason City.....		18.01
H-51-43	Alton Brockshier, Greeley.....		26.65
H-52-43	John Besch, Sioux City.....		100.00
H-53-43	John M. Jeffers, Osceola.....		12.50
H-54-43	Trinity Universal Inv. Co., Dallas, Texas		112.64
H-55-43	A. D. Hunt, 1920 40th St., Des Moines, Iowa .....		271.00
H-56-43	Frances Benton, 1409 W. 2nd St., Sioux City .....		187.00
H-57-43	Marvin J. Curtis, R. No. 2, Provo, Utah..		46.68
H-58-43	Dubuque Star Brewing Co., Dubuque.....		192.03
H-59-43	James Lynn, Valley Springs, So. Dak.....		56.37
H-60-43	Paul Mussigman, 115 Central Ave., Hampton .....		26.32
H-61-43	C. P. McGrane, Snell Building, Fort Dodge .....		36.00
H-62-43	Leo Horswell, c/o YMCA, Des Moines, Iowa .....		65.56
H-63-43	Mrs. Lawrence Smith, Hawarden.....		47.39
H-64-43	Del M. Fox, Marshall, Minnesota.....		137.15
H-65-43	State Farmers Mutual Auto Insurance Co., Minneapolis, Minnesota.....		316.00
H-66-43	Hdw. Mut. Casualty Ins. Co., Minne- apolis, Minnesota .....		33.80
H-67-43	Geo. Dixon, 201 Franklin Ave., Ames.....		100.00
H-68-43	Robert Swafford, Bloomfield.....	104.24	
H-69-43	Iowa Mutual Liability Ins. Co., Daven- port .....		55.00
H-70-43	Western Adjustment & Insp. Co., Cedar Rapids .....		30.99
H-71-43	Wesley Raiser, 121 Home Ave., Oak Park, Ill. ....		12.00
H-72-43	Eddie Arentsen, Harlan, Iowa.....		311.89
H-73-43	Fred Weber, Kent.....	48.50	



Number of Claim	Name and Address of Claimant	Approved	Not Approved
H-74-43	American Mut. Ins. Co., Des Moines.....		86.88
H-75-43	Am. Eagle Fire Ins. Co., Cedar Rapids....		414.69
H-76-43	Mrs. Archer Myher, R. No. 3, Estherville	71.72	
H-77-43	Don Hunter, Box 171, Iowa City.....		150.91
H-78-43	Joe Ford, Grafton.....	28.28	
H-79-43	Hugo Stuve, Clarinda.....		189.83
H-80-43	Ed Smed, Kamrar.....	8.05	
H-81-43	L. C. Chase, Logan.....	9.00	
H-82-43	H. R. Harris, R. No. 3, Oskaloosa.....	155.62	
H-83-43	Joe Hansen, 1425 Dodge St., Dubuque.....	4.87	
H-84-43	Ed E. Detloff, R. F. D., Le Mars.....		4.00
H-85-43	G. L. Gunnerson, Ggwrie.....		18.50
H-86-43	Carl G. Kreiger, Jr., Mason City.....		398.95
H-87-43	Ben T. Holbert, Manchester.....		44.03

## 1943 CLAIMS

Claim No. 1, Linn county, A. J. Pawling, injury received at Anamosa Reformatory, \$500.00, not approved.

Claim No. 2, Scott county, Paul Fellman, injury received at Fort Madison, \$1,500.00, not approved.

Claim No. 3, Lee county, Harry Davis, injury received at Fort Madison, compensation, not approved.

Claim No. 4, Polk county, Wilbur Albaugh, false arrest, \$1,500.00, not approved.

Claim No. 5, Polk county, Ira D. Allen, death of father, \$3,500.00, not approved.

Claim No. 6, Story county, George J. Callahan, illness working at state college, compensation, not approved.

Claim No. 7, Louisa county, Leon Blodgett, highway bridge accident, \$2,026.25, not approved.

Claim No. 8, Sioux county, M. D. Synhorst, salary (enlisted in army), \$150.00, approved.

Claim No. 9, Lee county, George F. Rogers, injury received at Fort Madison penitentiary, \$2,250.00, not approved.

Claim No. 10, Grundy county, Dr. G. A. Biebesheimer, collision, \$24.50, not approved.

Claim No. 11, Jones county, Elmer Auman, injury received at Anamosa reformatory, \$2,500.00, not approved.

Claim No. 12, Rensselaer, Indiana, Harry Green, injury received at Fort Madison penitentiary, \$300.00, not approved.

Claim No. 13, Franklin county, Charles Kughn, excavation, claim, \$4,-815.00.

Claim No. 14, Page county, Hazel Smith, death of husband, \$4,500, \$1,080 payable \$30.00 a month for 36 months.

Claim No. 15, Chicago, Illinois, Jesse Denny, bonus claim, bonus, not approved.

Claim No. 16, Davis county, James Babcock, injury, Lake Wapello, state park custodian, \$55.31, approved as filed.

Claim No. 17, Appanoose county, Esther Deahl, vacation expense, \$66.27 not approved, \$7.20 approved.

Claim No. 18, Cerro Gordo county, Carl Kreiger, flood damage, \$398.95, not approved.

Claim No. 19, Cerro Gordo county, Champlin Refining Company, gas tax refund, \$145.95, approved as filed.

Claim No. 20, Cherokee county, Ben Brasser, legal fees paid by highway patrolman, \$555.00, approved as filed.

Claim No. 21, Black Hawk county, Horace E. Pike, army (one month's salary), \$320.00, approved as filed.

Claim No. 22, Polk county, Thomas Walter Rae, bonus, not approved.

Claim No. 23, Louisa county, Dailey and Dailey, attorneys, drainage district, special assessment, \$1,664.45, not approved.

Claim No. 24, Linn county, A. J. Ullman, accident, highway, \$170.16, not approved.

Claim No. 25, Marshall county, Dr. James McKenzie, sheep dipping, \$40.00, approved.

Claim No. 26, Polk county, Addison Leroy Moyer, Anamosa, injury, \$5,000.00, not approved.

Claim No. 27, Dallas county, Harry E. Brulport, vacation, \$62.50, not approved.

Claim No. 29, Polk county, Mrs. Anna Clark, injury, historical department, \$128.25, approved for \$58.25.

Claim No. 30, Polk county, Receiver American Trust and Savings Bank, LeMars, National Guard note, \$3,360.07, approved for \$714.00.

Claim No. 33, Polk county, C. J. Wilson, injury, Historical building, \$6,000.00, not approved.

Claim No. 34, Tama county, James Bailey, wrongful execution, \$3,500.00, not approved.

Claim No. 35, Dubuque county, George W. Koob, election expense, \$50.00, not approved.

Claim No. 36, Plymouth county, John McClellen, pheasant flew into windshield, \$11.00, not approved.

Claim No. 37, Chickasaw county, John Cronin, hail damage to car of county attorney, \$150.00, not approved.

Claim No. 38, Marshall county, Diamond Produce Company, gas tax refund, \$242.16, approved.

Claim No. 39, Lee county, Arthur Lee Daggs, bonus, \$272.50, not approved.

Claim No. 40, Mitchell county, Alfred J. Hansen, loss of heifer, \$60.00, not approved.

#### TELEGRAM FROM LIEUTENANT HOWARD C. BALDWIN

IOWA STATE SENATE,  
State House, Des Moines, Iowa.

Greetings and felicitations. Regards to Bourke and all my friends particularly the Cherokee strip. Gus, Roy, Oscar, Ed, and Bob have my

sympathy. Who is the floor leader? Hello to fourth house. Brick Valentine is here too but will be back some day.

Lieutenant (JG) Howard C. Baldwin,  
U. S. N. R. Office of Port Director,  
San Francisco, California.

Senator Faul presented to the Senate a bouquet of fifty red roses from Oscar L. Powell, Des Moines, on the occasion of the convening of the Fiftieth General Assembly.

The bouquet was accepted by Senator Byers, President pro tempore, on behalf of the Senate.

### REPORT OF COMMITTEE ON CLERKS

Senator Evans submitted the following report and moved its adoption:

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

Senator Bekman—Eleanor Miller.  
Senator Benson—Donna Osborne.  
Senator Berg—Darlene Warner.  
Senator Byers—Peggy Jamesson.  
Senator Clark—Evelyn Tracy.  
Senator Clem—Anne Holm.  
Senator Cromwell—Goldie Richards.  
Senator Dykhouse—Ethel Preston.  
Senator Elthon—Frances Hill.  
Senator Emerson—Kathleen Garrett.  
Senator Evans—Robert L. Evans.  
Senator Faul—Florence Flynn.  
Senator Findlay—Angela Collins.  
Senator Goode—Grayce Prugh.  
Senator Hart—Dorothy Ling.  
Senator Harvey—Allene West.  
Senator Hattery—Gladys Hattery.  
Senator Henningsen—Ella Ott.  
Senator Hess—Gloria Hearn.  
Senator Hill—Bette White.  
Senator Hunt—Blanche Swanson.  
Senator Jones—Ruth N. Coby.  
Senator Keir—Margaret Rehse.  
Senator Leo—Jeanne Leo.

Senator Long—Nola Fear.  
Senator Love—Genevieve Waggoner.  
Senator Lundy—Anna K. Miletich.  
Senator Lynes—Harold Brinkman.  
Senator Martin—Isla Moran.  
Senator Miller—Janet Foster.  
Senator Mowry—Ruth Wright.  
Senator Pelzer—Margaret Boots.  
Senator Pine—Ruth Pine.  
Senator Schluter—Maxine Lange.  
Senator Shaw—Grace Strathman.  
Senator Sjulín—Dorothy Hallom.  
Senator Stewart—Betty Skow.  
Senator Turner—Leona Story.  
Senator Vittetoe—Doris Icenbice.  
Senator Whitehill—Susan Jacobsen.  
Senator Zastrow—Margaret Johnson.  
Senator Zeigler—Gertrude Tice.  
Senator Augustine—Mildred Sloane.  
Senator Johnson—Maxine Pector.  
Senator Mercer—Beth McNamara.  
Senator Reilly—Jean Reilly.  
Senator Vrba—Evelyn Vrba.

The motion prevailed and the report was adopted.

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

### AFTERNOON SESSION

The Senate reconvened, President pro tempore Byers presiding.

### COMMITTEE FROM THE HOUSE

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

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

### JOINT CONVENTION

In accordance with law and concurrent resolution duly adopted, the joint convention was called to order, President pro tempore Byers of the Senate, presiding.

The roll was called.

Those present were, 153:

Anderson	Fishbaugh	Lane	Robinson
Augustine	Foster	Latchaw	Schluter
Avery	Fuller	Leo	Scott of Fayette
Baldwin	Gardner of	Less	Scott of Sac
Bekman	Bremer	Long of Clinton	Seeman
Benson	Gardner of Linn	Long of	Sharp
Berg	Good of Boone	Delaware	Shaw
Blatti	Goode of Davis	Love	Shimanek
Blewett	Graft	Lundy	Siefkas
Bockwoldt	Greene	Lynch	Sjulin
Bonn	Hall	Lynes	Sloane
Brindle	Hart	Martin of	Steinberg
Bryson	Harvey	Appanoose	Stewart
Burma	Hattery	Martin of Scott	Stinemates
Butterfield	Hawkins	McFarlane	Swaner
Byers	Hedin	Mercer	Tatum
Carlson	Heffner	Miller of	Te Paske
Carver	Henningsen	Audubon	Troeger
Clark	Hess	Miller of	Turner
Clem	Hicklin	Humboldt	Tyrrell
Colburn	Hill	Mills	Utzig
Cooper	Hoeness	Morrissey	Vittetoe
Cowan	Hunt	Mowry	Vrba
Cox	Huston	Moyle	Walter of
Cromwell	Jessen	Nelson	Marshall
Datisman	Johannes	Newsome	Walter of
Dodds	Johnson of	Nielsen	Pottawattamie
Donohue	Marion	Noble	Wamstad
Doud	Johnson of	Norland	Watson
Duffield	Monona	Orebaugh	Weichman
Dvorak	Jones	Pelzer	Wellington
Dykhouse	Judd	Peterson	Whitehead
Edwards	Keir	Pieper	Whitehill
Elthon	Klemesrud	Pine	Wichman
Emerson	Knippling	Poston	Wilson of
Evans	Knowlton	Prentis	Calhoun
Farmer	Knudson	Pritchard	Wilson of Monroe
Faul	Kruse	Reed	Wormley
Felton	Kuester	Reilly	Yager
Fimmen	Kuhn	Ritchie	Zastrow
Findlay	Lage	Robb	Zeigler

Those absent were, 5:

Burk	Hutchison	Johnson of	Wormley
Getscher		Hancock	

President pro tempore Byers announced a quorum present and the joint convention duly organized.

Prentis of Ringgold moved that a committee of six consisting of three members from the Senate and three members from the House be appointed to notify the Governor that the Convention was ready to receive him. Motion prevailed and the President

pro tempore appointed Shaw of Pocahontas, Augustine of Mahaska and Schluter of Cedar on the part of the Senate, and Pren-tis of Ringgold, Lane of Carroll and Poston of Wayne on the part of the House.

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

President pro tempore Byers then presented Governor George A. Wilson, who delivered the following address:

#### GOVERNOR WILSON'S MESSAGE

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FIFTIETH GENERAL ASSEMBLY, LADIES AND GENTLEMEN, FELLOW CITIZENS:

I extend my sincere congratulations to you, the chosen representatives of the people as members of the Fiftieth General Assembly of the State of Iowa.

You have been honored by selection of the electors of your respective districts to assemble here at the State Capitol to determine and declare the policies and procedure of the State in matters of public importance. Your assignment imposes at once a heavy duty and a solemn responsibility.

This meeting of representatives entrusted with authority is the solid substance of the American system of republican government under which the American people have made that progress which today commands the admiration of the whole world.

It is our duty, yours and mine, all of us, to give a new demonstration of our appreciation of freedom within the pattern of representative government.

We are fortunate, also, in the atmosphere of confidence and good will prevailing here and in the singleness of purpose that you all feel. We are of one mind as to the issues that were under discussion by the voters last year. You enter upon your duties under most favorable auspices.

This is the Fiftieth General Assembly, which indicates that our State is nearing the close of its first century of statehood. The structure built in those growing years is solid and enduring.

Your opportunity for service comes at a time which calls for all the noblest qualities of manhood in the exercise of the highest functions of citizenship.

We are engaged in adjusting our peaceful pursuits to demands that are imposed from the most distant parts of the globe. The time is therefore important for our State as one of the component parts of the American republic and of the whole of the world. Here in Iowa as everywhere that men are free to think and act there is need for unselfishness and patriotic service as never before.

Looking out from the comparatively tranquil vantage point of Iowa, we sometimes find it hard to comprehend the whole medley of conflicting world interests and clashing opinions.

But we do know, and fully understand, the seriousness of the situation as it involves our free institutions and the safety of our peaceful homes.

The Iowa General Assembly has convened in a time of great national peril through war. In the dark days of 1861-65 two special sessions were needed to provide for Iowa's part in the supreme effort to save the union. Fortunately, Iowa made early preparation for the crisis of this time. But the present war has brought about complications no one could anticipate. It will devolve upon you to be diligent and foresighted as to many matters touching the march of our people and our allies toward a just peace through a complete victory.

I have confidence in you and have no doubt that you will measure up to the high standard needful that Iowa shall do all and more than her share in the gigantic task of winning the war. Iowa's part is to contribute greatly to the crushing of organized destructiveness and to the permanent restoration of order to the prostrate civilization of our generation.

Necessarily our chief concern as citizens of the greatest republic ever organized by free men is to safeguard Iowa and the United States and thus to secure the blessings of liberty to ourselves and our posterity. We have dedicated ourselves and all we have to this cause.

We can serve humanity best by maintaining here in Iowa a strong government responsive to the public will, an industrial organization kept at the top of productive capacity, and a community spirit actuated by the finest qualities of patriotism. That we may do our share in the common cause of humanity ever seeking the higher levels, we have the duty to make secure the material and spiritual values of our own heritage.

It has been my privilege and a distinct honor to address two preceding legislative assemblies and to work with them for the common good.

Members of the Senate and of the House have cooperated splendidly and have done their work well. There has been at all times a fine spirit of cordiality. It has been a gratifying experience.

I have come to know better than ever before the unyielding determination of Iowa people to buttress the public service with honesty, integrity, and an intelligent understanding of the liberties that we prize and the rights that we are sworn to maintain.

I commend to you my successor as one with whom you will do well to counsel freely.

It is pleasant to me to know that the work I have been doing, not only relating to legislation but in the many executive activities of the office of Governor, is to fall to one who will carry on in a manner worthy of our great State.

In fulfillment of the constitutional mandate to advise you of the condition of the state and to make recommendations, I shall be brief. The condition of the State is good. The machinery of state government is running smoothly and with efficiency. The State's finances are in better condition than ever before. Taxation is always a matter of controversy,

but it is highly gratifying to note that the state does not impose any millage tax upon real property.

The report which I am required to make as to reprieves, commutations and pardons granted during the term just closing, will go to you as a separate presentation.

The budget report will be laid upon your desks as soon as printed and deserves your careful scrutiny. You have wisely followed the precedent of two years ago in formation of an unofficial committee to pass upon bills clearly non-controversial in character and to speed their passage. Appropriation bills and other bills of importance should be considered early in the session. The budget is perhaps the most important report for it touches all departments and activities. I urge you to give it careful study and consideration in every detail.

With the tremendous taxes levied and to be levied in order that the war may be brought to a final and speedy ending, may I suggest that no new or additional taxes be levied other than those necessary to help win the war, and to take care of those who have as a result of the war been placed in a position of need.

The recommendations in the budget are ample to take care of the needs of the various departments, and if the recommendations are followed these needs can be met without any new or additional taxes, if the amount of the recommendations are increased materially, then as a matter of course new taxes must be levied.

The reports of various departments of the State will also be available to you in printed form. They will inform you of many matters about which you will be called upon to legislate. You will find the heads of departments ready and willing to give you information as to the workings of the state government, and you will find them genuinely interested in the welfare of the State.

In the first year of clash of arms, Iowa provided upwards of 100,000 men for the armed forces of the army and navy of the United States and other branches of the service. Our sons and brothers are found in every camp and on every training field.

They are on the ships and trailing the long air lanes to the scenes of conflict. They are in the jungles and deserts of Africa and Asia, on the bare beaches of the South Seas, guarding the ice-bound coasts of the far North, and standing shoulder to shoulder with the men of Britain, China, Russia, France and other freedom loving countries.

We owe it to the men and boys and women of Iowa who have offered their services and their lives in defense of our liberties and our homes, and are in fact making the greatest sacrifice of which American citizens are capable, that the State of Iowa and the people of Iowa show our appreciation in all ways appropriate.

Our armed strength in the fighting lines and back of the battle fronts is our contribution to a cause that far transcends all other obligations of our time. Let us give our fighting forces and their families and their children ample assurance that their sacrifice will not be forgotten. All honor to every one who contributes in any way to the winning of the war.

Iowa, the greatest agricultural state, is deeply engrossed in the mighty problem of production of food for war use. We have done much for the



encouragement and promotion of good farming. The magnificent response of all persons engaged in agriculture is reflected in the record-breaking output of food products when most needed.

We must make sure that the productive capacity of Iowa is maintained at the peak.

Iowa industry and labor have responded with equal promptness and patriotism. To the managers and the workers of our factories, small and large, great credit is due. When the story of Iowa's part in the war effort can be fully told, their singleness of purpose, their laying aside of petty problems in the interest of full devotion to their tasks will fill a heartening chapter.

Prior to December of 1941, large numbers of Iowa National Guardsmen were within the borders of the State, available for call in any emergency.

Following the treacherous Japanese attack upon our nation, and pursuant to authority granted by the Forty-ninth General Assembly, there was organized by executive order, the Iowa State Guard, to assume the functions of these men who were immediately recalled to Federal service.

The Iowa State Guard has had an average strength of 172 officers and 2,100 enlisted men. On active duty at Camp Dodge is the First Military Police Battalion with an average strength of 22 officers and 210 enlisted men. To all of these men, who give readily of their time and abilities for patriotic service, the State of Iowa is indebted.

As individuals and as an organization, they have reached a high state of efficiency.

In a letter dated June 10, 1942, to the Adjutant General of Iowa, Major General John F. Williams, Chief of the National Guard Bureau, stated: "I can say to you frankly and honestly that while I have visited practically every state in the Union this year and have seen the State Guard installations in nearly all of them, I have seen none that surpasses yours."

The Iowa State Guard deserves the support of the people of the State. It should be maintained for the duration of this conflict.

The report of the Iowa Industrial and Defense Commission will be printed in the Journal. The Forty-ninth General Assembly provided for this work, which has been effectively and efficiently done. The Commission has given attention to fitting Iowa industry into the scheme of war production, an intricate task involving many details.

Since the declaration of war, the Commission has been called upon by the executive of the State and the Federal government for numerous services, all of which have been readily given, with the cooperation of thousands of patriotic citizens of the State. Their tireless efforts command our admiration and support.

No mention of the patriotic work of volunteer civilians would be complete without recognizing the immense job undertaken by the Selective Service Boards of the State and by other boards and groups dealing with war programs.

All answering at the call of the nation, doing their utmost for the success of their assigned work, and drawing no compensation from whatever

source, these men and these women have indeed served beyond the ordinary requirements of civilian duty. To them, we are grateful.

By strict adherence to the laws adopted by the General Assembly, the Insurance Department has been eminently successful in orderly reduction of the amount of farm tenancy in the State. Millions of acres of corporate-owned land have become the family-owned farmsteads. Encouragement to the ownership of the land by the men and women who till it is a continuing problem, ever entitled to your serious study and helpful action.

The program of conservation has moved steadily forward. It must always be so, for the good of our land and for the welfare of our friends of the streams and woodlands.

Iowa can well feel just pride in the progress which has been made in the last four years in the construction of farm-to-market roads, and in the improvement and maintenance of our primary road system.

For the duration of the war, restrictions on materials will curtail the work which may be done on our roads.

The post-war program of road building, and problems of financing resulting from gasoline rationing, may well have your attention to the end that we anticipate the needs for both roads and employment when by the force of our arms victory is ours.

New building construction authorized by the Forty-ninth General Assembly was delayed by the pressure of the war effort. The funds appropriated therefor are intact and should remain so. Consideration might well be given to the investment of these and any additional funds appropriated for such purposes in United States bonds, and to the authorization of a post-war program meeting the intent suggested above.

The Forty-eighth General Assembly passed the State Car Dispatcher bill for central control of all state-owned vehicles. As a result of this action the State has operated such motor vehicles at greatly reduced cost, averaging two and one-half cents per mile for passenger cars, including administrative cost and depreciation. The success of the program is further attested by the fact that more than 80 cars have been sold and not replaced.

With the growing seriousness of the world conflict, the advisability of early and extensive official preparations for the Centennial of Iowa Statehood diminished. The year 1946, however, should be hailed by all Iowa, our glorious history reviewed, our great accomplishments set forth in witness of our eternal gratitude to Divine guidance and the heritage bestowed upon us by our forefathers.

In previous messages to the Forty-eighth and Forty-ninth General Assemblies, I made recommendations as to betterments in the functioning of the various departments and in some cases reorganization and consolidation. Many of the recommendations were acted upon favorably, and my experience in administration has convinced me that these changes were to the good. I believe that we have been and are continuing to make steady progress toward improvement in the functioning of our government both as to the State and in local matters.

The desire of Iowa people generally that the educational system be kept at the highest standard led to the creation by the last General

Assembly of a committee to study the school laws and to recommend improvement and such changes as would give Iowa the best possible in the field of education. There was also established another committee to recommend modernizing the rules and practice of the courts of the State with a view to improved administration.

These two committees are composed of men and women competent and well informed in their respective fields and they have been diligent in the study of the two subjects to the end that recommendations made will be of real value. These reports will be on file and printed copies will be in your hands. I take pleasure in calling them to your attention.

I return again to a thought I have previously expressed and to reiterate and emphasize the same as forcibly as lies within my power. It is especially timely in view of the world chaos involving the breaking down of social and political structures and the search for restoration and rebuilding.

In my address to the General Assembly four years ago, upon taking of the office of chief executive, I stated:

"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."

Again, two years ago, on the same subject, I said:

"Now as never before must we insist that the three branches of government—the executive, legislative and judicial—be preserved, each enjoying and exercising the powers delegated to it, none engaging the unworthiness of encroachment upon the prerogatives of the other. A surrender now, by any one, of its rights, means the imminent downfall of the republican system of free government in the United States."

After four years of service in the executive branch of the government of Iowa, and having had the opportunity of service also in judicial and legislative positions, I am more firmly convinced of the wisdom and foresight of our forefathers when they established a republic in which the three branches of government were to be forever separate and distinct each from the other.

The future of our republic, and of the states formed in the same pattern, and the freedom of our people can be most certainly safeguarded by continuation of this wise separation of governmental powers by the scrupulous devotion of those who are clothed with responsibility. The vigilance imposed by the crisis of world war must extend to a firm determination to absolutely reject any and every proposal to destroy or weaken these fundamentals of free government by and for the people.

Those of our rights surrendered under the pressure of war and emergency to the executive must upon the termination of the war and emergency be restored to the people intact.

I am sure you will permit me a closing word of sincere thanks to you, and to your predecessors in legislative assemblies, and to the people of Iowa whose servants we all are, for the fine spirit of cooperation at all times prevailing here, for the eagerness of all to serve the public

interest, and the desire manifest at all times that our moral, spiritual and material resources shall be made use of for the common good.

Looking back over the years since first I was privileged to serve in the legislative halls, I can truthfully say that the unity and harmony of Iowa people has been tremendously impressed upon me. The carrying on of the wholesome traditions of Iowa is at least partly in your hands. I beseech you to give every measure and every proposal that comes before you earnest study and thoughtful consideration and to jealously guard against the intrusion of selfish interests or destructive elements.

The people of Iowa want good government. They are loyal to all American ideals and institutions.

You as the representatives of the Iowa people can and will contribute much to the general welfare, in this terrible time of universal distress and wavering emotions, by building firmly on the solid foundations of this great State.

I am bidding farewell to a work for the State of Iowa and the people that has been a delight to me. I shall continue to serve my native state in another field. I will try to take to the capitol of our great nation, the candor and frankness and clearness of thinking that is inspired by the boundless prairies of my native state.

I shall make effort at all times to obtain expression in terms of national action of the unqualified opposition of Iowa people to waste and extravagance and political favoritism in the spending of public funds.

I shall endeavor to reduce to the essential minimum the red tape and bureaucracy of government, and promote in all ways the common sense economy that we have been able to apply in the Hawkeye State.

Steadfastly, as a spokesman for Iowa people, I shall consider it my duty to insist that the honesty and integrity of Iowa fields and shops prevail in the business councils at Washington. In doing this I will need your, and the people of the State's, support. God bless all of you.

The Governor was escorted from the chamber by the committee previously appointed.

#### CANVASS OF VOTES

The President pro tempore announced that the time had arrived for the canvass of votes cast for the offices of Governor and Lieutenant Governor at the general election held on November 3, 1942, and announced as teller on the part of the Senate Elthon of Worth, and as assistant tellers Mercer of Johnson and Keir of Clay.

Speaker Burma announced as teller on the part of the House Long of Clinton, and as assistant tellers Bonn of Iowa and Yager of Dickinson.

The President pro tempore further announced that, in accord-

ance with statute, tellers Elthon and Long would constitute the judges of said canvass.

Speaker Burma 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 3, 1942.

Hunt of Clayton moved that the joint convention now recess until 2:00 p. m. Thursday, January 14, 1943. Motion prevailed.

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

Senator Hill asked and received unanimous consent to take up the following concurrent resolution, and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 4

*Whereas*, Section 4 of Chapter 75 of the laws of the Forty-ninth General Assembly, provides that the Legislative Committee on National Defense Co-ordination shall serve until the convening of the regular session of the Fiftieth General Assembly of 1943; and

*Whereas*, It is desirable to the carrying out of the law that said committee shall continue its service for a longer period of time,

*Be It Resolved by the Senate, the House Concurring*: That the presiding officers of the Senate and of the House, respectively, be authorized to reappoint the former personnel of the Legislative members of the Committee on the Iowa Industrial and Defense Commission to serve on the Legislative Committee on National Defense Co-ordination as provided in Chapter 75, Acts of the Forty-ninth General Assembly, until a new committee is appointed.

The motion prevailed and the resolution was adopted.

Senator Hill asked and received unanimous consent to have Senate Concurrent Resolution 4 immediately messaged to the House, which request was complied with.

#### INTRODUCTION OF BILLS

Senate File 10, by Senator Mercer, a bill for an act to amend section eight thousand three hundred sixty (8360), Code, 1939, relating to amendments to articles of incorporation of certain corporations and the renewal thereof.

Read first and second times and passed on file.

Senate File 11, by Special Bills Committee, a bill for an act to amend section seven (7) of Chapter seventy-five (75) of the laws of the Forty-ninth (49th) General Assembly relating to the appropriation for the use of Iowa Industrial and Defense Commission.

Read first and second times and passed on file.

Senate File 12, by Senators Leo, Keir, Benson, Turner, Stewart, Augustine, Lynes and Schluter, a bill for an act to recognize the Iowa state sheep association; to define the duties and objects of the association; and to aid in promoting the welfare of the sheep industry in Iowa.

Read first and second times and passed on file.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,

DES MOINES, IOWA, JANUARY 13, 1943.

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

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

Senator Faul called up the following resolution and moved its adoption:

## SENATE CONCURRENT RESOLUTION 3

*Whereas*, The tragedy of a world conflagration is imposing unprecedented financial demand upon the people of the entire Nation, in the form of greatly increased tax levies and the voluntary investment of private funds in defense savings; and

*Whereas*, The Nation's "all-out" effort for an overwhelming victory over the Axis powers will place upon our people from time to time in the months ahead new and increased financial burdens to meet the demands of the war program and insure adequate defense of our Nation and the American way of life; and

*Whereas*, One of the vital contributions which the Iowa Legislature can make toward an efficient prosecution of the Nation's war effort is to safeguard and strengthen the financial resources of the people of Iowa to the end that they may be better able to meet and fulfill their financial obligations to the Nation; and

*Whereas*, This Fiftieth session of the General Assembly of the State of Iowa desires to express a legislative policy in the matter of state and local expenditures; now, therefore,

*Be It Resolved by the Senate of the State of Iowa, the House Concurring:*

It is hereby determined and declared that it be the policy throughout the Fiftieth session of the Legislature of the State of Iowa to enact no legislative measures which will require increased or additional levies or additional expenditures in any county, municipality or school district of the State which are not a necessary part of the Nation's defense program, or are necessary for the relief of the needy or for the maintenance of standards of efficiency required by the public welfare; and

*Be It Further Resolved*, That the respective appropriation committees of the Legislature in drafting the General Appropriation Bill for the fiscal year beginning July 1, 1943 be and it is hereby requested to include only those expenditures which support the essential functions of the State government, provide for needy persons, and those necessary to establish an adequate defense of our people; and

*Be It Further Resolved*, That this session of the State Legislature refrain from enacting any supplemental appropriation bills excepting emergency measures essential to the welfare of the people, or required to maintain proper standards of efficiency in the functioning of the State Government.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate Concurrent Resolution 3 by striking the word "emergency" in line 3 of the last paragraph.

The amendment was adopted.

The motion prevailed and the resolution as amended was adopted.

Senator Faul asked and received unanimous consent to have Senate Concurrent Resolution 3 immediately messaged to the House.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Joint Resolution 1, fixing the compensation of officers and employees of the Fiftieth General Assembly.

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

House File 2, a bill for an act relating to soldier's exemptions.

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

House File 5, a bill for an act relating to reciprocal benefit agreements.

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-elect and Lieutenant Governor-elect, and the Speaker of the House has appointed as members of such committee on the part of the House of Representatives the following:

Gardner of Linn	Sloane	Fimmen
Farmer	Kuhn	Swaner
Tyrrell	Butterfield	Bryson

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

Senate Concurrent Resolution 2, directing the superintendent of print-



ing to furnish copies of the Code, Session Laws and Journals to the members of the press assigned to seats in the Senate and House press galleries.

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

Senate Concurrent Resolution 4, relating to the continuation of Legislative Committee on National Defense Co-ordination.

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

House Concurrent Resolution 4, providing for the distribution of Legislative Journals and bills to the county auditors of the state.

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

House Concurrent Resolution 5, providing for the appointment of delegates to attend the Sixth General Assembly of Council of State Governments.

Also: That the House has adopted the report of the Joint Committee on extra help for the Fiftieth General Assembly.

A. C. GUSTAFSON, *Chief Clerk*.

#### HOUSE CONCURRENT RESOLUTION 4

*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 Fiftieth General Assembly on date of introduction and printing thereof, and that same, with binders, be furnished to such officers free of charge.

#### HOUSE CONCURRENT RESOLUTION 5

*Whereas*, The Sixth General Assembly of the Council of State Governments will convene in Baltimore, Maryland, on January 24, 25, and 26, where important interstate problems will be considered; and

*Whereas*, It is important that the House and Senate participate in this conference; now, therefore,

*Be It Resolved by the House and Senate Concurring:* That two members of the General Assembly be appointed as delegates to attend said meeting, one member from the House, to be appointed by the Speaker, and one member of the Senate, to be appointed by the President of the Senate, and that each delegate be reimbursed as to his actual expenses not to exceed \$200.00 each, and that said amounts be allowed and paid from any unexpended funds appropriated under Chapter 40, Laws of Forty-ninth General Assembly.

Senator Cromwell asked and received unanimous consent to take up House Concurrent Resolution 5, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Hunt asked and received unanimous consent to take up House Concurrent Resolution 4, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Hill asked and received unanimous consent to suspend the rules and take up Senate File 11, a bill for an act to amend section seven (7) of Chapter seventy-five (75) of the laws of the Forty-ninth (49th) General Assembly relating to the appropriation for the use of Iowa Industrial and Defense Commission.

Senator Hill asked and received unanimous consent that Rule 23 be waived.

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:**

Bekman	Findlay	Leo	Reilly
Benson	Foster	Long	Schluter
Berg	Goode	Love	Shaw
Byers	Hart	Lundy	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Mercer	Vrba
Dykhouse	Hess	Miller	Watson
Elthon	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Evans	Jones	Pine	Zeigler
Faul	Keir		

**Nays, 1:**

Augustine

**Absent or not voting, 3:**

Fuller	Johnson	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.

Senator Hill asked and received unanimous consent to have Senate File 11 immediately messaged to the House.

#### HOUSE MESSAGES CONSIDERED

House Joint Resolution 1, a joint resolution fixing the compensation of officers of the Fiftieth General Assembly.

Read first and second times and passed on file.

House File 2, a bill for an act to amend section three (3), Chapter two hundred forty-two (242), Acts of the Forty-ninth (49th) General Assembly, relating to soldier's exemptions.

Real first and second times and passed on file.

House File 5, a bill for an act to amend the law as it appears in section fifteen hundred fifty-one and twenty-six hundredths (1551.26), Code of Iowa, 1939, relating to reciprocal benefit agreements; providing that the commission may enter into agreements with other states or the federal government relating to which state the contributions on the wages of employees who perform services for one employer in more than one state would be paid.

Read first and second times and passed on file.

#### 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 Fiftieth General Assembly, begs leave to submit the following report and recommendations:

Assistant Law Research—Irving Meyers, Polk county.

Assistant for General Research—David Waldinger, Polk county.

General Clerk for Law Library—Maude S. Savage, Adair county; Mary Donovan, Johnson county.

Stenographers for Research Department—Jean Berkstresser, Woodbury county; Maurina West, Ida county; Mary O'Connell, Polk county; Mary Susan Barker, Greene county; Celia Gardner, Jones county.

Pages for Law Department—Virgil Kepford, Polk county; Adelbert McCaulley, Calhoun county.

Post Office Assistant—Jessie Walker, Marshall county; Sarah E. Jett, Polk county.

Post Office Mail Carrier—C. M. Roberts, Buchanan county.

Matrons—Lulu Harris, Black Hawk county; Katharine Shelton, Polk county.

Janitors—James Hamilton, Keokuk county; Fred Foster, Wayne county.

Elevator Operators—Elizabeth Chastine, Hardin county; Nellie Griffin, Polk county.

Special Police for Parking—Reece Wolf, Marion county; Emmett A. Moganham, Iowa county; Harry Cruzen, Union county.

Doorkeepers—Victor E. Lindquist, Lucas county; J. R. Campbell, Clarke county; Walter Vance, Madison county.

Respectfully submitted,

K. A. EVANS.

S. A. MARTIN.

JOHN BERG.

MELVIN WILSON.

SANFORD ZEIGLER, JR.

J. R. HALL.

*On the part of the Senate.*

*On the part of the House.*

### COMMITTEE ON NATIONAL DEFENSE CO-ORDINATION

The President pro tempore appointed Senators Whitehill, Zeigler, and Pine, on the part of the Senate, as the legislative committee on National Defense Co-ordination, under Senate Concurrent Resolution 4.

### 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-elect .....	95	\$ 9.50	Keir .....	190	19.00
Augustine .....	60	6.00	Leo .....	98	9.80
Bekman .....	91	9.10	Long .....	163	16.30
Benson .....	70	7.00	Love .....	75	7.50
Berg .....	104	10.40	Lundy .....	68	6.80
Byers .....	118	11.80	Lynes .....	142	14.20
Clark .....	73	7.30	Martin .....	182	18.20
Clem .....	199	19.90	Mercer .....	120	12.00
Cromwell .....	168	16.80	Miller .....	90	9.00
Dykhouse .....	259	25.90	Mowry .....	33	3.30
Elthon .....	135	13.50	Pelzer .....	100	10.00
Emerson .....	75	7.50	Pine .....	150	15.00
Evans .....	139	13.90	Reilly .....	225	22.50
Faul .....	No Claim for Mileage		Schluter .....	155	15.50
Findlay .....	92	9.20	Shaw .....	135	13.50
Foster .....	135	13.50	Sjulin .....	175	17.50
Fuller .....	225	22.50	Stewart .....	153	15.30
Goode .....	110	11.00	Turner .....	100	10.00
Hart .....	186	18.60	Vittetoe .....	85	8.50
Harvey .....	136	13.60	Vrba .....	220	22.00
Hattery .....	40	4.00	Watson .....	140	14.00
Henningsen .....	225	22.50	Whitehill .....	50	5.00
Hess .....	200	20.00	Zastrow .....	145	14.50
Hill .....	88	8.80	Zeigler .....	117	11.70
Hunt .....	210	21.00			
Johnson .....	107	10.70			
Jones .....	45	4.50			

J. T. DYKHOUSE, Chairman.

R. E. HESS.

B. C. WHITEHILL.

Senator Dykhouse moved the adoption of the report.

The motion prevailed 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 investigation and finds that Lucille Nelson and Minnie Agnew are competent to hold positions as committee clerks and have been assigned to Senator Foster and Senator Fuller.

K. A. EVANS, Chairman.

Senator Evans moved the adoption of the report.

The motion prevailed and the report was adopted.

The committee clerks appeared before the bar of the Senate and were duly sworn and subscribed to the oath of office.

Senator Faul offered the following resolution and moved its adoption:

## SENATE CONCURRENT RESOLUTION 5

*Be It Resolved by the Senate, the House Concurring:* That when adjournment is had on Thursday, January 14, 1943, it be to reconvene on Tuesday, January 19, 1943, at two o'clock p. m.

The motion prevailed and the resolution was adopted.

Senator Faul asked and received unanimous consent to have Senate Concurrent Resolution 5 immediately messaged to the House, which request was complied with.

## AMENDMENT FILED

Amend Senate File 1 as follows:

Section 3, line 1 by striking the words "Executive Council" and inserting in lieu thereof the word "Treasurer."

Further amend by striking all of section 3 following the word "Government" in line 5 and inserting in lieu thereof a period.

Further amend Senate File 1 by striking section 4 thereof.

LEO ELTHON.

H. S. LOVE.

IRVING D. LONG.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 14, 1943.

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

Prayer was offered by Rev. Dean Chapman, pastor of the Wesley Methodist Church of Des Moines.

## LEAVE OF ABSENCE

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

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Evans, from the county officers of Mills county, favoring four year term, also an increase in salary.

By Senator Vittetoe, from the county officers of Poweshiek county, favoring legislation for an increase in salary.

By Senator Zeigler, from the county officers of Jefferson county, favoring legislation for an increase in salary.

By Senator Reilly, from the Dubuque Women's Club, and from the Parent-Teacher Association of the Cathedral school of Dubuque, favoring "Aid to dependent children".

## MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate Concurrent Resolution 5, providing for a recess of the General Assembly from January 14 to January 19, 1943.

A. C. GUSTAFSON, *Chief Clerk.*

## INTRODUCTION OF BILLS

Senate File 13, by Senators Byers and Hart, a bill for an act to amend section eighteen hundred sixty-nine and one-tenth

(1869.1) of the 1939 Code of Iowa relating to the collection of fees for the renewal of licenses of registered professional engineers.

Read first and second times and passed on file.

Senate File 14, by Senator Augustine, a bill for an act to repeal sections six thousand nine hundred forty-three and thirty-six thousandths (6943.036) to and including six thousand nine hundred forty-three and sixty-three thousandths (6943.063), chapter 329.3, Code, 1939, relating to personal net income tax.

Read first and second times and passed on file.

Senate File 15, by Senator Vrba, a bill for an act to legalize the action of the board of supervisors of Howard county, Iowa, in making expenditures from the poor fund of said county for the purchase of farm land for the county home or county farm.

Read first and second times and passed on file.

Senate File 16, by Senators Vrba, Augustine and Reilly, a bill for an act to authorize the state and its political subdivisions, and institutions and agencies thereof, and all other persons, associations and corporations, subject to the laws of this state, to invest their funds, and the moneys in their custody or possession, eligible for investment, in bonds or obligations of the United States.

Read first and second times and passed on file.

Senate File 17, by Senator Watson, a bill for an act to amend section six hundred forty (640), Code, 1939, relating to the duty of city and town officers in municipal primary elections, changing the duties from the city auditor to the city clerk.

Read first and second times and passed on file.

Senate File 18, by Senator Hill, a bill for an act to regulate the construction of theaters, halls, auditoriums or other places of public assembly wherein nitrocellulose or combustible films are used, and to place the supervision of such construction and maintenance under the Department of the State Fire Marshal, and providing for the enforcement thereof by injunction, and further providing penalties for violation.

Read first and second times and passed on file.

Senate File 19, by Senator Hill, a bill for an act to amend section forty-four hundred seventy-three (4473), forty-four hundred eighty-seven (4487), forty-four hundred eighty-eight (4488), forty-five hundred six (4506), and forty-five hundred seven (4507), Code of Iowa, 1939, relative to permanent school fund interest rates and loans.

Read first and second times and passed on file.

Senate File 20, by Senators Long and Love, a bill for an act to amend section sixty-nine hundred forty-three and thirty-seven one thousandths (6943.037), Code, 1939, pertaining to the tax imposed on taxable income.

Read first and second times and passed on file.

Senate File 21, by Senators Evans, Lynes, Sjulín and Goode, a bill for an act to amend sections thirty-nine (39) and forty (40), Code, 1939, relating to the Committee on Retrenchment and Reform.

Read first and second times and passed on file.

#### BILLS ASSIGNED TO COMMITTEES

President pro tempore Byers announced the following assignment of bills to committees:

H. F. 2, Special Bills Committee.

H. F. 5, Special Bills Committee.

#### THIRD READING OF BILLS

Senator Evans asked and received unanimous consent to take up House Joint Resolution 1, a joint resolution fixing the compensation of officers of the Fiftieth General Assembly.

Senator Evans offered the following amendment and moved its adoption:

Amend House Joint Resolution 1 by striking from section 1 all of line 14.

Further amend House Joint Resolution 1 by striking all of line 60 of section 1 and by inserting in lieu thereof the following: "1st Assistant in Law and Economics Research.....\$9.00."

Also by striking all of line 61 of section 1 and by inserting in lieu thereof the following: "2nd Assistant in Law and Economics Research.....\$7.50."



Also by striking from line 62 of section 1 the word "assistant" and by inserting in lieu thereof the word "assistants".

Also by adding after the word "for" in line 65 of section 1 the following: "law and".

Also by adding at the end of section 1 thereof the following: "Photostat Operator.....\$4.50."

The amendment was adopted.

Senator Evans moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

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

Ayes, 44:

Augustine	Findlay	Jones	Reilly
Bekman	Foster	Keir	Schluter
Berg	Fuller	Leo	Shaw
Byers	Goode	Long	Stewart
Clark	Hart	Love	Turner
Clem	Harvey	Lynes	Vittetoe
Dykhouse	Hattery	Martin	Vrba
Elthon	Henningsen	Mercer	Watson
Emerson	Hess	Miller	Whitehill
Evans	Hill	Mowry	Zastrow
Faul	Hunt	Pelzer	Zeigler

Nays, none.

Absent or not voting, 6:

Benson	Johnson	Pine	Sjulin
Cromwell	Lundy		

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

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

Senator Evans asked and received unanimous consent to have House Joint Resolution 1 immediately messaged to the House, which request was complied with.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

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

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Bekman, the Senate recessed until 1:20 p. m.

### AFTERNOON SESSION

The Senate reconvened, President pro tempore Byers presiding.

### COMMITTEE FROM THE HOUSE

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

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

### JOINT CONVENTION

The Joint Convention reconvened, President pro tempore Byers of the Senate presiding.

The roll was called.

Those present were, 144:

Anderson	Edwards	Huston	Miller of
Augustine	Elthon	Jessen	Humboldt
Avery	Emerson	Johnson of	Mills
Bekman	Evans	Marion	Morrissey
Benson	Farmer	Johnson of	Mowry
Berg	Faul	Monona	Moyle
Blatti	Felton	Jones	Nelson
Blewett	Fimmen	Judd	Newsome
Bockwoldt	Findlay	Klemesrud	Nielsen
Bonn	Foster	Knippling	Noble
Brindle	Fuller	Knowlton	Norland
Bryson	Gardner of	Knudson	Orebaugh
Burk	Bremer	Kruse	Pelzer
Burma	Gardner of Linn	Kuester	Peterson
Butterfield	Good of Boone	Kuhn	Pieper
Byers	Goode of Davis	Lane	Pine
Carlson	Graft	Leo	Poston
Carver	Greene	Less	Prentiss
Clark	Hall	Long of Clinton	Pritchard
Clem	Hart	Long of	Reed
Colburn	Harvey	Delaware	Reilly
Cooper	Hattery	Love	Ritchie
Cowan	Hawkins	Lundy	Robb
Cox	Hedin	Lynes	Robinson
Datishman	Heffner	Martin of	Schluter
Dodds	Henningsen	Appanoose	Scott of Fayette
Donohue	Hess	Martin of Scott	Scott of Sac
Doud	Hicklin	McFarlane	Seemann
Duffield	Hill	Mercer	Sharp
Dvorak	Hoeness	Miller of	Shaw
Dykhhouse	Hunt	Audubon	Shimanek

Siefkas	Turner	Walter of	Wichman
Sloane	Tyrrell	Pottawattamie	Wilson of
Steinberg	Utzig	Wamstad	Calhoun
Stinemates	Vittetoe	Watson	Wilson of Monroe
Swaner	Vrba	Weichman	Yager
Tatum	Walter of	Wellington	Zastrow
Te Paske	Marshall	Whitehead	Zeigler
Troeger		Whitehill	

Those absent were, 14:

Baldwin	Hutchison	Keir	Sjulin
Cromwell	Johannes	Lage	Stewart
Fishbaugh	Johnson of	Latchaw	Wormley
Getscher	Hancock	Lynch	

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 14, 1943.

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 3, 1942, beg leave to make the following report of the total vote cast for Governor:

Bourke B. Hickenlooper.....	438,556
Nelson G. Kraschel.....	258,310
F. M. Briggs.....	590
Ward Hall.....	1,483

And the total vote cast for Lieutenant Governor, at the election held November 3, 1942:

Robert D. Blue.....	394,945
Lester S. Gillette.....	268,057
Charles W. White.....	637
J. Elliott Hollister.....	1,578

All of which is most respectfully submitted.

HARVEY J. LONG,  
LEO ELTHON,  
*Judges.*

W. A. YAGER,  
WALTER H. BONN,  
LEROY S. MERCER,  
ROBERT KEIR,  
*Tellers.*

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

Long of Clinton moved that the report be adopted. Motion prevailed and the report was adopted.

President pro tempore Byers of the Joint Convention announced that Bourke B. Hickenlooper, 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 Robert D. Blue, having received the highest number of votes cast for Lieutenant Governor, was duly elected to the office of Lieutenant Governor for the ensuing term or until his successor is duly elected and qualified.

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

#### CERTIFICATE OF ELECTION

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 14, 1943.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Fiftieth General Assembly of the State of Iowa, of all the votes cast at the general election held November 3, 1942 for the office of Governor of the State of Iowa, it appeared that Bourke B. Hickenlooper 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 fourteenth day of January, A. D. 1943.

FRANK C. BYERS,

*President pro tempore of the Senate and  
President of the Joint Convention.*

HENRY W. BURMA,

*Speaker of the House.*

LEO ELTHON,

*Teller of the Senate.*

HARVEY J. LONG,

*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 14, 1943.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Fiftieth General Assembly of the State of Iowa, of all the votes cast at the general election held November 3, 1942, for the office of Lieutenant Governor of the State of Iowa, it appeared that Robert D. Blue 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 fourteenth day of January, A. D. 1943.

FRANK C. BYERS,

*President pro tempore of the Senate and  
President of the Joint Convention.*

HENRY W. BURMA,

*Speaker of the House.*

LEO ELTHON,

*Teller of the Senate.*

HARVEY J. LONG,

*Teller of the House.*

A. C. GUSTAFSON,

*Clerk of the House and Clerk of the Joint  
Convention.*

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

Senator Watson of Pottawattamie moved that a committee of five, consisting of two from the Senate and three from the House, be appointed to notify Governor-elect Hickenlooper and Lieutenant Governor-elect Blue of the official result of the canvass of votes.

Motion prevailed and President pro tempore Byers named as such committee Senators Watson of Pottawattamie and Zastrow of Floyd, and Representatives Wilson of Calhoun, Burk of Greene, and Kuester of Cass.

Senator Watson from the Joint Committee appointed to notify Bourke B. Hickenlooper and Robert D. Blue of their election to the office 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 Bourke B. Hickenlooper and the Honorable Robert D. Blue of their election to the offices of Governor and Lieutenant Governor of Iowa, respectively, we beg leave to report that we have performed the duty assigned to us and that each officer assured us that he stands ready to assume the duties of the office to which he was elected.

Respectfully submitted.

DE VERE WATSON,

RALPH W. ZASTROW,

*On the part of the Senate.*

MELVIN WILSON,

I. J. BURKE,

G. T. KUESTER,

*On the part of the House.*

Motion prevailed and the report was adopted.

Gardner of Linn moved that a committee of five be appointed, two from the Senate and three from the House, to escort Governor-elect Hickenlooper and Lieutenant Governor-elect Blue to the House Chamber.

Motion prevailed and the President pro tempore of the Joint Convention appointed Senators Hill of Wright and Hunt of Clayton, and Representatives Gardner of Linn, Gardner of Bremer and Farmer of Linn, as such committee.

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

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

The ceremony of the presentation of the colors was conducted by the Hanford Post, American Legion, Cedar Rapids, Iowa.

Invocation was delivered by the Rev. Robert Little, Minister, First Presbyterian Church, Cedar Rapids, Iowa.

Two vocal selections were sung by Miss Grace Carlin of West Des Moines accompanied by Mrs. Frank Flynn.

The oath of office was administered to Governor-elect Hickenlooper by the Hon. T. G. Garfield, Chief Justice of the Supreme Court of Iowa.

The oath of office was administered to Lieutenant Governor-elect Blue by Hon. T. G. Garfield, Chief Justice of the Supreme Court of Iowa.

Lieutenant Governor Blue, President of the Joint Convention, presiding, then presented Governor Hickenlooper, who delivered his inaugural message.

#### GOVERNOR'S INAUGURAL ADDRESS

MR. PRESIDENT, MR. SPEAKER, MR. CHIEF JUSTICE, AND THE HONORABLE JUSTICES OF THE SUPREME COURT, MEMBERS OF THE GENERAL ASSEMBLY, STATE OFFICERS, AND FELLOW CITIZENS OF IOWA:

In full keeping with the orderly progress of self government under a free system, the sovereign people of Iowa have again passed judgment on their public affairs, by the election of their officials to conduct the public business for the ensuing term. They have expressed their opinion and their confidence in accordance with the American way. They have placed the responsibilities of the administration of government upon the

elected officials and they have a right to assume that these responsibilities will be faithfully discharged.

To fully express my appreciation of the honor that has been given me today is beyond my ability. But I do appreciate it and I appreciate the trust and confidence that accompany it. While it carries honor, yet that honor can be sustained only so long as the great responsibilities and obligations it imposes are faithfully met and discharged.

Not since the second administration of Governor Kirkwood, in Civil War days, has an Iowa administration begun and a legislature convened, with our country at war. Because of this, the problems that confront us are peculiar. For more than a year the united effort of all has been absorbed by the war effort. The emergency, and its necessary demands, have changed our economic and social attitudes and these changes will increase daily as the fight goes on. Usual peacetime activities and commodities have been restricted, many thousands of our men and not a few of our women have joined the armed forces. Our money has been poured out in ever increasing millions to meet the cost, and our fertile fields have responded to the untiring work of our farmers by producing the greatest volume of food in our history. The efforts and production records our farmers have made—and their determination to do even more in spite of a desperate shortage of help—is one of the great patriotic contributions to the cause of freedom.

Iowa labor is far below the national record of lost man-hours. Its leadership and the rank and file have demonstrated that they are interested in the long range welfare of the working man and the war effort rather than in jurisdictional disputes.

Our industry has proved its genius and ability to produce far beyond quotas or expectations and often in spite of the mysterious bottleneck of priorities.

In every community patriotic and unselfish citizens are contributing, without pay, untold time and energy to ration boards, selective service, civilian defense, and other vital public activities. At great personal and financial sacrifice to themselves they are doing a magnificent job under difficult circumstances. They deserve the public thanks.

Throughout the state thousands of women are sewing, doing Red Cross work, acquiring proficiency in first aid, giving of their efforts and ability wherever they can best be used.

The untiring and patriotic service of the ex-service men of our state in every community is an example for all.

These unusual and vital activities have been, of necessity, the important work of our people and the citizen has responded with patriotism, zeal and unbounded effort. The results speak for themselves and thus the great voice and united action of the individual citizen is answering the challenge to our security and freedom.

The national government is demanding sacrifice, restriction and curtailment of our normal civilian goods and activities, as a necessary part of the war effort. Rationing of food and other commodities in support of our armed forces and the United Nations has been and will be gladly complied with by a willing public that has efficiently administered such programs locally as a patriotic duty.

Restriction of non-essential activities by the public is vital in this emergency. By the same rule, however, the national government must ration and restrict its non-essential activities. Government must devote its full zeal and effort to winning this war. Government cannot be profligate while the people sacrifice.

Our first concern as a state and as individuals is to win this war and return our boys to their homes. It is the most colossal task the American people have ever faced. It can be accomplished only through sacrifice, production, and intelligent cooperation coupled with unselfish non-political and able national leadership.

The curtailment of normal civilian activities, construction and venture means also that normal government activities and venture must be curtailed. This does not seem to be the time for experiment in public affairs. The necessary business of government must be cared for, but innovation or change during this period should be examined carefully and should be measured by its reasonable necessity or advantage to the public welfare, or the more efficient operation of our state. I believe the public demands such action.

Respecting, as I do, the province of the Legislature as the supreme law making body of the state, I do not believe a complete and detailed program of legislation nor any attempted direction of specific enactment to be proper in an inaugural address. The formulation and passage of legislation is the sacred province of the elected representatives of the people. Some general suggestions, however, may be helpful at the beginning of the legislative session and may serve to present certain subjects for consideration and for such action as the General Assembly may determine.

First, may I say that I see no present necessity for any additional taxation for the coming biennium. Knowing the care with which you will guard public expenditures I am confident as to your attitude in this respect.

The cost of living, due to war conditions, has increased materially and will go higher. This increase reflects itself in state government in two fields. First, our state employees, and especially those in the lower salaried brackets, are facing financial difficulty. Consideration should be given to the necessity for increases in salaries to relieve this situation.

Second, the cost of food and supplies for our institutions under the Board of Control has increased by a percentage greatly in excess of the increases to the general public. This is occasioned by the fact that, prior to the present emergency, our Board of Control was able to buy surplus commodities in larger quantities at prices usually far below the ordinary market. Under present and future conditions of shortages and demands, however, their purchases now must be made as and when supplies are available, and the regulation of costs and the demand for goods is such that no comparatively advantageous prices can be had. Serious consideration should be given to this matter so that our obligation to the unfortunate wards of the state can be fully met. In my budget message to the Legislature I shall make recommendations with respect to appropriations to meet these conditions.



The bookkeeping and accounting system of our state is antiquated, cumbersome, and inefficient. It has grown through the years with the expansion of state government, and the resultant confusion and maze of detail is proof that the faults should be immediately corrected. A simplified, efficient system, even though the cost of installation be substantial, would return big dividends of efficiency, convenience and simplification and could probably be operated by a reduced personnel.

With federal taxes already at unprecedented heights, and warnings of still other and higher levies to come, state government, if possible, should do all in its power to minimize the tax load of its citizens without, however, endangering the necessary and vital functions of state government. The condition of our treasury, the surplus on hand and present and reasonably anticipated income, indicate that, at least for the years 1942 and 1943, a substantial reduction of the income tax can be had. I suggest that this reduction, by such amount as, in the judgment of the Legislature, will not prejudice the other necessary functions of government, be made by way of a credit on the return rather than by alteration of the rate. Such method would be simple and would require no expensive administrative changes.

Because of the reduction in the amount of gasoline tax collections, some concern has been expressed with respect to the obligations on our highway bonds. I can say to you that present receipts and anticipated receipts of such taxes indicate that there will be sufficient money from such sources to maintain our highways and meet our bond commitments. I am confident that, in keeping with the pledges made to the people of Iowa 15 years ago and repeated periodically since, the burden of paying our road bonds will never be translated into a direct property tax.

In accordance with Chapter 311 of the Forty-ninth General Assembly, the Supreme Court has compiled a system of rules governing civil proceedings in the courts of the state. Their report will be filed with the General Assembly. These rules represent exhaustive study and conscientious effort on the part of the court and of a committee of distinguished and able public-spirited members of the bar, all of whom have devoted their time and talents without compensation and for the sole purpose of expediting and simplifying the rules of procedure for the benefit of the public. I believe this action to be a progressive step in the interest of justice and recommend the serious and thoughtful study and investigation thereof by the members of the General Assembly.

Substantial sums, heretofore appropriated for capital improvements, such as the state office building and other construction, remain unspent due to war restrictions. I recommend that these unspent funds be safeguarded and invested in public securities as a trust in order to make them available, at the end of the emergency, for the purposes for which they were appropriated.

With the birth of our state, education became of prime importance and Iowa early became known as one of the foremost states with regard to the opportunities for learning open to its young people. We have maintained our vigorous interest in and support of our school system. In response, however, to the feeling that modern progress indicated a need for correction of certain inefficiencies in that system, the Forty-ninth

General Assembly established a committee to look into our needs and to report its findings and conclusions. That report has been made. It is the result of exhaustive hearings and study by the committee and has commanded the untiring effort of the members as well as valuable assistance from qualified persons in the education field. I recommend careful study of this report by the Legislature to the end that such progressive and beneficial changes may be made in our school program as may, in your judgment, be required. Our objectives should be, as they have been in the past, the highest educational opportunities and facilities for our children. Education is the foundation and safeguard of a free government.

I suggest careful attention to the problem of aid to underprivileged children. The counties are now spending approximately \$900,000 annually, in the aggregate, for pensions to widows with children in need of aid. These expenditures, plus the state funds now provided for child welfare, might be reorganized and, at very little extra cost, establish a program for aid to all underprivileged children. Federal funds are available under certain conditions, but the substantial and practical administration and control of any such program should be retained by the state.

The problems, difficulties and confusion that occur in connection with our long primary ballot should, as soon as practicable, receive consideration by this or succeeding Legislatures. Efficient public government is best served when there is the greatest possible opportunity for informed voting by the citizen. This sentiment has been expressed by countless Iowa voters. A fair correction of this situation, in such instances where confusion does exist, would be a progressive step in the satisfactory exercise of franchise by the people but would probably entail substantial changes, in some instances, in our election laws. The Legislature may consider that, under the tension of this emergency, such changes should or should not be made. I call it to your attention as one of the fields for improvement in our public government.

Because of the rapidly changing and unpredictable demands of a wartime emergency and the possible vital need for immediate action, or necessity of the war effort, during the legislative interim, provision, no doubt, should be made to meet such contingencies as may arise. There are many peacetime standards and regulations in our statutes that should not be lowered or abandoned except under the imperative, temporary demands of emergency. This problem is important and should receive definite consideration, in the state and national interest. I believe the Legislature can devise such means as will solve this problem without invasion of or danger to the fundamental sovereignty of our law-making body.

The various social and humanitarian services maintained by the state should not be neglected. Their needs should be carefully reviewed and any deficiencies corrected. Increased living costs affect the needy as well as the employed.

One of our greatest potential fields of economic progress is that of the industrial use of agricultural products. Its substantial development through constant experimentation should be encouraged by the state:

we should increasingly support and strive to obtain the establishment of more industries for the processing of our products. We have ample raw materials, labor and transportation. We are advantageously situated. The development of this field could go far in the solution of many of our peacetime economic problems.

There are many other matters that will command your attention. Time and this occasion will not permit a proper review of them. I am sure that consideration of these specific problems is already being given.

With over 100,000 of our men now in service and before this emergency ends, if we raise an army of 8 to 10 millions, then no doubt over 200,000 in service, it would be unfair to experiment with or substantially alter functions of government in their absence. Our citizens in the armed forces have earned their right to every consideration we can give. They have a right to voice their opinions on important issues and to participate in important changes when they return. Their numbers may constitute nearly one-tenth of our population. Their interests and their right to full participation are in our charge and we must be faithful to that trust.

As a state government, established and operating under the American system of local sovereignty, we face a serious challenge. The principle of government of laws enacted by the elected representatives of the people is threatened by a growing national tendency toward bureaucracy by which government is conducted under orders and regulations, promulgated by appointed officials, rather than by clearly defined statutes. I do not refer to the emergency powers of war but to the growing peacetime tendency that is continuing with respect to non-war controls.

The federal government has been invading the province of the state to an alarming degree. If continued it can eventually result only in the destruction of local self-government and bureaucracy can end only in tyranny.

We are a sovereign state, united with the other sovereign states to form a free, self-governing union. The safeguards of the constitution and of legislative law were established to protect the individual against the autocracy of edicts.

We can best protect our system by maintaining the efficiency with which it meets the requirements of our citizens. When state government fails in this respect it invites encroachment of federal authority regardless of whether or not such authority can solve the problem.

As part and parcel of this great nation it is our duty and our privilege to do our full share in man-power, in production and in money, for the defeat of its enemies and the preservation of its ideals. No state has surpassed us in performance of this duty. The citizens of no state have a higher sense of obligation nor a greater willingness to sacrifice in its discharge. We are an inseparable part of a united people unswervingly obligated to maintain the institutions of freedom.

The responsibilities as well as the benefits of free government rest upon the collective judgment, vision and wisdom of the individual citizen. The blessings of our American way of free enterprise and opportunity were secured through the sacrifice and the struggle of the individuals who, collectively, banded together to form and establish a

government guaranteeing these rights. That system, born in the wilderness of a new continent, and here developed to the greatest degree of perfection ever known, is now being threatened by a foreign, barbaric vandalism that would destroy it and substitute therefor a system of slavery and human exploitation of a so-called "new order." With each passing day we as individuals, and collectively as one people, must fight and sacrifice with an unalterable determination until Naziism and the evils of its black magic have been destroyed and there is a total permanent eclipse of the "Rising Sun."

The brilliance and heroism of the men in our armed forces has already enshrined them in the temples of liberty. The brilliance of their deeds in our defense will light the path for future generations. They will keep the faith and hold our ramparts. We, in turn, must keep the faith with them. The destiny of human progress for countless future generations is in our keeping today and is our responsibility. The vigor with which we discharge that responsibility will determine the opportunities for freedom to be enjoyed by generations yet unborn.

We have heard much of theorizing, we have heard much of visionary planning; but we must not lose sight of the fact that Utopia cannot be created solely out of the mist of dreams. There are no privileges, there are no comforts, there is no progress except those which are earned. Our forefathers worked and sacrificed, as we have worked and sacrificed, to obtain the comforts and blessings of opportunity and free enterprise. They had and there is no Genie of the Magic Lamp to produce the heart's desire, at command.

While our all-consuming present duty is the destruction of treachery and barbarism in the world and the restoration of peace and the "Pursuits of Happiness," yet we must also consider the problems of that peace in order that they may be met and solved in the interest of a happier world.

Modern progress has decreed that in the world of tomorrow we will have greater responsibilities to, and more extensive participation in, the international problems of nations. Communication and transportation have eliminated distances and have reduced the world to a small globe, indeed. Mistakes of the past must be analyzed and corrected. Future policies must be based less on selfishness and more on cooperative understanding of the problems of our neighbors.

In this adjustment, the voice, ideals and influence of the people of this state, as well as the other states, must be asserted and felt in order that we have a part in the fabrication of reconstruction. The diplomacy of a cloistered few, secretly arrived at and actuated by their own selfish motives, should not again be permitted to impress itself upon trusting peoples. Iowa is but a part of our great national unity, and yet it is a sovereign and equal part of that unity and we are entitled to an equal voice in the maintenance and protection of our ideals.

In conducting the affairs of our state, legislative, judicial and executive, we must not lose sight of the benefits of the separation of powers. We must jealously guard its preservation because only through such a division of power are the rights of the individual guaranteed, maintained, and protected. Concentration of power in any of the three divisions or

the encroachment of any one upon the other leads to so-called regimentation and centralization of governmental authority which is destructive of the basic principles under which we demand to live. We have carefully guarded these principles in our state. We shall continue that vigilance.

In beginning this administration I appreciate the opportunity afforded me in the past of serving in both Houses of our Legislature with a large majority of the present members of each House. It has given me a respect for and an appreciation of the prerogatives of your independent branch of government. This Fiftieth General Assembly is composed in the main of veteran lawmakers; your judgment, sincerity, and zeal in the public interest has been proven in the past. Due to the care and vigilance of the administration of the past four years, our state is in splendid condition to meet the contingencies that may occur. I know that you will guard the public interest with judgment and integrity; I shall respect your province and your responsibilities. It will be our mutual objective to conduct the public affairs of Iowa in the public interest, for the preservation of the ideals of free men and for the happiness and progress of those who follow us. Guided by the faith and wisdom of our "Fathers", inspired by their courage and our own appreciation of our heritage, led by the proven tenets of Divine mandate, we can discharge our debt to those who gave us freedom by preserving it for ourselves, by perfecting it as a greater heritage for posterity.

The minutes of the Joint Convention were read and approved.

Hunt of Clayton moved that the Joint Convention be now dissolved. Motion prevailed.

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

#### RESIGNATION OF EMPLOYEE

MR. PRESIDENT: I hereby tender my resignation as bill clerk of the Senate effective January 12th.

CLARENCE JUDD.

Senator Evans moved that John Olson be transferred from the position of assistant doorkeeper to that of bill clerk to fill the position left vacant by the resignation of Clarence Judd.

The motion prevailed and the assignment was made.

#### APPOINTMENT OF PAGES

President Blue announced the appointment of the following as pages of the Senate:

Robert Brauer, Polk county.

John Barns, Mills county.

Charles (Bud) Dickson, Polk county.

John Olson, Polk county.

William Hronek, Pocahontas county.

Kenneth Parkey, Polk county.

APPOINTMENT OF SECRETARY AND PAGE TO  
LIEUTENANT GOVERNOR

Lieutenant Governor Blue announced the appointment of Virginia Thompson of Wright county as his secretary and the appointment of Dick Hobbet of Wright county as his page.

APPOINTMENT OF PAGE TO SECRETARY OF SENATE

The Secretary of the Senate announced the appointment of Charles Dickson of Polk county as his page.

On motion of Senator Hunt the Senate adjourned until 2:00 p. m. Tuesday, pursuant to Senate Concurrent Resolution 5.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 19, 1948.

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

Prayer was offered by Rev. Raymond Knudson, Pastor of the First Presbyterian Church, Afton.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Clark for the day, on request of Senator Whitehill; Senator Elthon for the day, on request of Senator Love; Senator Long for the day, on request of Senator Love; Senator Johnson for the day, on request of Senator Watson.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Love, from members of the Child Welfare Club of Winterset, favoring aid to dependent children.

By Senator Shaw, from the Chamber of Commerce of Storm Lake, favoring the repeal of the state income tax.

By Senator Miller, from the county officers of Audubon county, favoring an increase in salaries.

By Senator Watson, from the county officers of Pottawattamie county, favoring four year term for county officers.

By Senator Reilly, from the Nativity Home School Association; the Marshall Parent Teacher Association, and the Auxiliary to Post No. 508, Veterans of Foreign Wars of Dubuque, favoring aid to dependent children.

By Senator Foster, from the county officers of Henry and Washington counties, favoring four year term for county officers.

By Senator Harvey, from the county officers of Crawford county, favoring four year term for county officers.

By Senator Fuller, from the county officers of Jackson county, favoring an increase in salary.

By Senator Whitehill, from the county officers of Marshall county, favoring four year term for county officers.

By Senator Sjulín, from the county officers of Fremont county, favoring four year term for county officers, also an increase in salary

By Senator Keir, from the county officers of Dickinson county, favoring four year term for county officers.

By Senator Byers, from the county officers of Linn county, favoring four year term for county officers.

### INTRODUCTION OF BILLS

Senate File 22, by Senator Mowry, a bill for an act to amend section six thousand nine hundred forty-three and fifty-seven thousandths (6943.057), Code, 1939, by striking therefrom paragraph eight (8) referring to false or fraudulent returns of income, corporation, and sales tax, and providing for a substitute therefor pertaining to the penalty for making such false return and to amend section six thousand nine hundred forty-three and forty-five thousandths (6943.045), Code, 1939, pertaining to the making of an income tax return by every individual, to amend section six thousand nine hundred forty-three and forty-six thousandths (6943.046), Code, 1939, pertaining to the making of an income tax return by every fiduciary and to amend section six thousand nine hundred forty-three and sixty-eight thousandths (6943.068), Code, 1939, pertaining to the making of a corporation tax return by every corporation.

Read first and second times and passed on file.

Senate File 23, by Senator Benson, a bill for an act to amend sections five hundred thirty-three (533), five hundred forty (540), five hundred forty-four (544), five hundred fifty-three (553), five hundred seventy-seven (577), five hundred ninety-one (591), six hundred sixteen (616), and six hundred thirty-four (634), Code, 1939, relating to the time of holding the primary election, changing the date from first Monday in June to the first Tuesday in September and changing the time of the canvass of the votes and the holding of the County and State political conventions.

Read first and second times and passed on file.

Senate File 24, by Senator Faul, a bill for an act to amend sec-



tion fifty-six hundred eighty-nine (5689), Code, 1939, relating to appointment and length of terms of civil service commissioners.

Read first and second times and passed on file.

Senate File 25, by Senator Martin, a bill for an act to authorize cities acting under special charter to adopt municipal codes and providing for the manner of adoption and the approval and reording thereof and for the publication in book or pamphlet form of such codes and other ordinances of such cities and the receiving of such books and pamphlets in evidence and for the taking effect of the act on publication.

Read first and second times and passed on file.

#### REPORT OF JOINT COMMITTEE ON JOINT LEGISLATIVE EMPLOYEES

Senator Evans asked and received unanimous consent to take up the report of the Joint Committee on Joint Legislative Employees and offered the following amendment and moved its adoption:

**MR. PRESIDENT:** I move to amend the report of the Joint Committee on Joint Legislative Employees which appears on page 46 of the House Journal and on page 37 of the Senate Journal by striking all of the report following the colon in line 3 of paragraph 1 and inserting in lieu thereof the following:

First Assistant in Law and Economics Research—Irving W. Myers, Polk county.

Second Assistant in Law and Economics Research—David Waldinger, Polk county.

General Clerks for Law Library—Maude S. Savage, Adair county; Mary Donovan, Johnson county.

Stenographers for Law and Economics Research—Jean Berkstresser, Woodbury county; Mary O'Connell, Polk county; Mary Susan Barker, Greene county; Gertrude M. Cabbage, Polk county.

Pages for Law Department—Virgil Kepford, Polk county;

Post Office Assistants—Jessie Walker, Marshall county; Sarah E. Jett, Polk county.

Post Office Mail Carrier—M. Roberts, Buchanan county.

Matrons—Katharine Shelton, Polk county; Althny Artie Adams, Black Hawk county.

Janitors—James Hamilton, Keokuk county; Tom Darby, Polk county; John Spitler, Polk county; John A. Baker, Polk county; Chas. Gardner, Clarke county; F. D. Walker, Mahaska county; Ray Pierson, Clinton county; John Whelan, Appanoose county; M. A. Bates, Wayne county; Frank E. Freberg, Polk county; and Oscar Tedford, Monroe county.

Elevator Operators—Nellie Griffin, Polk county; Florence E. Olson, Polk county; Alex S. MacAskill, Polk county.

Special Police for Parking—Reece Wolf, Marion county; Roy Chambers, Monroe county; Augustus Graham, Polk county; Jas. McGuire, Polk county.

Assistant Doorkeepers—Victor E. Lindquist, Lucas county; J. R. Campbell, Clarke county; Walter Vance, Madison county; Emmett A. Moganham, Iowa county.

Photostat Operator—Adele McCabe, Polk county.

The motion prevailed and the amendment was adopted.

Senator Evans moved the adoption of the committee report as amended.

The motion prevailed and the report was adopted.

Senator Evans asked and received unanimous consent to have the report immediately messaged to the House, which request was complied with.

#### REPORT OF COMMITTEE ON SENATE EMPLOYEES

MR. PRESIDENT: Your committee on Senate employees recommends that Celia Gardner be assigned to the Secretary of the Senate as a clerk at \$4.25 per day, and that Henry Dooley, Polk county, be assigned to the Senate as a janitor at \$4.00 per day.

K. A. EVANS.

Senator Evans moved the adoption of the report.

The motion prevailed and the report was adopted.

#### REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. PRESIDENT: Your committee appointed to determine the qualifications of committee clerks finds Cecil Hetrick, Polk county, qualified as a committee clerk, and has been assigned to Senator Watson.

K. A. EVANS.

Senator Evans moved the adoption of the report.

The motion prevailed and the report was adopted.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 12, a bill for an act relating to retail sales tax.

Also: 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 definition of the practice of accountancy.

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

House File 27, a bill for an act relating to the road maintenance patrol.

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

House Joint Resolution 2 providing for the fixing of compensation of chaplains of the Fiftieth General Assembly, and making an appropriation therefor, and for miscellaneous expense. A. C. GUSTAFSON, *Chief Clerk*.

### HOUSE MESSAGES CONSIDERED

House File 12, a bill for an act to amend section six thousand nine hundred forty-three and ninety thousandths (6943.090), Code, 1939, to make that part of the income tax law providing for jeopardy assessments applicable to retail sales tax.

Read first and second times and passed on file.

House File 22, a bill for an act to amend section one thousand nine hundred five and six-hundredths (1905.06), Code, 1939, relating to the definition of the practice of accountancy.

Read first and second times and passed on file.

House File 27, a bill for an act to repeal chapter two hundred forty-three (243), Code, 1939, relating to the Road Maintenance Patrol.

Read first and second times and passed on file.

House Joint Resolution 2, a joint resolution fixing the compensation of the chaplains of the Fiftieth General Assembly, and making an appropriation therefor, and for miscellaneous expense.

Read first and second times and passed on file.

This being the first session of the Senate since the inauguration of Lieutenant Governor Robert D. Blue, President pro tempore Byers appointed Senator Hill and Senator Hunt to escort the presiding officer, Lieutenant Governor Robert D. Blue, to the president's chair.

Senator Hill presented the Lieutenant Governor to the Senate:

**MEMBERS OF THE SENATE:** It is a privilege for me to present to the Senate of the Fiftieth General Assembly our new presiding officer. Coming from the same county, Wright county is duly proud of our new Lieutenant Governor. I extend to him, and I believe for every member of this body, our best wishes as he undertakes the performance of the

duties of his new office. I hope that during this Session, we may have harmonious cooperation, so that the accomplishments of this Session will reflect credit to the State of Iowa. I am genuinely proud to present to this body now our Lieutenant Governor, Robert D. Blue.

Lieutenant Governor Robert D. Blue responded as follows:

Members of the Senate, it is a pleasure and, of course, a great honor and a very grave responsibility which I feel that I am assuming in undertaking to preside over this Body. I should like to say to each and every one of you at the outset that from the bottom of my heart I appreciate the kindness and help that you have been giving me in organizing the Committees of the Senate. Man after man has come in and said "Put me wherever you think I can work", and I have found, I believe, every evidence of cooperation in the Body of the Senate.

I was pleased with what Senator Hill said about harmony. It is essential that we have unity—unity of action between the House and the Senate, unity between the Legislature and the Chief Executive, and unity between the Legislature and the judicial branches of our Government. Today we are a part of a great Federal Union, and we must cooperate with our Federal Government in preserving for ourselves and our children the liberties and privileges which are being attacked from without. At times, there has been evidence of friction between states and Federal Government. Departments of the Federal Government have been inclined to invade the rights of the states. There has been the effort on the part of those who are opposed to democracy to attempt to divide and rule. If there be division between the State and the Federal Government in this hour, we may very well be doing exactly what the opponents of democracy wish to do. The law of the jungle is this: "The strength of the pack is the wolf; the strength of the wolf is the pack".

The strength of our United States are the 48 states, which compose our Federal Union and the strength of the State of Iowa is the United States.

A patriot during the Revolutionary War said "We shall all hang together or we shall hang separately". Abraham Lincoln told us that a house divided against itself cannot stand.

After successfully fighting the Revolutionary War, our nation of 13 colonies nearly perished because of lack of unity. A great Civil War was fought to preserve their unity. With the destruction of the Roman Empire, the unity which existed under the Caesars has never been restored to Europe.

Recently, we have seen the spectacle of a great nation, France, divided and conquered. At the time of her defeat, 63 political parties, each greedy for power, led by men more interested in their personal advancement than in the welfare of the country, made a great nation impotent.

Today, we are not divided as Republicans or Democrats, but stand as a unit—American citizens all, pledging our undivided allegiance to our flag and to the Republic for which it stands.

The Fiftieth General Assembly is a war Legislature. More than one hundred thousand of the finest young men and young women have joined

the service, offering their all in defense of Iowa, the state, the freedom of mankind throughout the world. It is doubtful that any man now in the Senate will be called upon to serve his country on the battle-front. Today, you are gathered here as soldiers on the home front selected by your people to lead them through one of the most critical hours of the state's history. While we cannot win the war on the home front, we certainly can lose it on the home front if, through disunion and selfishness, we are unwilling to make the sacrifices which are necessary in a crisis like that which now confronts us. The people of the state individually are making great personal sacrifices of every description. Every citizen is glad to make whatever sacrifice is necessary to bring about an early victory and a lasting peace; he expects and has a right to expect, however, that his Federal Government, his state Government, and his county and his city will make sacrifices likewise.

I would remind you that as we gather here, our nation is burdened with the debt of more than a hundred billion dollars and before this Legislature meets again, the national debt will exceed two hundred billion dollars and that Iowa's share of this debt, based upon a geographic division of it, will amount to more than four billions of dollars with an annual interest figure at two per cent, of more than eighty millions of dollars.

Representative government is on trial throughout the world, not only on the battlefields, in Africa, Russia, and China, but here on the home front. It is just as important for the members of the Iowa Legislature to make democracy work in Iowa, here on the home front, as in some foreign country. Political courage is just as necessary on the political front as physical courage is necessary on the battle front. I know that every member of this Senate has the political courage to face whatever issue may confront it and to sacrifice, if need be, his political life in defense of democracy.

I regret that it has been impossible to complete the selection of all of the committee members. I shall have that task completed tomorrow morning. In setting up the committees, I have set up some new committees. I would like to call your attention to them now. I am intending to set up a special committee on Income Tax Reduction, in accordance with the suggestion of our Governor, and our retiring Governor, U. S. Senator Wilson. I am setting up a special committee to consider the matter of modernizing the state accounting system, in accordance with the suggestion of our Governor, and a special committee to act on the report of the Supreme Court on Rules of Court Procedure.

I feel that there is a very good possibility that the war may be over before the next General Assembly convenes. I say to you frankly that it is the duty of this Legislature to realize that possibility and make whatever plans that can be made for the rehabilitation of our boys and girls who have been engaged in this war. If we fail to make preparations for the post-war as we failed to prepare for the war, we shall be confronted with some grave social problems.

You know civilization is a tree not nourished by sun or rain or fertile ground. It is a tree that is nourished by tears, by blood, and by sacrifice.

I say to you in closing this afternoon, that this old flag of ours—if it is good enough for millions of the boys of the land to offer and sacrifice their lives in defense—it is good enough for every man in America to live for. Let us lay aside the trivial things for a season. Let us strive by our every word and official act to hasten the day of victory. If we fail, we shall be failing the boys who are fighting for us. If we fail to give back to them as good a Government as they had when they left here and as sound a Government, we shall have failed in our duties on the home front.

“Our liberties we prize and our rights we will maintain.”

#### EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

Senator Benson offered the following resolution:

#### SENATE CONCURRENT RESOLUTION 6

*Whereas*, There was appropriated by the Forty-ninth (49th) General Assembly to the Executive Council a total of six thousand dollars (\$6,000.00), for the biennium ending June 30, 1943, for the purpose of revising the accounting and accounting procedure of the state, and no part of said sum was utilized prior to the 18th of January, 1943, and said sum is still available for that purpose; and

*Whereas*, The Executive Council did on the 18th day of January, 1943, take action in naming a committee to carry out the purposes of said appropriation in harmony with the recommendation of the Governor in his inaugural message; and

*Whereas*, The Fiftieth (50th) General Assembly is desirous of co-operating and expediting said undertaking, so that all proposed revisions can be made before the beginning of the next fiscal year of July 1, 1943;

*Be It Resolved by the Senate, the House Concurring*: That a joint committee be named, consisting of three (3) members from the Senate to be appointed by the President of the Senate, and three (3) members of the House to be appointed by the Speaker of the House, to work and cooperate during this session of the Fiftieth (50th) General Assembly with the appointed committee of the Executive Council in the revising and codifying of the laws of Iowa relating to the accounts and accounting procedure or bookkeeping of all the state departments, and its political subdivisions, and to formulate, prepare and present to this Fiftieth General Assembly on or before next March 8, 1943, any proposed legislation deemed necessary or advisable for furthering the work of revising, simplifying and modernizing the accounting or bookkeeping systems of the State and all of its departments or political subdivisions.

## AMENDMENTS FILED

Amend Section 3 of Senate File 1 by adding thereto the following:

"The interest received from the funds appropriated by Chapter 16, Acts of the Forty-ninth General Assembly, shall be placed in a separate fund to be used, or as much as needed, to build and furnish a home on the State Capitol grounds for the Governor of the State of Iowa."

DEWEY E. GOODE.

Amend Senate File 7 by striking the first four (4) lines of Section 1 and substituting therefor the following:

"Section 1. Paragraph four (4) of section fifty-seven hundred forty-five (5745), Code, 1939, as amended by Chapter two hundred five (205) of the Laws of the Forty-ninth (49th) General Assembly, is amended by adding thereto the following:"

Further amend Senate File 7 by adding the following as section two (Sec. 2):

"Sec. 2. The provisions of this Act shall be applicable to special charter cities."

Renumber the succeeding section.

GEORGE FAUL.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 20, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. Davis B. Cecil, Pastor of the Presbyterian Church, Shenandoah.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Elthon for the day, on request of Senator Love; Senator Long for the day, on request of Senator Love.

## PETITIONS

The following petitions were presented and placed on file:

By Senator Schluter, from the county officers of Jones county, favoring four year term for county officers.

By Senator Benson, from the county officers of Carroll county, favoring four year term for county officers.

By Senator Mowry, from the Newton Parent Teacher Council, and from a member of the Newton League of Women Voters, favoring aid to dependent children.

By Senator Johnson, from the city councilmen of Mason City, favoring the development of airports in the state; also from the Hancock county Soldiers Relief Commission, favoring an increased levy for soldiers' relief.

By Senator Hattery, from the county officers of Boone county, favoring an increase in salary.

By Senator Cromwell, from members of the Burlington Central Council Parent Teacher Association; and the St. Paul's Parent Teacher Association, favoring aid to dependent children.

## INTRODUCTION OF BILLS

Senate File 26, by Senator Whitehill, a bill for an act to include the Iowa State Guard in the statutes relating to the recording of military discharges by the county recorder.



Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 27, by Senators Pine, Lynes, Mercer and Reilly, a bill for an act to amend section five thousand four and eight hundredths (5004.08), Code, 1939, relating to special plates to manufacturers, transporters and dealers, providing for the private use of motor vehicles by automobile dealers operating under special plates and providing for the termination of this act.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 28, by Senator Clem, a bill for an act to amend section fifty four hundred thirty-five (5435) of the Code of Iowa, 1939, relating to dog tax delinquency.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 29, by Senator Clem, a bill for an act to amend section fifty-five hundred seventy-three (5573) of the Code of Iowa, 1939, relating to the compensation of township assessors.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 30, by Senators Cromwell and Hattery, a bill for an act providing for the acknowledgment of instruments by persons serving in or with the Armed Forces of the United States before any commissioned officer and providing a form of certification of such acknowledgment.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 31, by Senator Martin, a bill for an act to amend chapter eighty-six (86), Code, 1939, relating to fish and game conservation, to prohibit the killing, injuring or interfering with carrier pigeons, and providing for a penalty for violation.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 32, by Senator Cromwell, a bill for an act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 33, by Senator Love, a bill for an act to amend section nine thousand forty-three (9043), Code, 1939, relating to returns to policyholders of associations transacting hail insurance business.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 34, by Senator Faul, a bill for an act to amend chapter one hundred eighty-nine and four-tenths (189.4), Code, 1939, relating to use of the poor fund by the county board of supervisors.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 35, by Senator Faul, a bill for an act to amend section thirteen thousand twenty-seven (13027), Code, 1939, relating to embezzlement by public officers.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 36, by Senators Bekman, Zastrow and Cromwell, a bill for an act to amend chapter one hundred fifteen (115), Code of Iowa, 1939, to regulate advertising of professional services, eye-glass or spectacle lenses, and spectacle frames or mountings, by persons, firms or corporations, or licensees under Title VIII of the 1939 Code of Iowa, who are engaged in prescribing, manufacturing, selling or supplying eyeglass or spectacle lenses or complete eyeglasses or spectacles including lenses.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 37, by Senators Hattery, Martin and Clem, a bill for an act to repeal section five thousand two hundred twenty-seven (5227) of the Code of Iowa, 1939, and to enact in lieu thereof a bill providing that the board of supervisors shall fix the annual salary to be paid to all deputy sheriffs.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 38, by Senators Berg, Emerson, Mercer and Faul, a bill for an act to amend chapter seven (7), Code, 1939, relating to the salary of the Governor of Iowa.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 39, by Senator Faul, a bill for an act to authorize the establishment of pension and annuity retirement systems for employees other than public school teachers in independent school districts located in whole or in part in cities having a population of one hundred thousand or more.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 40, by Senator Faul, a bill for an act to amend the law as it appears in section ten thousand two hundred sixty and four-tenths (10260.4), Code, 1939, relating to the acquisition of title to tax sale properties by state, county or municipal corporations and providing for the sale thereof by counties after certain deductions and the distribution of the proceeds thereof and further relating to the deduction of certain amounts from the sale price of said properties in the event special assessments thereon had been cancelled or annulled by tax sale and deed.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 41, by Senator Fuller, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, relating to the amount that may be levied in cities and towns of less than five thousand population for collection of garbage.

Read first and second times, is ready for commitment and amendment, 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 3, a bill for an act relating to reports by holders of Class "A" permits.

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

House File 6, a bill for an act relating to income tax law providing for jeopardy assessments, applicable to Use Tax.

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

House File 7, a bill for an act relating to computation of income tax returns.

Also: 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 employer's coverage and providing effective date for amendment.

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

House File 10, a bill for an act relating to licensing golf and country clubs to sell beer.

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

House File 15, a bill for an act enabling cities and towns to include tests for Bang's disease in ordinances.

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

House File 17, a bill for an act relating to transfer of funds of cities and towns.

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

House Concurrent Resolution 8, memorializing the bravery of the five Sullivan brothers of Waterloo, Iowa, who lost their lives in a recent naval engagement.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 8

*Whereas*, George T. Sullivan, gunner's mate, Francis M. Sullivan, coxswain, Joseph E. Sullivan, Madison A. Sullivan and Albert L. Sullivan, seamen, all brothers and the sons of Mr. and Mrs. Thomas F. Sullivan of Waterloo, Iowa, have been reported by the Navy Department as missing in action; and

*Whereas*, The enlistment of these five brothers has received nationwide notice because of their outstanding loyalty and patriotism in volunteering as one in the service of their country; and

*Whereas*, The mother of these five brothers has received special honor from the Navy Department in recognition of her noble sacrifice in sending her five sons into the service; and

*Whereas*, These brothers, in contradiction to the recommendation of their superior officer, and upon their own insistence, faced the dangers of enemy shells on the same ship, as one in unity and with a singleness of purpose; and

*Whereas*, High naval authorities have accounted their possible loss as

the heaviest blow suffered by any American family since Pearl Harbor; now, therefore,

*Be It Resolved by the House of Representatives, the Senate Concurring:* That we express the feelings of all true Americans, and of Iowa in particular, in paying honor to these brave young men.

*Be It Further Resolved,* That in their sacrifice we recognize that they have contributed to the lasting honor of all Iowa and the glory of American arms, a sacrifice which shall go down in the history of our nation as one of heroic proportions and everlasting merit.

*Be It Further Resolved,* That we hereby express our deep concern and the concern of all Iowa in the fate and welfare of these five brothers, and hereby extend our prayers and hopes that the coming days will bring word that they are still alive.

*Be It Further Resolved,* This Legislature can use no words more fitting in this hour than those of the immortal Lincoln addressed to a mother who lost five sons in the Civil War:

"I pray the Heavenly Father may assuage the anguish of your bereavement and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom."

*Be It Further Resolved,* That these resolutions be spread upon the records of the General Assembly of the State to which these sons have brought such great honor; that copies of the same be transmitted to their parents, and to the wife and young son of Albert Sullivan, to all of whom we reverently bow in recognition of the sacrifice which they have been called upon to bravely face.

Senator Berg asked and received unanimous consent to suspend the rules and take up House Concurrent Resolution 8.

Senator Berg moved that the resolution be adopted.

The motion prevailed and the resolution was unanimously adopted, the Senate standing in silent prayer for one minute.

Senator Berg requested that House Concurrent Resolution 8 be immediately messaged to the House, which request was complied with.

The President announced the following appointments of standing committees:

#### APPOINTMENT OF SENATE COMMITTEES

##### AERONAUTICS

Benson—  
Chairman

Findlay\*  
Elthon

Johnson

Pine

\*Indicates ranking member.

## AGRICULTURE 1

Stewart—	Evans	Leo	Shaw
Chairman	Faul	Lynes	Zastrow
Foster*	Johnson	Pelzer	Zeigler
Benson	Keir		

## AGRICULTURE 2

## Drainage, Farm Tenancy and Horticulture

Elthon—	Clark	Jones	Turner
Chairman	Fuller	Miller	Vittetoe
Sjulin*	Hill	Schluter	Vrba
Augustine			

## APPROPRIATIONS 1

Evans—	Goode	Lundy	Shaw
Chairman	Hill	Lynes	Sjulin
Berg*	Keir	Mercer	Stewart
Clark	Leo	Mowry	Whitehill
Emerson			

## APPROPRIATIONS 2

Henningsen—	Foster	Jones	Schluter
Chairman	Harvey	Long	Turner
Elthon*	Hattery	Miller	Vittetoe
Bekman	Johnson	Reilly	Zastrow
Benson			

## BANKS AND BANKING

Hart—Chairman	Emerson	Faul	Hunt
Fuller*	Evans	Goode	Mercer
Clark	Dykhouse	Hattery	Zeigler
Clem			

## BOARD OF CONTROL

Long—	Hart	Lundy	Sjulin
Chairman	Hess	Martin	Stewart
Pelzer*	Hill	Reilly	Whitehill
Foster	Leo	Schluter	

## BOUNDARY BRIDGES

Harvey—	Clem*	Martin	Watson
Chairman	Fuller		

## BUILDING AND LOAN

Pelzer—	Byers	Faul	Hunt
Chairman	Emerson	Findlay	Mowry
Schluter*			

## CHILD WELFARE

Shaw—	Cromwell	Hattery	Vrba
Chairman	Foster	Jones	Zastrow
Mowry*			

## CITIES AND TOWNS

Cromwell—	Byers	Harvey	Love
Chairman	Clem	Henningsen	Martin
Faul*	Findlay	Hill	Mercer
Augustine	Fuller	Johnson	Watson
Bekman	Hart	Jones	Whitehill
Berg			

## CLAIMS

Johnson—	Vittetoe*	Hess	Zeigler
Chairman	Clem		

## COMPENSATION OF PUBLIC OFFICERS

Hess—Chairman	Elthon	Fuller	Miller
Johnson*	Findlay		

## CONSERVATION

Dykhouse—	Foster	Keir	Miller
Chairman	Goode	Long	Shaw
Clark*	Hess	Love	Sjulin
Benson	Hill	Lundy	Vrba
Elthon	Johnson	Martin	Whitehill
Findlay	Jones		

## CONSTITUTIONAL AMENDMENTS

Clem—Chairman	Byers	Hess	Watson
Augustine*	Cromwell	Shaw	

## COUNTY AND TOWNSHIP AFFAIRS

Keir—Chairman	Jones	Love	Vrba
Cromwell*	Long	Pelzer	

## COURT PROCEDURE REFORM

To be named  
later.

## DAIRYING

Lynes—	Augustine	Goode	Love
Chairman	Fuller	Leo	Miller
Stewart*			

## DEPARTMENTAL AFFAIRS

Miller—	Hess*	Martin	Mercer
Chairman	Long		

## EDUCATIONAL INSTITUTIONS

Hunt—Chairman	Leo	Mercer	Schluter
Hattery*	Lundy	Mowry	

## ELECTION REFORM

Love—Chairman	Emerson	Shaw	Vrba
Byers*	Keir	Stewart	

## ENROLLED BILLS

Reilly—	Jones*	Fuller	
Chairman			

## HIGHWAYS

Hattery—	Cromwell	Goode	Love
Chairman	Dykhouse	Harvey	Miller
Turner*	Emerson	Henningsen	Schluter
Augustine	Foster	Long	Sjulin

## INCOME TAX REDUCTION

Clark—	Foster	Hunt	Turner
Chairman	Hill	Jones	Watson
Emerson*			

## INSURANCE

Faul—Chairman	Clem	Hess	Mercer
Shaw*	Dykhouse	Henningsen	Reilly
Bekman	Harvey	Hill	Zastrow
Byers	Hattery	Long	Zeigler

## INTERSTATE COOPERATION

Augustine—	Hart*	Clem	Turner
Chairman	Byers	Martin	

## JUDICIARY 1

Hill—Chairman	Hess	Mowry	Turner
Lundy*	Lynes	Schluter	Watson
Hattery	Martin	Shaw	

## JUDICIARY 2

Bekman— Chairman Long*	Benson Byers Clem	Cromwell Faul Hunt	Mercer Zastrow
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## LABOR

Martin— Chairman Watson*	Bekman Cromwell Emerson	Foster Harvey Johnson	Pelzer Reilly Zeigler
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## LIVESTOCK AND MARKETING

Leo—Chairman Evans*	Foster Fuller	Keir Lynes	Miller Turner
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## MANUFACTURING, COMMERCE AND TRADE

Pine—Chairman Dykhous* Hart	Harvey Hill Mowry	Reilly Vittetoe	Zastrow Zeigler
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## MILITARY AFFAIRS

Whitehill— Chairman Berg*	Benson Bekman	Faul Hattery	Lynes Pine
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## MINES AND MINING

Turner— Chairman	Bekman* Augustine	Clark Elthon	Lundy
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## MOTOR VEHICLES

Goode— Chairman Hill* Augustine	Elthon Evans Faul Hart	Hattery Leo Lynes	Martin Pine Zastrow
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## NATIONAL DEFENSE CO-ORDINATION

Berg—Chairman Whitehill* Emerson	Hattery Henningsen Hill	Love Lundy Martin	Pine Watson Zeigler
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## PHARMACY

Vittetoe— Chairman	Harvey* Cromwell	Hart	Johnson
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## POST-WAR

Watson—  
Chairman  
To be named  
later.

## PRINTING

Mercer— Chairman	Reilly* Dykhous	Hunt Leo	Pelzer
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## PRIVATE CORPORATIONS

Foster— Chairman	Pine* Keir	Long Shaw	Stewart
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## PUBLIC HEALTH

Schluter— Chairman Vrba*	Benson Findlay Fuller	Goode Hess Jones	Long Lynes
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## PUBLIC LANDS AND BUILDINGS

Emerson— Chairman Love*	Berg Foster	Henningsen Keir	Pelzer Zastrow
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## PUBLIC LIBRARIES

Jones— Chairman	Findlay* Augustine	Dykhouse Hess	Pelzer Vittetoe
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## PUBLIC SCHOOLS

Mowry— Chairman	Hattery Hess	Lundy Martin	Reilly Turner
Lynes*	Hunt	Miller	Vittetoe
Bekman	Jones	Pelzer	Vrba
Findlay	Leo		

## PUBLIC UTILITIES

Lundy— Chairman	Clark	Hunt	Reilly
Whitehill*	Cromwell	Lynes	Vrba
Byers	Hart	Mercer	Watson
	Henningsen	Mowry	Zeigler

## RAILROADS

Zastrow— Chairman	Clem	Henningsen	Reilly
Pine*	Goode	Mowry	Zeigler
	Harvey		

## RULES

Byers— Chairman	Zeigler* Evans	Hunt	Zastrow
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## SOCIAL SECURITY

Sjulin— Chairman	Bekman	Dykhouse	Pelzer
Keir*	Clem	Faul	Pine
	Cromwell	Mowry	Zeigler

## STATE ACCOUNTING SYSTEM

Fuller— Chairman	Benson*	Byers	Clem
	Berg	Clark	Emerson

## STATE POLITICAL DISTRICTS

Vrba—Chairman  
To be named  
later.

## WAYS AND MEANS

Zeigler— Chairman	Byers	Hart	Pine
Goode*	Clark	Leo	Sjulin
Benson	Dykhouse	Long	Vittetoe
Berg	Elthon	Love	Vrba
	Evans	Lundy	Whitehill

## SENATORS AND THEIR RESPECTIVE COMMITTEES

## SENATOR AUGUSTINE

Interstate cooperation	Agriculture 2	Mines and mining
—Chairman	Cities and towns	Motor vehicles
Constitutional amend- ments*	Dairying	Public libraries
	Highways	

## SENATOR BEKMAN

Judiciary 2—Chairman	Cities and towns	Military affairs
Mines and mining*	Insurance	Public schools
Appropriations 2	Labor	Social security

## SENATOR BENSON

Aeronautics— Chairman	Agriculture 1	Military affairs
State accounting sys- tem*	Appropriations 2	Public health
	Conservation	Ways and means
	Judiciary 2	

<b>SENATOR BERG</b>		
National defense co-ordination—Chairman	Military affairs*	State accounting system
Appropriations*	Cities and towns	Ways and means
	Public lands and buildings	
<b>SENATOR BYERS</b>		
Rules—Chairman	Constitutional amendments	Judiciary 2
Election reform*	Insurance	Public utilities
Building and loan	Interstate cooperation	State accounting system
Cities and towns		Ways and means
<b>SENATOR CLARK</b>		
Income tax reduction—Chairman	Appropriations 1	Public utilities
Conservation*	Banks and banking	State accounting system
Agriculture 2	Mines and mining	Ways and means
<b>SENATOR CLEM</b>		
Constitutional amendments—Chairman	Claims	Railroads
Boundary bridges*	Insurance	Social security
Banks and banking	Interstate cooperation	State accounting system
Cities and towns	Judiciary 2	
<b>SENATOR CROMWELL</b>		
Cities and towns—Chairman	Constitutional amendments	Labor
County and township affairs*	Highways	Pharmacy
Child welfare	Judiciary 2	Public utilities
		Social security
<b>SENATOR DYKHOUSE</b>		
Conservation—Chairman	Banks and banking	Public libraries
Manufacturing, commerce and trade*	Highways	Social security
	Insurance	Ways and means
	Printing	
<b>SENATOR ELTHON</b>		
Agriculture 2—Chairman	Compensation of public officers	Mines and mining
Appropriations 2*	Conservation	Motor vehicles
Aeronautics		Ways and means
<b>SENATOR EMERSON</b>		
Public lands and buildings—Chairman	Building and loan	National defense co-ordination
Income tax reduction*	Election reform	State accounting system
Appropriations 1	Highways	
Banks and banking	Labor	
<b>SENATOR EVANS</b>		
Appropriations 1—Chairman	Agriculture 1	Rules
Livestock and marketing*	Banks and banking	Ways and means
	Motor vehicles	
<b>SENATOR FAUL</b>		
Insurance—Chairman	Banks and banking	Military affairs
Cities and towns*	Building and loan	Motor vehicles
Agriculture 1	Judiciary 2	Social security
<b>SENATOR FINDLAY</b>		
Aeronautics*	Cities and towns	Conservation
Public libraries*	Compensation of public officers	Public health
Building and loan		Public schools

## SENATOR FOSTER

Private corporations— Chairman	Child welfare	Livestock and market- ing
Agriculture 1*	Conservation	Public lands and buildings
Appropriations 2	Highways	
Board of control	Income tax reduction	
	Labor	

## SENATOR FULLER

State accounting sys- tem—Chairman	Cities and towns	Enrolled bills
Banks and banking*	Compensation of public officers	Livestock and market- ing
Agriculture 2	Dairying	Public health
Boundary bridges		

## SENATOR GOODE

Motor vehicles— Chairman	Banks and banking	Highways
Ways and means*	Conservation	Public health
Appropriations 1	Dairying	Railroads

## SENATOR HART

Banks and banking— Chairman	Cities and towns	Motor vehicles
Interstate cooperation*	Manufacturing, com- merce and trade	Pharmacy
Board of control		Public utilities
		Ways and means

## SENATOR HARVEY

Boundary bridges— Chairman	Cities and towns	Manufacturing, com- merce and trade
Pharmacy*	Highways	Railroads
Appropriations 2	Insurance	
	Labor	

## SENATOR HATTERY

Highways—Chairman	Child welfare	Motor vehicles
Educational institu- tions*	Insurance	National defense co- ordination
Appropriations 2	Judiciary 1	Public schools
Banks and banking	Military affairs	

## SENATOR HENNINGSEN

Appropriations 2— Chairman	Insurance	Public lands and build- ings
Cities and towns	National defense co- ordination	Public utilities
Highways		Railroads

## SENATOR HESS

Compensation of public officers—Chairman	Conservation	Judiciary 1
Departmental affairs*	Constitutional amend- ments	Public health
Board of control	Insurance	Public libraries
Claims		Public schools

## SENATOR HILL

Judiciary 1—Chairman	Cities and towns	Manufacturing, com- merce and trade
Motor vehicles*	Conservation	National defense co- ordination
Agriculture 2	Income tax reduction	
Appropriations 1	Insurance	
Board of control		

## SENATOR HUNT

Educational institu- tions—Chairman	Income tax reduction	Public schools
Banks and banking	Judiciary 2	Public utilities
Building and loan	Printing	Rules

SENATOR JOHNSON		
Claims—Chairman	Agriculture 1	Conservation
Compensation of public officers*	Appropriations 2	Labor
Aeronautics	Cities and towns	Pharmacy
SENATOR JONES		
Public libraries—Chairman	Child welfare	Income tax reduction
Enrolled bills*	Cities and towns	Public health
Agriculture 2	Conservation	Public schools
Appropriations 2	County and township affairs	
SENATOR KEIR		
County and township affairs—Chairman	Appropriations 1	Private corporations
Social security*	Conservation	Public lands and buildings
Agriculture 1	Election reform	
	Livestock and marketing	
SENATOR LEO		
Livestock and marketing—Chairman	Board of control	Motor vehicles
Agriculture 1	Dairying	Printing
Appropriations 1	Educational institutions	Public schools
		Ways and means
SENATOR LONG		
Board of control—Chairman	Conservation	Insurance
Judiciary 2*	County and township affairs	Private corporations
Appropriations 2	Departmental affairs	Public health
	Highways	Ways and means
SENATOR LOVE		
Election reform—Chairman	Conservation	Highways
Public lands and buildings*	County and township affairs	National defense coordination
Cities and towns	Dairying	Ways and means
SENATOR LUNDY		
Public utilities—Chairman	Conservation	National defense coordination
Judiciary 1*	Educational institutions	Public schools
Appropriations 1	Mines and mining	Ways and means
Board of control		
SENATOR LYNES		
Dairying—Chairman	Judiciary 1	Motor vehicles
Public schools*	Livestock and marketing	Public health
Agriculture 1	Military affairs	Public utilities
Appropriations 1		
SENATOR MARTIN		
Labor—Chairman	Conservation	Motor vehicles
Board of control	Departmental affairs	National defense coordination
Boundary bridges	Interstate cooperation	Public schools
Cities and towns	Judiciary 1	
SENATOR MERCER		
Printing—Chairman	Cities and towns	Insurance
Appropriations 1	Departmental affairs	Judiciary 2
Banks and banking	Educational institutions	Public utilities

## SENATOR MILLER

Departmental affairs—	Compensation of public	Highways
Chairman	officers	Livestock and market-
Agriculture 2	Conservation	ing
Appropriations 2	Dairying	Public schools

## SENATOR MOWRY

Public schools—	Building and loan	Manufacturing, com-
Chairman	Educational institu-	merce and trade
Child welfare*	tions	Public utilities
Appropriations 1	Judiciary 1	Railroads
		Social security

## SENATOR PELZER

Building and loan—	County and township	Public lands and build-
chairman	affairs	ings
Board of control*	Labor	Public libraries
Agriculture 1	Printing	Public schools
		Social security

## SENATOR PINE

Manufacturing, com-	Railroads*	National defense co-
merce and trade—	Aeronautics	ordination
Chairman	Military affairs	Social security
Private corporations*	Motor vehicles	Ways and means

## SENATOR REILLY

Enrolled bills—	Board of control	Public schools
Chairman	Insurance	Public utilities
Printing*	Labor	Railroads
Appropriations 2	Manufacturing, com-	
	merce and trade	

## SENATOR SCHLUTER

Public health—	Agriculture 2	Educational institu-
Chairman	Appropriations 2	tions
Building and loan*	Board of control	Highways
		Judiciary 1

## SENATOR SHAW

Child welfare—	Appropriations 1	Election reform
Chairman	Conservation	Judiciary 1
Insurance*	Constitutional amend-	Private corporations
Agriculture 1	ments	

## SENATOR SJULIN

Social security—	Appropriations 1	Highways
Chairman	Board of control	Ways and means
Agriculture 2*	Conservation	

## SENATOR STEWART

Agriculture 1—	Appropriations 1	Election reform
Chairman	Board of control	Private corporations
Dairying*		

## SENATOR TURNER

Mines and mining—	Appropriations 2	Livestock and market-
Chairman	Income tax reduction	ing
Highways*	Interstate cooperation	Public schools
Agriculture 2	Judiciary 1	

## SENATOR VITTETOE

Pharmacy—Chairman	Appropriations 2	Public libraries
Claims*	Manufacturing, com-	Public schools
Agriculture 2	merce and trade	Ways and means

SENATOR VRBA		
State political districts	Child welfare	Election reform
—Chairman	Conservation	Public schools
Public health*	County and township	Public utilities
Agriculture 2	affairs	Ways and means
SENATOR WATSON		
Post-war—Chairman	Constitutional amend-	National defense co-
Labor*	ments	ordination
Boundary bridges	Income tax reduction	Public utilities
Cities and towns	Judiciary 1	
SENATOR WHITEHILL		
Military affairs—	Public utilities*	Cities and towns
Chairman	Appropriations 1	Conservation
National defense co-	Board of control	Ways and means
ordination*		
SENATOR ZASTROW		
Railroads—Chairman	Insurance	Motor vehicles
Agriculture 1	Judiciary 2	Public lands and
Appropriations 2	Manufacturing, com-	buildings
Child welfare	merce and trade	Rules
SENATOR ZEIGLER		
Ways and means—	Claims	National defense co-
Chairman	Insurance	ordination
Rules*	Labor	Public utilities
Agriculture 1	Manufacturing, com-	Railroads
Banks and banking	merce and trade	Social security

### REPORT OF COMMITTEE ON COMMITTEE ROOMS

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

Aeronautics—On call of Chairman.

Agriculture 1—Monday and Thursday, 4:00 p. m.; Lt. Governor's Room.

Agriculture 2—Monday, 3:00 p. m.; Room 22.

Appropriations 1—Monday and Wednesday, 3:00 p. m.; Room 22.

Appropriations 2—Tuesday and Friday, 3:00 p. m.; Room 22.

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

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

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

Building and Loan—On call of Chairman.

Child Welfare—Friday, 4:00 p. m.; Room 23.

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

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

Compensation of Public Officers—On call of Chairman.

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

Constitutional Amendments—On call of Chairman.

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

Court Procedure Reform—Wednesday, 4:00 p. m.; Lt. Governor's Room.

Dairying—On call of Chairman.

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

Educational Institutions—Tuesday and Thursday, 2:00 p. m.; Room 22.  
Election Reform—On call of Chairman.  
Enrolled Bills—On call of Chairman.  
Highways—Tuesday and Thursday, 2:00 p. m.; Room 23.  
Income Tax Reduction—Tuesday, 9:30 a. m.; Lt. Governor's Room.  
Insurance—Tuesday and Thursday, 1:00 p. m.; Room 22.  
Interstate Cooperation—On call of Chairman.  
Judiciary 1—Monday and Wednesday, 1:00 p. m.; Room 22.  
Judiciary 2—Monday and Wednesday, 1:00 p. m.; Room 23.  
Labor—Tuesday, 4:00 p. m.; Lt. Governor's Room.  
Livestock and Marketing—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.  
National Defense Co-ordination—On call of Chairman.  
Pharmacy—Monday, 9:30 a. m.; Lt. Governor's Room.  
Printing—Wednesday, 9:30 a. m.; Lt. Governor's Room.  
Private Corporations—On call of Chairman.  
Public Health—Friday, 2:30 p. m.; Lt. Governor's Room.  
Public Lands 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.  
Post-War—On call of Chairman.  
Railroads—Friday, 2:00 p. m.; Room 22.  
Rules—On call of Chairman.  
Social Security—Monday and Wednesday, 3:00 p. m.; Lt. Governor's Room.  
State Accounting System—Tuesday, 3:30 p. m.; Lt. Governor's Room.  
State Political Districts—On call of Chairman.  
Ways and Means—Monday and Thursday, 3:30 p. m.; Lt. Governor's Room.

ED VRBA, *Chairman.*

AI MILLER.

D. D. FULLER.

Senator Evans offered the following resolution and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 7

*Be It Resolved by the Senate, the House Concurring:* That the Superintendent of Printing be and he is hereby authorized and directed to furnish to the Desk Force of both the House and the Senate six (6) copies each of the 1939 Codes, Session Laws of the Forty-ninth General Assembly, Volumes one and two of the Annotations to the Code of Iowa, and Supplement one of Volume three to the Annotations to the Code of Iowa, and buckram-bound copies of both House and Senate Journals.

The Superintendent of Printing is further authorized and directed to furnish one copy of the 1939 Code, and one copy each of the Session Laws of the Forty-ninth General Assembly, Volumes one and two of the Annotations to the Code of Iowa, and Supplement one of Volume three to the Annotations to the Code of Iowa, and buckram-bound copies of both House and Senate Journals to any committee chairman of either the House or Senate upon receipt of a requisition signed by the Chief Clerk of the House or the Secretary of the Senate.

The motion prevailed and the resolution was adopted.

#### HOUSE MESSAGES CONSIDERED

House File 3, a bill for an act to amend section one thousand nine hundred twenty-one and one hundred twenty-one thousandths (1921.121), Code, 1939, relating to reports by holders of Class "A" permits.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 6, a bill for an act to amend section six thousand nine hundred forty-three and one hundred twenty-three thousandths (6943.123), Code, 1939, to make that part of the income tax law providing for jeopardy assessments applicable to Use tax.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 7, a bill for an act to amend section six thousand nine hundred forty-three and forty-one thousandths (6943.041), Code, 1939, relating to the computation of income tax returns.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 8, a bill for an act to amend section fifteen hundred fifty-one and fourteen hundredths (1551.14), Code of Iowa, 1939, relating to election and termination of employer's coverage; and to provide for the effective date of such amendment.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 10, a bill for an act to amend section one thousand nine hundred twenty-one and one hundred nineteen thousandths, (1921.119), Code, 1939, relating to the licensing of golf and country clubs to sell beer.



Read first and second times, is ready for commitment and amendment, and passed on file.

House File 15, a bill for an act to amend sections five thousand seven hundred forty-seven (5747) and five thousand seven hundred forty-eight (5748), Code, 1939, to enable cities and towns to include tests for Bang's disease in ordinances regulating the sale of dairy products.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 17, a bill for an act to amend section six thousand two hundred fifteen (6215), Code, 1939, relating to transfer of funds of cities and towns.

Read first and second times, is ready for commitment and amendment, and passed on file.

The President announced the appointment of Senator Cromwell to attend the meeting of the Council of State Governments at Baltimore, Maryland.

#### REPORT OF SENATE COMMITTEE ON SENATE EMPLOYEES

MR. PRESIDENT: Your committee on Senate employees recommends that Hazel Peck, Webster county, be assigned to the Secretary of the Senate as a special clerk at \$5.00 per day.

K. A. EVANS.

Senator Evans moved the adoption of the report.

The motion prevailed and the report was adopted.

#### APPOINTMENT OF PAGES

President Blue announced the appointment of the following pages of the Senate, effective January 19th, to fill vacancies:

Robert Sinclair, Polk county.

Charles Eckenbom, Polk county.

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

#### AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

Senator Hunt moved that the Special Bills Committee be continued for the purpose of introducing Senate Files 44, 45, 46, and 47, which motion prevailed.

## INTRODUCTION OF BILLS

Senate File 42, by Senators Bekman and Clem, a bill for an act to amend Section fourteen hundred twenty-four (1424) of the law under Chapter seventy-one (71) of the Code, to empower the Industrial Commissioner, with the approval of the Governor, to appoint two (2) Deputy Industrial Commissioners.

Read first and second times, is ready for commitment and amendment, and referred to committee on labor.

Senate File 43, by Senators Cromwell and Bekman, a bill for an act fixing the period of limitations within which actions may be begun with respect to certain claims arising out of Federal Statutes, when no period of limitations is prescribed therein.

Read first and second times, is ready for commitment and amendment, and referred to Judiciary 2.

Senate File 44, by special bills committee, a bill for an act to repeal section three thousand eight hundred fifteen (3815), Code, 1939, and enact a substitute therefor relating to the recommendation for pardon of paroled prisoners who enter the military, naval, or nursing service of the United States.

Read first and second times and placed on the calendar.

Senate File 45, by special bills committee, a bill for an act to amend section six thousand nine hundred forty-three and one hundred forty-eight thousandths (6943.148), Code, 1939, by providing for a limitation of time within which the state tax commission may appeal from the ruling of the county board of supervisors in connection with applications for homestead exemption tax credits.

Read first and second times and placed on the calendar.

Senate File 46, by special bills committee, a bill for an act to amend section eleven thousand eight hundred eighty-seven (11887), Code, 1939, so as to require the clerk of the probate court to set the amount of the bond of administrators of estates.

Read first and second times and placed on the calendar.

Senate File 47, by special bills committee, a bill for an act to correct the reference in the Unemployment Compensation Act as to the method of obtaining service of notice in civil action on nonresident employing units.

Read first and second times and placed on the calendar.

Senate File 48, by Senator Goode, a bill for an act to provide for the transfer of funds from "the state sinking fund for public deposits" to the state general fund.

Read first and second times, is ready for commitment and amendment, and referred to committee on ways and means.

Senate File 49, by Senator Martin, a bill for an act to amend Chapter two hundred twenty-six (226) of the Laws of the Forty-ninth General Assembly, relating to collection of taxes in cities acting under special charter.

Read first and second times, is ready for commitment and amendment, and referred to committee on cities and towns.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate Concurrent Resolution 7, providing for the distribution of the Code, Session Laws, etc., to the chairmen of the various standing committees and officers of the Fiftieth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### BILLS ASSIGNED TO COMMITTEES

President Blue announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 1.	National Defense and Coordination.
S. F. 2.	County and Township Affairs.
S. F. 3.	Judiciary 1.
S. F. 4.	Cities and Towns.
S. F. 5.	Cities and Towns.
S. F. 6.	Cities and Towns.
S. F. 7.	Cities and Towns.
S. F. 8.	Judiciary 2.
S. F. 9.	County and Township Affairs.
S. F. 10.	Private Corporations.
S. F. 12.	Livestock and Marketing.
S. F. 13.	Judiciary 2.
S. F. 14.	Income Tax Reduction.

- S. F. 15. County and Township Affairs.
- S. F. 16. Judiciary 1.
- S. F. 17. Cities and Towns.
- S. F. 18. Judiciary 1.
- S. F. 19. County and Township Affairs.
- S. F. 20. Income Tax Reduction.
- S. F. 21. Judiciary 2.
- S. F. 22. Income Tax Reduction.
- S. F. 23. Election Reform.
- S. F. 24. Cities and Towns.
- S. F. 25. Cities and Towns.
- S. F. 26. Military Affairs.
- S. F. 27. Motor Vehicles.
- S. F. 28. County and Township Affairs.
- S. F. 29. County and Township Affairs.
- S. F. 30. Judiciary 1.
- S. F. 31. Conservation.
- S. F. 32. Judiciary 2.
- S. F. 33. Insurance.
- S. F. 34. County and Township Affairs.
- S. F. 35. Judiciary 1.
- S. F. 36. Public Health.
- S. F. 37. Compensation of Public Officers.
- S. F. 38. Compensation of Public Officers.
- S. F. 39. Public Schools.
- S. F. 40. Judiciary 1.
- S. F. 41. Cities and Towns.
- H. J. R. 2. Appropriations 1.
- H. F. 3. Judiciary 2.
- H. F. 6. Ways and Means.
- H. F. 7. Income Tax Reduction.
- H. F. 8. Insurance.
- H. F. 10. Judiciary 2.
- H. F. 12. Ways and Means.
- H. F. 15. Dairying.
- H. F. 17. Cities and Towns.
- H. F. 22. Judiciary 1.
- H. F. 27. Highways.

Senator Shaw offered the following resolution :

## SENATE CONCURRENT RESOLUTION 8

*Whereas*, Stock feeders in Iowa are finding it difficult and in many cases impossible to obtain oil meal, cotton seed meal, soy bean meal, tankage and similar feeds so necessary in the feeding and finishing live stock for market; and,

*Whereas*, Where available these must generally be purchased if at all at increasingly exorbitant prices in mixtures and compounds generally known as commercial stock foods; and,

*Whereas*, The difficulty in obtaining these necessary feed substances, at reasonable prices in the usual forms, is seriously slowing down and discouraging the production of meat so necessary to the war effort; and

*Whereas*, It is being commonly asserted and believed that this situation does not arise from an actual shortage of these products so much as by manipulation and references which might be prevented and removed by National authority.

*Be It Therefore Resolved by the Senate of the State of Iowa, the House of Representatives Concurring:* That we call upon the Congress of the United States to institute such investigation of this subject as may be necessary to determine the fact and fix blame, if any, and pass legislation, if any is required, to correct the situation complained of.

*Be It Further Resolved*, That copies of this resolution be transmitted to the Secretary of Agriculture and to each member of the Iowa Delegation in Congress.

## EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

The Special Bills Committee, appointed January 11, to function until the standing committees were appointed, returned to the Secretary of the Senate, House File 2 and House File 5, to be rereferred to the proper standing committee.

## REPORTS OF COMMITTEES

Senator Bekman submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 2 to which was referred House File 10, a bill for an act relating to the licensing of golf and country clubs to sell beer, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman.*

Ordered passed on file.

Senator Zeigler submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred House File 12, a bill for an act to amend section six thousand nine hundred forty-three and ninety-thousandths (6943.090), Code, 1939, to make that part of the income tax law providing for jeopardy assessments applicable to retail sales tax, begs leave to report it has had the same under consideration and recommends the same do pass.

SANFORD ZEIGLER, JR., *Chairman.*

Ordered passed on file.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 21, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Dr. MacLennan, pastor of the Cottage Grove Presbyterian Church, Des Moines.

## LEAVE OF ABSENCE

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

## PETITIONS

The following petitions were presented and placed on file:

By Senator Reilly, from the American Legion of Dubuque, favoring aid to dependent children.

By Senator Long, from the county officers of Buchanan county, favoring four year term for county officers, also an increase in salary.

By Senator Leo, from the county officers of Benton county, favoring four year term for county officers.

## INTRODUCTION OF BILLS

Senate File 50, by Senators Reilly, Henningsen and Faul, a bill for an act to amend paragraph six (6) of section eighty-nine hundred twenty-seven (8927), chapter four hundred four (404), Code, 1939, as amended by chapter two hundred seventy-six (276) acts of the Forty-ninth (49th) General Assembly, to increase the amount that insurance companies organized under chapter four hundred four (404), Code, 1939, may invest in corporate bonds and stocks.

Read first and second times, is ready for commitment and amendment, and referred to committee on insurance.

Senate File 51, by Senator Shaw, a bill for an act to amend chapter 4 of the Code of 1939 by adding another section providing

that rules and regulations adopted construing statutes must be approved by the attorney general.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 52, by Senators Cromwell, Berg, Emerson, Evans, Foster, Goode, Bekman, Hattery, Henningsen, Hess, Hill, Lynes, Martin, Pine, Sjulín, Zastrow and Zeigler, a bill for an act to make the office of commerce commissioners appointive.

Read first and second times, is ready for commitment and amendment, and referred to committee on election reform.

Senate File 53, by Senator Martin (Lage, Hedin), a bill for an act to appropriate not to exceed the sum of twenty-six hundred fifty dollars for the purpose of paying one-half of the cost of the construction and installation of a sewer, septic tank and disposal field in the city of Davenport, Iowa, in a public street named Eastern Avenue adjoining real estate owned by the state of Iowa and used for the Iowa Soldiers' Orphans Home.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 2.

Senate File 54, by Senator Watson, a bill for an act to amend section fifty-four hundred ninety-six (5496), Code, 1939, relating to the office of county surveyor.

Read first and second times, is ready for commitment and amendment, and referred to committee on compensation of public officers.

Senate File 55, by Senators Sjulín, Dykhouse, Schluter, Leo, Henningsen and Evans, a bill for an act to amend section nine thousand one hundred nineteen (9119), Code, 1939, relating to the licensing of insurance agents.

Read first and second times, is ready for commitment and amendment, and referred to committee on insurance.

Senate File 56, by Senators Schluter and Faul, a bill for an act to amend sections ten thousand two hundred eighty-seven (10287) and ten thousand two hundred ninety-five (10295) of the Code of Iowa, 1939, relating to mechanic's liens and the priority of mechanic's liens.



Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 57, by Senator Faul, a bill for an act declaring certain structures and other objects within the aerial approaches of the public utility class to be airport hazards and as such not in the public interest; empowering and directing the Iowa Aeronautics Commission, or other official or officials or agency of the state, as the case may be, to prepare airport approach plans for such airports, indicating the approach protection necessary; empowering and directing municipalities and other political subdivisions to promulgate, administer and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of the property in the vicinity of such airport; authorizing the acquisition by purchase, grant, or condemnation of air rights and other interest in land in cases in which the desired result cannot be obtained by regulation; prescribing certain standards and principles to be followed; making provision for notice, hearing and appeal and prescribing the procedure governing the adoption of airport zoning regulations, applications for permits and variances, and judicial review; and granting to cities and towns and to any zoning commission and board of adjustment therein additional authority under any law or ordinance to extend the jurisdiction of any such city or town and any zoning commission and board of adjustment to include the height of any structure or object within the provisions of this act not exceeding two miles from the center of any airport and not exceeding four thousand (4000) feet in the segment of a circle having a radius of two miles from the center of said airport and within the boundary lines of any runway extended to said circle. Compliance with the airport approach standards of the Civil Aeronautics Authority of the Federal Department of Commerce shall be prima facie evidence of compliance with this act. Penalties and remedies for violations of this act or any ordinance or regulations made under the authority conferred thereby shall be provided herein.

Read first and second times, is ready for commitment and amendment, and referred to committee on aeronautics.

Senate File 58, by Senator Pine (Hicklin and Latchaw), a bill for an act to authorize the Joint Boards of Supervisors of Muscatine and Louisa counties, acting as a governing body of Musca-

tine Island Levee District, to transfer jurisdiction of so much of said Muscatine Island Levee District as lies within the corporate limits of the city of Muscatine, Iowa, to said city, and requiring and empowering said city to repair, improve and maintain the same and providing procedure.

Read first and second times, is ready for commitment and amendment, and referred to committee on county and township affairs.

### BILLS ASSIGNED TO COMMITTEES

President Blue announced the following assignment of bills to committees:

H. F. 2. Military affairs.

H. F. 5. Social security.

### THIRD READING OF BILLS

On motion of Senator Evans, Senate File 45, a bill for an act to amend section six thousand nine hundred forty-three and one hundred forty-eight thousandths (6943.148), Code, 1939, by providing for a limitation of time within which the state tax commission may appeal from the ruling of the county board of supervisors in connection with applications for homestead exemption tax credits, 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, 48:

Augustine	Foster	Keir	Reilly
Bekman	Fuller	Leo	Schluter
Berg	Goode	Long	Shaw
Byers	Hart	Love	Sjulin
Clark	Harvey	Lundy	Stewart
Clem	Hattery	Lynes	Turner
Cromwell	Henningsen	Martin	Vittetoe
Dykhous	Hess	Mercer	Vrba
Emerson	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
Faul	Johnson	Pelzer	Zastrow
Findlay	Jones	Pine	Zeigler

Nays, none.

Absent or not voting, 2:

Benson	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 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.

#### 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 9, a bill for an act relating to issuance of permits to Class "B" and "C" beer permit holders and providing fees therefor.

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

House File 16, a bill for an act relating to court review of decisions of commission; and prescribing certain documents to be certified.

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

House File 21, a bill for an act relating to unemployment compensation.

Also: 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 duties of health department inspectors.

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

House File 25, a bill for an act relating to the time of expiration of liquor permits.

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

House File 28, a bill for an act relating to investment of funds of state banks, savings banks, and trust companies.

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

House File 30, a bill for an act relating to the maximum loads on motor trucks.

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

House File 31, a bill for an act relating to legal custody of paroled prisoners.

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 providing for the appropriation of funds by boards of supervisors for payment of expenses to aid in sale of war savings bonds and stamps.

Also: That the House has concurred in Senate amendment to and adopted the report of the Joint Committee on extra help.

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 distribution of bills and Journals of the Fiftieth General Assembly without charge to the state educational institutions.

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

House Concurrent Resolution 7 providing for the printing of the committee books and rule books of the Fiftieth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 6

*Be It Resolved by the House, the Senate Concurring:* That the Superintendent of Printing be directed to supply the State University at Iowa City, State College at Ames, and the Iowa State Teachers College at Cedar Falls with copies of bills and Journals of the Fiftieth General Assembly without charge.

#### HOUSE CONCURRENT RESOLUTION 7

*Be It Resolved by the House, the Senate Concurring:* That four thousand (4,000) copies of the committee books and one thousand (1,000) copies of the rule books shall be printed, all to be bound in paper covers.

Senator Hunt asked and received unanimous consent to take up House Concurrent Resolution 6, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Hunt asked and received unanimous consent to take up House Concurrent Resolution 7, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### THIRD READING OF BILLS

On motion of Senator Whitehill, Senate File 44, a bill for an act to repeal section three thousand eight hundred fifteen (3815), Code, 1939, and enact a substitute thereof relating to the recommendation for pardon of paroled prisoners who enter the military, naval, or nursing service of the United States, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 44 by adding thereto the following as Sec. 2:

Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Iowa Bystander, a newspaper published at Des Moines, Iowa, and the Sidney Argus-Herald, a newspaper published at Sidney, 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, 46:

Augustine	Foster	Leo	Reilly
Bekman	Fuller	Long	Schluter
Berg	Goode	Love	Shaw
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Dykhouse	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir		

Nays, none.

Absent or not voting, 4:

Benson	Elthon	Hart	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 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 Mercer, Senate File 46, a bill for an act to amend section eleven thousand eight hundred eighty-seven (11887), Code, 1939, so as to require the clerk of the probate court to set the amount of the bond of administrators of estates, was taken up and considered.

Senator Mercer moved that Senate File 46 be rereferred to judiciary 2, which motion prevailed, and Senate File 46 was re-referred.

On motion of Senator Hill, Senate File 47, a bill for an act to

correct the reference in the Unemployment Compensation Act as to the method of obtaining service of notice in civil action on nonresident employing units, 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, 48:

Augustine	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Dykhous	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler

Nays, none.

Absent or not voting, 2:

Elthon                      Hart

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

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

On motion of Senator Bekman, House File 10, a bill for an act to amend section one thousand nine hundred twenty-one and one hundred nineteen thousandths (1921.119), Code, 1939, relating to the licensing of golf and country clubs to sell beer, 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, 46:

Augustine	Cromwell	Fuller	Hill
Bekman	Dykhous	Goode	Hunt
Berg	Emerson	Harvey	Johnson
Byers	Evans	Hattery	Jones
Clark	Findlay	Henningsen	Keir
Clem	Foster	Hess	Leo

Long	Miller	Shaw	Vrba
Love	Mowry	Sjulin	Watson
Lundy	Pelzer	Stewart	Whitehill
Lynes	Pine	Turner	Zastrow
Martin	Reilly	Vittetoe	Zeigler
Mercer	Schluter		

Nays, none.

Absent or not voting, 4:

Benson	Elthon	Faul	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 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 Byers, House File 12, a bill for an act to amend section six thousand nine hundred forty-three and ninety thousandths (6943.090), Code, 1939, to make that part of the income tax law providing for jeopardy assessments applicable to retail sales tax, 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, 48:

Augustine	Findley	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Dykhous	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler

Nays, none.

Absent or not voting, 2:

Elthon	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.

## EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

## HOUSE MESSAGES CONSIDERED

House File 9, a bill for an act to amend section one thousand nine hundred twenty-one and ninety-nine thousandths (1921.099), Code, 1939, relating to the issuance of state permits to holders of Class "B" and Class "C" beer permits, and providing for the payment of fees for such applications.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

House File 16, a bill for an act to amend subsection I of section fifteen hundred fifty-one and twelve hundredths (1551.12), Code of Iowa, 1939, as amended, relating to court review of decisions of the commission; and prescribing the records, papers and documents to be certified by the commission to the court.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 21, a bill for an act to amend section fifteen hundred fifty-one and thirteen hundredths (1551.13), Code, 1939, as amended, relating to rate of contribution and method of determining rate, and providing for right of appeal by employer; amending chapter one hundred three (103) of the acts of the Forty-ninth General Assembly of Iowa, relating to the computation and assessment of contributions and procedures by which the employer may protest such assessments, and appeals from such assessments to the commission and to the court.

Read first and second times, is ready for commitment and amendment, and referred to committee on social security.

House File 24, a bill for an act to amend and clarify section two thousand five hundred thirty (2530), Code, 1939, relating to the duties of health department inspectors in the enforcement of the law affecting the practice of pharmacy.

Read first and second times, is ready for commitment and amendment, and referred to committee on pharmacy.



House File 25, a bill for an act to amend section nineteen hundred twenty-one and twenty-nine thousandths (1921.029), Code, 1939, relating to the time of expiration of liquor permits.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

House File 28, a bill for an act to amend section nine thousand one hundred and eighty-three and one-tenth (9183.1), Code, 1939, relating to investment of funds of state banks, savings banks, and trust companies.

Read first and second times, is ready for commitment and amendment, and referred to committee on banks and banking.

House File 30, a bill for an act to amend section one (1) of chapter one hundred seventy-eight (178), acts of the 49th General Assembly, relating to the maximum loads on motor trucks.

Read first and second times, is ready for commitment and amendment, and referred to committee on motor vehicles.

House File 31, a bill for an act to amend section thirty-seven hundred ninety (3790), Code, 1939, relating to the legal custody of paroled prisoners.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 40, a bill for an act to provide for the authorization of the appropriation of funds by boards of supervisors for payment of expenses of clerical help, rent, equipment, supplies, telephone and incidentals (except transportation) to aid in the sale of war savings bonds and stamps and to conduct campaigns therefor.

Read first and second times, is ready for commitment and amendment, and referred to committee on county and township affairs.

#### PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present a group of students from Lincoln High School who were present in the Senate Chamber.

## BILLS WITHDRAWN FROM CONSIDERATION

Senator Martin asked and received unanimous consent to have Senate File 6 withdrawn from further consideration of the Senate.

Senator Evans asked and received unanimous consent to have Senate File 8 withdrawn from further consideration of the Senate.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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.

## REPORT OF COMMITTEE

Senator Cromwell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred House File 40, a bill for an act to provide for an appropriation to aid in sale of war savings bonds and stamps and to conduct campaigns therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED CROMWELL, *Ranking Member.*

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 12 as follows:

By inserting in line 11 of section two (2), immediately following the word "of", the words "mutton and" and also by inserting immediately after the word "and" in line 11, the words "the use of". RICHARD V. LEO.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 22, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. C. L. Young, Pastor of the United Brethren Church, Albia.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hart for the day, on request of Senator Cromwell; Senator Elthon for the day, on request of Senator Love.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hill, from the county officers of Hamilton county, favoring an increase in salary for county officers.

By Senator Lundy, from the county officers of Monroe county, favoring an increase in salary for county officers.

## INTRODUCTION OF BILLS

Senate File 59, by Senator Hill (Poston), a bill for an act relating to watchmakers and watchmaking, defining the term "watchmaker", creating a board and other officers, providing for a seal and collection of fees and expenditures, providing for the issuance and revocation of certificates, prohibiting the practice of watchmaking as defined in the act without a certificate; providing penalties for the violation thereof.

Read first and second times, is ready for commitment and amendment, and referred to committee on manufacturing, commerce and trade.

Senate File 60, by Senators Mercer, Bekman, Hattery, Emerson and Whitehill, a bill for an act to amend section three thousand three hundred ninety-five (3395), of chapter one hundred sixty-nine (169), Code, 1939; and to repeal sections three thousand three hundred ninety-nine (3399), three thousand four

hundred (3400), and three thousand four hundred one (3401), of chapter one hundred sixty-nine (169), Code, 1939, relating to the support of patients committed to the sanatorium, and to substitute in lieu thereof all provisions of chapter one hundred seventy-eight (178), Code, 1939.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 61, by Senators Turner, Keir, Findlay, Jones, Mowry, Foster, Shaw, Miller, Harvey, Zastrow, Sjulín, Whitehill and Hess, a bill for an act to amend chapter ninety-three and one tenth (93.1), Code, 1939, relating to liquor control, extending the prohibitions thereof to certain territory and providing for petitions and elections in all political subdivisions for the purpose of determining and defining such territory.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 62, by Senators Mowry, Turner, Benson, Hess, Sjulín, Whitehill, Zastrow, Harvey, Miller, Shaw, Foster, Keir, Jones and Findlay, a bill for an act to amend chapter ninety-three and two tenths (93.2), Code, 1939, relating to beer and malt liquors, extending the illegality thereof to certain territory and providing for petitions and elections in all political subdivisions for the purpose of determining and defining such territory.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 63, by Senator Watson, a bill for an act to amend title IV, chapter thirty-five (35), Code, 1939, relating to elections and officers, time of election and term of office limiting the number of supervisors that may be elected from territories of the county.

Read first and second times, is ready for commitment and amendment, and referred to committee on election reform.

Senate File 64, by election reform committee, a bill for an act to amend section five thousand one hundred and six (5106) of the Code of 1939, relating to the time of election and term of office of members of boards of supervisors.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 65, by election reform committee, a bill for an act to amend section five hundred twenty (520) of the Code of 1939, relating to the terms of office of county officers.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 66, by Senator Byers, a bill for an act to amend section thirteen thousand two hundred nineteen (13219), Code, 1939, relating to permitting minors to enter and remain in nine or ten pin alleys.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 20, 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 29, a bill for an act relating to style of Code of Iowa.

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

House File 32, a bill for an act relating to cash reserve required by trust companies.

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 qualifications for license to practice accountancy.

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

House File 34, a bill for an act relating to commissioners for Iowa in other states.

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

House File 35, a bill for an act relating to transfer of lots for use as schoolhouse sites.

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

House File 36, a bill for an act relating to secondary road system.

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

House File 38, a bill for an act relating to amount of paid capital of loan and trust companies.

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 appointment of adjutant general by governor.

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

House File 42, a bill for an act relating to fish and game licenses.

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 relating to water navigation regulations.

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 relating to salaries of municipal court officers.

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 relating to agents of licensed fur dealers.

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

House File 48, a bill for an act relating to assessment and liability of stockholders of banks and trust companies.

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

House File 49, a bill for an act relating to presidential electors.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 20, a bill for an act to repeal section one thousand nine hundred twenty-one and one hundred one thousandths (1921.101), Code, 1939, relating to tenure of class "B" permits issued to golf or country clubs.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 29, a bill for an act to amend section one hundred and sixty-eight (168), Code, 1939, relating to the style of the Code of Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 32, a bill for an act to amend section nine thousand three hundred four (9304), Code, 1939, relating to the cash reserve required by trust companies organized under chapter four hundred sixteen (416) of the Code.

Read first and second times, is ready for commitment and amendment, and referred to committee on banks and banking.

House File 33, a bill for an act to amend section one thousand nine hundred five and nine-hundredths (1905.09), Code, 1939, relating to qualifications for license to practice accountancy.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 34, a bill for an act to repeal chapter sixty-four (64), Code, 1939, relating to commissioners for Iowa in other states.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 35, a bill for an act to amend section six thousand three hundred nine (6309), Code, 1939, relating to the transfer of lots in cities and towns for use as schoolhouse sites.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 36, a bill for an act to amend section four thousand six hundred forty-four and two hundredths (4644.02), Code, 1939, relating to the secondary road system.

Read first and second times, is ready for commitment and amendment, and referred to committee on highways.

House File 38, a bill for an act to amend section nine thousand two hundred fifty-nine (9259), Code, 1939, relating to the amount of paid capital of loan and trust companies.

Read first and second times, is ready for commitment and amendment, and referred to committee on banks and banking.

House File 39, a bill for an act to amend section four hundred sixty-seven and forty-two hundredths (467.42), Code, 1939, relating to the appointment of the adjutant general by the governor.

Read first and second times, is ready for commitment and amendment, and referred to committee on military affairs.

House File 42, a bill for an act to amend chapter eighty-six and one-tenth (86.1), Code, 1939, relating to fish and game licenses.

Read first and second times, is ready for commitment and amendment, and referred to committee on conservation.

House File 44, a bill for an act to amend section one thousand seven hundred three and fourteen hundredths (1703.14), Code, 1939, relating to water navigation regulations.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 45, a bill for an act to amend section ten thousand six hundred eighty-eight (10688), Code, 1939, in the statute relating to salaries of municipal court officers.

Read first and second times, is ready for commitment and amendment, and referred to committee on compensation of public officers.

House File 46, a bill for an act to repeal section seventeen hundred ninety-four and fifty-seven thousandths (1794.057), Code, 1939, relating to agents of licensed fur dealers.

Read first and second times, is ready for commitment and amendment, and referred to committee on conservation.

House File 48, a bill for an act to amend sections nine thousand two hundred fifty-nine (9259), nine thousand two hundred eighty-three and forty-three hundredths (9283.43), and nine thousand two hundred eighty-three and fifty-nine hundredths (9283.59), Code, 1939, relating to the assessment and liability of stockholders of banks and trust companies.

Read first and second times, is ready for commitment and amendment, and referred to committee on banks and banking.

House File 49, a bill for an act to amend sections nine hundred sixty-eight (968), nine hundred sixty-nine (969), and one thousand four (1004), Code, 1939, all relating to presidential electors.

Read first and second times, is ready for commitment and amendment, and referred to committee on election reform.



## UNFINISHED BUSINESS

Senator Hill moved that Senate File 47 and the motion to reconsider the vote by which it passed the Senate be taken from the table.

A quorum being present and there being no "No" votes, the motion to take Senate File 47 from the table carried by a two-thirds majority.

Senator Hill moved that the vote by which Senate File 47 passed the Senate be reconsidered, which motion prevailed.

On the question, "Shall the vote by which Senate File 47 passed the Senate be reconsidered?" the vote was as follows:

## Ayes, 45:

Augustine	Fuller	Leo	Schluter
Bekman	Goode	Long	Shaw
Berg	Harvey	Love	Sjulin
Byers	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dykhouse	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Whitehill
Evans	Jones	Pine	Zastrow
Faul	Keir	Reilly	Zeigler
Findlay			

## Nays, none.

## Absent or not voting, 5:

Benson	Foster	Hart	Lundy
Elthon			

The motion, having received a constitutional majority, prevailed.

Senator Hill moved that the vote by which Senate File 47 passed to its third reading be reconsidered.

The motion prevailed.

Senator Hill asked and received unanimous consent that action on Senate File 47 be deferred and that it retain its place on the calendar.

## THIRD READING OF BILLS

On motion of Senator Keir, House File 40, a bill for an act to provide for the authorization of the appropriation of funds by boards of supervisors for payment of expenses of clerical help, rent, equipment, supplies, telephone and incidentals (except

transportation) to aid in the sale of war savings bonds and stamps and to conduct campaigns therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Keir moved that the bill be read a third time now, which motion prevailed.

Senator Keir asked unanimous consent to have House File 40 rereferred to the committee on county and township affairs.

Senator Clark objected.

Senator Keir asked and received unanimous consent to withdraw his motion that the bill be read a third time and placed on its passage.

Senator Clark withdrew his objection.

Senator Goode moved that House File 40 be rereferred to the committee on county and township affairs, which motion prevailed.

#### BILL WITHDRAWN FROM CONSIDERATION

Senator Cromwell asked and received unanimous consent to withdraw Senate File 30 from further consideration of the Senate.

#### COMMUNICATION FROM THE GOVERNOR

January 22, 1948

LIEUTENANT GOVERNOR ROBERT D. BLUE,  
President of the Senate,

THE HONORABLE MEMBERS OF THE SENATE:

There is transmitted to your honorable body herewith the Budget, and copies thereof have been made available to each member.

Within a few days I shall forward my Budget Message to you, together with drafts of appropriation bills as contemplated in Section 84.15 of the Code, but I desired to make the Budget, filed today, available at the earliest possible date for your preliminary study prior to the submission of the message and the drafts of appropriation bills.

Respectfully yours,

B. B. HICKENLOOPER, *Governor.*

#### COMMUNICATION FROM THE CODE EDITOR

January 21, 1948

HONORABLE ROBERT D. BLUE,  
Lieut. Governor and President of the Senate.

Dear Sir:

In pursuance of section 156, subsection 1, of the Code, as Code Editor

I herewith submit such recommendations as I deem proper for the consideration of the General Assembly for the purpose of amending, revising and codifying such portions of the law as may be conflicting, redundant or ambiguous.

I have embodied these recommendations in the form of bills, all of which I submit herewith.

At the request of the Special Committee of the House I submitted these bills to such committee and some of them have already been introduced in the House by this Special Committee and some others have been introduced in the Senate by the Special Committee of the Senate. I have attached a note to each of the bills that I recommend that have already been introduced in one or the other branch of the legislature to this date.

Respectfully submitted,

F. F. FAVILLE, *Code Editor and Supreme Court Reporter.*

President Blue announced that the report of the Code Editor and the proposed bills on revision and codification of the Code would be referred to committee on judiciary 2.

On motion of Senator Hunt, the Senate recessed until 1:00 p. m.

## AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

## INTRODUCTION OF BILLS

Senate File 67, by Senator Evans, a bill for an act to provide for care of indigent persons in city or town hospitals established pursuant to sections ten thousand one hundred eighty-eight (10188) and ten thousand one hundred eighty-nine (10189) of the Code, 1939, and to provide for the payment of the costs thereof by the board of supervisors.

Read first and second times, is ready for commitment and amendment, and referred to committee on county and township affairs.

Senate File 68, by Senator Evans, a bill for an act making total insanity for a period of five years a ground for divorce and to this end to amend section ten thousand four hundred seventy-five (10475), Code, 1939.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 69, by Senator Evans, a bill for an act to amend section eleven thousand eight hundred sixty-five (11865), Code,

1939, to change the time for publishing notice of hearing for the probate of a will.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 70, by Senator Berg, a bill for an act to amend chapter four hundred sixty-three (463), Code, 1939, relating to real property legalizing acts, and to legalize sheriff's deeds and foreclosure proceedings prior to January 1, 1930, and for a statute of limitation.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 71, by Senator Harvey, a bill for an act to legalize proceedings of the board of supervisors of Monona county, Iowa, for account of Haitz Drainage District Number 17 in said county with respect to the levy of supplemental and additional assessments to pay the cost of improvements in and for said drainage district and with respect to the issuance of bonds for account of said drainage district in anticipation of the collection of the unpaid portion of said assessments.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 72, by Senator Harvey, a bill for an act to legalize proceedings of the board of supervisors of Monona county, Iowa, for account of Farmers and Garretson Drainage District in said county with respect to the levy of assessments to pay the cost of improvements in and for said drainage district and with respect to the issuance of bonds for account of said drainage district in anticipation of the collection of the unpaid portion of said assessments.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

#### REPORTS OF COMMITTEES

Senator E. K. Bekman submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 2, to which was referred Senate File 13, a bill for an act to amend section eighteen hundred sixty-nine and one-tenth (1869.1) of the 1939 Code of Iowa relating to the collection of fees for the renewal of licenses of registered professional

engineers, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 13 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section eighteen hundred sixty-nine and one-tenth (1869.1) of the 1939 Code of Iowa shall be amended by adding the following words at the end of said section:

'For the duration of any war in which the United States of America is engaged the board may, in its discretion, defer the collection of renewal fees without penalty, which have or may become due from registered professional engineers who are employed in the war effort, and residing outside the state of Iowa, or who are members of the armed forces of the United States, and may renew the engineering certificates of said registered professional engineers.' "

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Senator Whitehill submitted the following report:

MR. PRESIDENT: Your committee on military affairs, to which was referred House File 2, a bill for an act to amend section three (3), chapter two hundred forty-two (242), acts of the Forty-ninth (49th) General Assembly, relating to soldier's exemptions, begs leave to report it has had the same under consideration and recommends that the same do pass.

B. C. WHITEHILL, *Chairman*.

Ordered passed on file.

Senator Hill submitted the following report:

MR. PRESIDENT. Your committee on judiciary 1, to which was referred House File 16, a bill for an act to amend subsection 1 of section fifteen hundred fifty-one and twelve hundredths (1551.12), Code of Iowa, 1939, as amended, relating to court review of decisions of the commission; and prescribing the records, papers and documents to be certified by the commission to the court, 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 Hill submitted the following report:

MR. PRESIDENT. Your committee on judiciary 1, to which was referred Senate File 3, a bill for an act to amend section ten thousand four hundred ninety-two (10492) of the 1939 Code of Iowa, pertaining to the manner of attaining majority by all minors entering any branch of the military or naval service of the United States, 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 3 by adding the words "Union Republican" after the word "the" in line 4, section 2, and the word "Albia", after the word "at" in line 5, section 2.

G. R. HILL, *Chairman*.

Ordered passed on file.

Senator Hill submitted the following report:

**MR. PRESIDENT.** Your committee on judiciary 1, to which was referred Senate File 56, a bill for an act to amend sections ten thousand two hundred eighty-seven (10287) and ten thousand two hundred ninety-five (10295) of the Code of Iowa, 1939, relating to mechanic's liens and the priority of mechanic's liens, 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 56 by striking Sec. 3, the publication clause.

G. R. HILL, *Chairman.*

Ordered passed on file.

Senator Hill submitted the following report:

**MR. PRESIDENT.** Your committee on judiciary 1, to which was referred House File 31, a bill for an act to amend section thirty-seven hundred ninety (3790) Code, 1939, relating to the legal custody of paroled prisoners, 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 Hill submitted the following report:

**MR. PRESIDENT.** Your committee on judiciary 1, to which was referred House File 22, a bill for an act to amend section one thousand nine hundred five and six hundredths (1905.06), Code, 1939, relating to the definition of the practice of accountancy, 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.

#### AMENDMENTS FILED

Amend Senate File 56 as follows:

Amend Senate File 56 by striking Sec. 3.

GEORGE FAUL.

Amend House File 40 as follows:

Amend House File 40 by adding immediately following the word "audit" in line 12 thereof, the following: "and may be paid."

GEORGE FAUL.

Amend Senate File 43 as follows:

Amend Senate File 43 by striking everything after the enacting clause and adding the following:

"Section 1. No action on any claim or cause of action arising prior to March 1, 1943, pursuant to the provisions of any federal statute wherein no period of limitation is prescribed shall be maintained either in law or in equity in any court unless action on such claim or cause of action is commenced within six months after the effective date of this act; and with respect to claims or causes of action arising from such source after March 1, 1943, no action shall be maintained unless commenced within six months after the date of accrual of such claim or cause of action.

Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Hawkeye Gazette, a newspaper published at Burlington, Iowa, and in the Ottumwa Daily Courier, a newspaper published in Ottumwa, Iowa."

FRED CROMWELL.

On motion of Senator Hunt, the Senate adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 25, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. W. F. Domres, Pastor of the Lutheran Church, La Porte City.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cromwell for the week to attend the meeting of Council of State Governments, on request of Senator Hunt; Senator Benson for the day on request of Senator Turner; Senator Zastrow for the day on request of Senator Goode; Senator Fuller for the day on request of Senator Hattery; Senator Pine for the day on request of Senator Faul.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Schluter, from the county officers of Cedar county, favoring four year term for county officers.

By Senator Clark, from the county officers of Lucas county, favoring four year term for county officers.

By Senator Mercer, from the county officers of Iowa county, favoring four year term for county officers.

By Senator Martin, from the county officers of Scott county, favoring four year term for county officers.

By Senator Turner, from the county officers of Taylor county, favoring an increase in salary for county officers.

By Senator Mowry, from the Lincoln Parent-Teacher Association of Newton, favoring aid to dependent children.

## INTRODUCTION OF BILLS

Senate File 73, by committee on judiciary 2, a bill for an act to amend section eleven thousand five hundred twenty-seven (11527), Code of Iowa, by striking the word "reference" and substituting in lieu thereof the word "referee".



Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 74, by committee on judiciary 2, a bill for an act to amend chapter two hundred eighty-six (286), acts of the Forty-ninth (49th) General Assembly, relating to landlord's lien.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 75, by committee on judiciary 2, a bill for an act to amend chapter two hundred eighty-five (285), acts of the Forty-ninth (49th) General Assembly, relating to secondhand watches.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 76, by Senators Vrba, Shaw, Miller and Elthon, a bill for an act to exempt from taxation cooperative corporations and associations not operated for profit and engaged in the generating or furnishing electric energy to farms, farm establishments, rural churches, schools, villages, and towns under six hundred population where electric service is not otherwise available and the value of the interests of members in such corporations or associations.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 77, by Senator Lundy, a bill for an act to amend section eleven thousand nine hundred one (11901), Code, 1939, relating to the administration of the estate of an absentee, and providing that administration may be had on the estate of an absentee who was the owner of property in this state.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 78, by Senator Faul, a bill for an act to make an appropriation to defray the expense of the inaugural ceremonies.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 2.

Senate File 79, by Senator Henningsen, a bill for an act to amend section eleven thousand eight hundred (11800) and eleven thousand eight hundred two (11802), Code, 1939, to give to municipal courts and the judges thereof the same powers in

regard to proceedings auxiliary to execution as are possessed by certain other courts of record.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 80, by Senator Faul, a bill for an act to amend the law as it appears in section fifty-seven hundred one (5701), Code, 1939, relating to civil service in certain cities and providing the qualifications of applicants for appointment in any department connected with the inspection of milk or dairies.

Read first and second times, is ready for commitment and amendment, and referred to committee on cities and towns.

### THIRD READING OF BILLS

On motion of Senator Hill, Senate File 47, a bill for an act to correct the reference in the Unemployment Compensation Act as to the method of obtaining service of notice in civil action on nonresident employing units, was taken up and considered.

Senator Hill asked and received unanimous consent that action be deferred on Senate File 47 and that it retain its place on the calendar.

President pro tempore Frank C. Byers took the chair at 10:26 a. m.

### 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 1, a bill for an act relating to traveling expenses of members of State Board of Eugenics.

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

House File 13, a bill for an act relating to scales and gasoline pumps.

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

House File 41, a bill for an act relating to farm-to-market road fund.

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

House File 50, a bill for an act relating to state game laws.

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

House File 51, a bill for an act relating to duties of clerk of district court.

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 primary roads in cities and towns.

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

House File 53, a bill for an act relating to powers of state board of parole.

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 relating to closed season on frogs.

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

House File 55, a bill for an act relating to contraband articles.

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

House File 56, a bill for an act relating to record of commissions.

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 relating to rights of aliens in real property.

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

House File 79, a bill for an act relating to a state census.

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

House File 80, a bill for an act relating to statutes applicable to government of cities by commission.

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 providing chapter 460, Code, 1939, shall not apply to any bill legalizing the proceedings of or expenditure by state in connection with war emergency. A. C. GUSTAFSON, *Chief Clerk*.

President Blue took the chair at 10:40 a. m.

On motion of Senator Hill, Senate File 3, a bill for an act to amend section ten thousand four hundred ninety-two (10492) of the 1939 Code of Iowa, pertaining to the manner of attaining majority by all minors entering any branch of the military or naval service of the United States, 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 3 by adding the words "Union Republican" after the word "the" in line 4, section 2, and the word "Albia", after the word "at" in line 5, section 2.

The amendment was adopted.

Senator Hill asked and received unanimous consent that Senate File 3 be referred to the committee on judiciary 2.

On motion of Senator Bekman, Senate File 13, a bill for an act to amend section eighteen hundred sixty-nine and one-tenth (1869.1) of the 1939 Code of Iowa relating to the collection of fees for the renewal of licenses of registered professional engineers, 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 13 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section eighteen hundred sixty-nine and one-tenth (1869.1) of the 1939 Code of Iowa shall be amended by adding the following words at the end of said section:

'For the duration of any war in which the United States of America is engaged the board may, in its discretion, defer the collection of renewal fees without penalty, which have or may become due from registered professional engineers who are employed in the war effort, and residing outside the state of Iowa, or who are members of the armed forces of the United States, and may renew the engineering certificates of said registered professional engineers.' "

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	Emerson	Hess	Love
Bekman	Faul	Hill	Lundy
Berg	Findlay	Hunt	Lynes
Byers	Foster	Johnson	Martin
Clark	Goode	Jones	Mercer
Clem	Harvey	Keir	Miller
Dykhouse	Hattery	Leo	Mowry
Elthon	Henningsen	Long	Felzer

Reilly  
Schluter  
Shaw

Sjulin  
Stewart  
Turner

Vittetoe  
Vrba  
Watson

Whitehill  
Zeigler

Nays, none.

Absent or not voting, 7:

Benson  
Cromwell

Evans  
Fuller

Hart  
Pine

Zastrow

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

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

On motion of Senator Faul, Senate File 56, a bill for an act to amend sections ten thousand two hundred eighty-seven (10287) and ten thousand two hundred ninety-five (10295) of the Code of Iowa, 1939, relating to mechanic's liens and the priority of mechanic's liens, 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 56 by striking section 3, the publication clause.

The amendment was adopted.

Senator Faul asked and received unanimous consent to withdraw the amendment filed by him to Senate File 56 and found on page 112 of the Senate Journal.

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  
Bekman  
Berg  
Byers  
Clark  
Clem  
Dykhouse  
Elthon  
Emerson  
Evans  
Faul

Findlay  
Foster  
Goode  
Harvey  
Hattery  
Henningsen  
Hess  
Hill  
Hunt  
Johnson  
Jones

Keir  
Leo  
Long  
Love  
Lundy  
Martin  
Mercer  
Miller  
Mowry  
Pelzer  
Reilly

Schluter  
Shaw  
Sjulin  
Stewart  
Turner  
Vittetoe  
Vrba  
Watson  
Whitehill  
Zeigler

Nays, none.

Absent or not voting, 7:

Benson  
Cromwell

Fuller  
Hart

Lynes  
Pine

Zastrow

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 Love, Senate File 64, a bill for an act to amend section five thousand one hundred and six (5106) of the Code of 1939, relating to the time of election and term of office of members of boards of supervisors, was taken up and considered.

Senator Love asked and received unanimous consent that action on Senate File 64 be deferred and that it retain its place on the calendar.

On motion of Senator Love, Senate File 65, a bill for an act to amend section five hundred twenty (520) of the Code of 1939, relating to the terms of office of county officers, was taken up and considered.

Senator Love asked and received unanimous consent that action on Senate File 65 be deferred and that it retain its place on the calendar.

On motion of Senator Whitehill, House File 2, a bill for an act to amend section three (3), chapter two hundred forty-two (242), Acts of the Forty-ninth (49th) General Assembly, relating to soldiers' exemptions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Whitehill offered the following amendment and moved its adoption:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Marshalltown Times Republican, a newspaper published in the city of Marshalltown, Iowa, and in the State Center Enterprise, a newspaper published in the city of State Center, 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, 43:

Augustine	Faul	Jones	Reilly
Bekman	Findlay	Keir	Schluter
Berg	Foster	Leo	Shaw
Byers	Goode	Long	Sjulin
Clark	Harvey	Love	Stewart
Clem	Hattery	Lundy	Turner
Dykhouse	Henningsen	Martin	Vittetoe
Elthon	Hess	Mercer	Vrba
Emerson	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
	Johnson	Pelzer	Zeigler

Nays, none.

Absent or not voting, 7:

Benson	Fuller	Lynes	Zastrow
Cromwell	Hart	Pine	

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 Hill, House File 16, a bill for an act to amend subsection I of section fifteen hundred fifty-one and twelve hundredths (1551.12), Code of Iowa, 1939, as amended, relating to court review of decisions of the commission; and prescribing the records, papers and documents to be certified by the commission to the court, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 42:

Augustine	Foster	Leo	Schluter
Bekman	Goode	Long	Shaw
Berg	Harvey	Love	Sjulin
Byers	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Elthon	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Whitehill
Evans	Jones	Reilly	Zeigler
Findlay	Keir		

Nays, none.

Absent or not voting, 8:

Benson	Faul	Hart	Pine
Cromwell	Fuller	Lundy	Zastrow

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 22, a bill for an act to amend section one thousand nine hundred five and six-hundredths (1905.06), Code, 1939, relating to the definition of the practice of accountancy, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend House File 22 by adding thereto the following:

Sec. 2. Strike from section nineteen hundred five and six-hundredths (1905.06) of the 1939 Code of Iowa in line one (1) the word "All" and substituting in lieu thereof the word "all".

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, 42:

Augustine	Foster	Leo	Reilly
Bekman	Goode	Long	Schluter
Berg	Harvey	Love	Shaw
Byers	Hattery	Lundy	Sjulin
Clark	Henningsen	Lynes	Turner
Dykhouse	Hess	Martin	Vittetoe
Elthon	Hill	Mercer	Vrba
Emerson	Hunt	Miller	Watson
Evans	Johnson	Mowry	Whitehill
Faul	Jones	Pelzer	Zeigler
Findlay	Keir		

Nays, none.

Absent or not voting, 8:

Benson	Cromwell	Hart	Stewart
Clem	Fuller	Pine	Zastrow

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 31, a bill for an act to amend section thirty-seven hundred ninety (3790), Code, 1939, relating to the legal custody of paroled prisoners, with report of committee recommending 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, 43:

Augustine	Foster	Leo	Schluter
Bekman	Goode	Long	Shaw
Berg	Harvey	Love	Sjulin
Byers	Hattery	Lundy	Stewart
Clark	Henningsen	Lynes	Turner
Dykhouse	Hess	Martin	Vittetoe
Elthon	Hill	Mercer	Vrba
Emerson	Hunt	Miller	Watson
Evans	Johnson	Mowry	Whitehill
Faul	Jones	Pelzer	Zeigler
Findlay	Keir	Reilly	

Nays, none.

Absent or not voting, 7:

Benson	Cromwell	Hart	Zastrow
Clem	Fuller	Pine	

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.

#### HOUSE MESSAGES CONSIDERED

House File 1, a bill for an act to amend section two thousand four hundred thirty-seven and twenty hundredths (2437.20), Code, 1939, relating to traveling expenses of members of State Board of Eugenics.

Read first and second times, is ready for commitment and amendment, and referred to committee on compensation of public officers.

House File 13, a bill for an act to amend, revise, and codify

section three thousand two hundred sixty (3260), Code, 1939, relating to license fees for scales and gasoline pumps.

Read first and second times, is ready for commitment and amendment, and referred to committee on manufacturing, commerce and trade.

House File 41, a bill for an act to suspend for the duration of the war, the provisions of section forty-six hundred eighty-six and twenty-seven hundredths (4686.27), Code, 1939, relating to the reversion and reapportionment of farm-to-market road fund allotted to any county.

Read first and second times, is ready for commitment and amendment, and referred to committee on highways.

House File 50, a bill for an act to amend section one thousand seven hundred ninety-four and fifty-two thousandths (1794.052), Code, 1939, relating to the state game laws.

Read first and second times, is ready for commitment and amendment, and referred to committee on conservation.

House File 51, a bill for an act to amend section ten thousand eight hundred twenty-five (10825), Code, 1939, relating to the duties of the clerk of the district court.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

House File 52, a bill for an act to amend sections six thousand forty-four (6044), six thousand forty-five (6045), six thousand forty-seven (6047), six thousand forty-eight (6048), and four thousand seven hundred fifty-five and twenty-five hundredths (4755.25), and to repeal sections six thousand forty-six (6046) and six thousand forty-nine (6049), Code, 1939, all relating to the payment for improvements of extensions of primary roads in cities and towns.

Read first and second times, is ready for commitment and amendment, and referred to committee on highways.

House File 53, a bill for an act to amend section three thousand seven hundred eighty-six (3786), Code, 1939, relating to the powers of the state board of parole to parole persons after commitment to state penal institutions.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

House File 54, a bill for an act to amend section one thousand seven hundred ninety-four and forty-five thousandths (1794.045), Code, 1939, relating to the closed season on frogs.

Read first and second times, is ready for commitment and amendment, and referred to committee on conservation.

House File 55, a bill for an act to amend section one thousand seven hundred ninety-four and ninety-nine thousandths (1794.099), Code, 1939, relating to contraband articles.

Read first and second times, is ready for commitment and amendment, and referred to committee on conservation.

House File 56, a bill for an act to amend section eighty-seven (87), Code, 1939, relating to the record of commissions filed with the secretary of state.

Read first and second times, is ready for commitment and amendment, and referred to committee on departmental affairs.

House File 69, a bill for an act to amend section ten thousand two hundred fifteen (10215), Code, 1939, relating to the rights of aliens in real property.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 79, a bill for an act to amend sections sixty-three (63), four hundred twenty-nine (429), five thousand one hundred thirteen (5113), five thousand two hundred twenty-eight (5228), five thousand four hundred sixty-six (5466), five thousand six hundred twenty-four (5624), five thousand seven hundred ninety-one (5791), five thousand eight hundred thirteen and one tenth (5813.1), five thousand eight hundred thirteen and two tenths (5813.2), six thousand two hundred seventy-eight and one tenth (6278.1), six thousand three hundred twenty-seven (6327), six thousand four hundred thirty (6430), six thousand four hundred seventy-nine (6479), six thousand four hundred eighty-one (6481), six thousand five hundred seventeen (6517), six thousand five hundred eighty-seven (6587), six thousand six hundred one (6601), six thousand six hundred nine (6609), six thousand six hundred thirty-five (6635), six thousand six hundred ninety-one

(6691), six thousand seven hundred eighty-two (6782), six thousand eight hundred nine (6809), six thousand eight hundred eighteen (6818), six thousand eight hundred nineteen (6819), twelve thousand seven hundred seventy-two and one tenth (12772.1), Code, 1939, all relating to a state census.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

House File 80, a bill for an act to amend section six thousand five hundred sixty-seven (6567), Code, 1939, relating to certain statutes applicable to the government of cities by commission and providing the time within which suit shall be brought against any such city in cases involving injury or damage, and further providing for the filing of a verified written statement of said claims.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 95, a bill for an act to provide that chapter four hundred sixty (460), Code, 1939, shall not apply to any bill legalizing the proceedings of or expenditures by the state or any political subdivision thereof in connection with any war emergency.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, from the joint committee of 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 10, House File 12.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 10, House File 12.

## REPORTS OF COMMITTEES

Senator Ziegler submitted the following report:

**MR. PRESIDENT:** Your committee on ways and means, to which was referred House File 6, a bill for an act to amend section six thousand nine hundred forty-three and one hundred twenty-three thousands (6943.123), Code, 1939, to make that part of the income tax law providing for jeopardy assessments applicable to use tax, begs leave to report it has had the same under consideration and recommends the same do pass.

SANFORD ZEIGLER, JR., *Chairman.*

Ordered passed on file.

Senator Faul submitted the following report:

**MR. PRESIDENT:** Your committee on cities and towns, to which was referred Senate File 4, a bill for an act relating to the levy of taxes for park purposes, begs leave to report it has had the same under consideration and recommends that the same do pass.

GEORGE FAUL, *Ranking Member.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on cities and towns, to which was referred Senate File 5, a bill for an act relating to levy of taxes for maintenance, operation, improvement playgrounds and swimming pools, begs leave to report it has had the same under consideration and recommends that the same do pass.

GEORGE FAUL, *Ranking Member.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on cities and towns, to which was referred Senate File 7, a bill for an act granting additional powers to cities and towns to regulate the seizure, collection, protection and disposal of dogs, begs leave to report it has had the same under consideration and recommends that the same do pass.

GEORGE FAUL, *Ranking Member.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on cities and towns, to which was referred Senate File 17, a bill for an act changing duties of city and town officers in municipal primary elections to city auditor and clerk, begs leave to report it has had the same under consideration and recommends that the same do pass.

GEORGE FAUL, *Ranking Member.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on cities and towns, to which was referred Senate File 24, a bill for an act to amend section fifty-six hun-

dred eighty-nine (5689), Code, 1939, relating to appointment and length of terms of civil service commissioners, begs leave to report it has had the same under consideration and recommends that the same do pass.

GEORGE FAUL, *Ranking Member*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 41, a bill for an act relating to the amount that may be levied in cities and towns of less than five thousand population for collection of garbage, begs leave to report it has had the same under consideration and recommends that the same do pass.

GEORGE FAUL, *Ranking Member*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 49, a bill for an act relating to collection of taxes in cities acting under special charter, begs leave to report it has had the same under consideration and recommends that the same do pass.

GEORGE FAUL, *Ranking Member*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File 17, a bill for an act relating to transfer of funds of cities and towns, begs leave to report it has had the same under consideration and recommends that the same do pass.

GEORGE FAUL, *Ranking Member*.

Ordered passed on file.

Senator Keir submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 9, a bill for an act to amend section three thousand eight hundred twenty-eight and one hundred fourteen thousandths (3828.114), Code, 1939, permitting boards of various counties of state to levy additional millage for support of poor, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 15, a bill for an act to legalize the action of the board of supervisors of Howard county, Iowa, in making expenditures from the poor fund of said county for the purchase of farm land for the county home or county farm, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman*.

Ordered passed on file.

**Also:**

**MR. PRESIDENT:** Your committee on county and township affairs, to which was referred Senate File 19, a bill for an act to amend sections 4473, 4487, 4488, 4506 and 4507 of the 1939 Code of Iowa, pertaining to permanent school fund interest rates and loans, begs leave to report it has had the same under consideration and recommends the same do pass.

**ROBERT KEIR, Chairman.**

Ordered passed on file.

**Also:**

**MR. PRESIDENT:** Your committee on county and township affairs, to which was referred Senate File 29, a bill for an act to amend section 5573 of 1939 Code, relating to the compensation of township assessors, begs leave to report it has had the same under consideration and recommends the same do pass.

**ROBERT KEIR, Chairman.**

Ordered passed on file.

**Also:**

**MR. PRESIDENT:** Your committee on county and township affairs, to which was referred Senate File 34, a bill for an act to amend chapter 189.4, Code, 1939, relating to use of poor fund by the county board of supervisors, begs leave to report it has had the same under consideration and recommends the same do pass.

**ROBERT KEIR, Chairman.**

Ordered passed on file.

**Also:**

**MR. PRESIDENT:** Your committee on county and township affairs, to which was referred Senate File 58, a bill for an act to authorize the joint boards of supervisors of Muscatine and Louisa counties acting as governing body of Muscatine Island Levee District, to transfer jurisdiction of so much of Muscatine Island Levee District as lies within corporate limits of Muscatine, Iowa, to said city, and requiring and empowering said city to repair, improve and maintain same and providing procedure, begs leave to report it has had the same under consideration and recommends the same do pass.

**ROBERT KEIR, Chairman.**

Ordered passed on file.

**Also:**

**MR. PRESIDENT:** Your committee on county and township affairs, to which was referred House File 40, a bill for an act to provide appropriation to aid in sale of War Savings Bonds and Stamps and to conduct campaigns 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 House File 40 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Until funds are made available from some other source

the board of supervisors of any county may, by resolution duly adopted, appropriate from the general funds of the county in each of the years 1943 and 1944 an amount they may deem necessary for the purpose of paying expenses incidental to office of County War Bond Committee for clerical help, rent, equipment, supplies, telephone and incidentals (except transportation) to aid in the sale of War Savings Bonds and Stamps, and to conduct campaigns therefor; and any supplies or equipment so provided by the county shall be and remain the property of the county. The County War Bond Chairman shall file with the county auditor each month a detailed sworn statement of said expenses and the board shall audit and allow only so much thereof as it shall find reasonable and necessary.

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Montezuma Republican, a newspaper published at Montezuma, Iowa, and the Kingsley News-Times, a newspaper published at Kingsley, Iowa."

ROBERT KEIR, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 39 by striking the word "a" where it first appears in line 2 of section 1, and inserting in lieu thereof the following: "any special charter city having a population of fifty thousand or more and any independent school district located in whole or in part within any".

GEORGE FAUL.

Amend Senate File 70 by striking section two (2) of said bill.

R. E. HESS.

Amend Senate File 3 by adding after the period in line 7, section one (1), of said bill the following: "In case of transfer of real estate by deed, or personal property by bill of sale by any person affected by this act that there shall be attached to said deed or bill of sale a verified copy of the inductee's assignment to active duty."

R. E. HESS.

Amend Senate File 3 by inserting after the word "minors" in line 3 of section one (1) the following: "eighteen years of age or older".

GEORGE FAUL.

Amend Senate File 37 by adding the words "Le Mars Sentinel" after the word "in" in line 4, section two (2), and the word "Le Mars" after the word "at" in line 5, section two (2).

R. E. HESS.

Amend Senate File 25 by striking the word "by" in line 14 of section 1, and by inserting in lieu thereof the word "but". FRANK D. MARTIN.

Amend Senate File 47 by striking therefrom all after the enacting clause, and inserting in lieu thereof the following:

"Section 1. Amend section fifteen hundred fifty-one and twenty hundredths (1551.20), Code of 1939, by striking therefrom subsection F, and inserting in lieu thereof the following:

"Sec. 2. Original notice—form. The original notice of suit filed with



the secretary of state shall be in form and substance the same as now provided in suits against residents of this state, except that that part of said notice pertaining to the return day shall be in substantially the following form, to wit:

'and unless you appear thereto and defend in the district court of Iowa in and for.....county at the courthouse in ....., Iowa, before noon of the sixtieth day following the filing of this notice with the secretary of state of this state, default will be entered and judgment rendered against you by the court if then in session in said county, and if the court is not then in session said default will be entered and judgment rendered by the court on the first day of the first succeeding term or as soon thereafter as the same may be reached.'

"Sec. 3. Manner of service. Plaintiff in any such action shall cause the original notice of suit to be served as follows:

1. By filing a copy of said original notice of suit with said secretary of state, together with a fee of two dollars, and

2. By mailing to the defendant, and to each of the defendants if more than one, within ten days after said filing with the secretary of state, by restricted registered mail addressed to the defendant at his last known residence or place of abode, a notification of the said filing with the secretary of state.

"Sec. 4. Notification to nonresident—form. The notification, provided for in section three (3), shall be in substantially the following form, to wit:

"To.....(Here insert the name of each defendant and his residence or last known place of abode as definitely as known.)

You will take notice that an original notice of suit against you, a copy of which is hereto attached, was duly served upon you at Des Moines, Iowa, by filing a copy of said notice on the.....day of ....., 19....., with the secretary of state of the state of Iowa.

Dated at....., Iowa, this.....day of....., 19.....

.....  
Plaintiff.

By.....  
Attorney for Plaintiff.'

"Sec. 5. 'Restricted registered mail' defined. The term 'restricted registered mail' means mail which carries on the face thereof, in a conspicuous place where it will not be obliterated, the indorsement, 'Deliver to addressee only', and which also requires a return receipt.

"Sec. 6. Optical notification. In lieu of mailing said notification to the defendant in a foreign state, plaintiff may cause said notification to be personally served in the foreign state on the defendant by any adult person not a party to the suit, by delivering said notification to the defendant or by offering to make such delivery in case defendant refuses to accept delivery.

"Sec. 7. Proof of service. Proof of the filing of a copy of said original

notice of suit with the secretary of state, and proof of the mailing or personal delivery of said notification to said nonresident shall be made by affidavit of the party doing said acts. All affidavits of service shall be indorsed upon or attached to the originals of the papers to which they relate. All proofs of service, including the return registry receipt, shall be forthwith filed with the clerk of the district court.

"Sec. 8. Actual service within this state. The foregoing provisions relative to service of original notice of suit on nonresidents shall not be deemed to prevent actual personal service in this state upon the nonresident in the time, manner, form and under the conditions provided for service on residents.

"Sec. 9. Venue of actions. Actions against nonresidents as contemplated by this law may be brought in the county of which plaintiff is a resident, or in the county in which the injury was received, or damage done.

"Sec. 10. Continuances. The court in which such action is pending shall grant such continuances to a nonresident defendant as may be necessary to afford his reasonable opportunity to defend said action.

"Sec. 11. Duty of secretary of state. The secretary of state shall keep a record of all notices of suit filed with him, shall not permit said filed notices to be taken from his office except on an order of court, and shall, on request, and without fee, furnish any defendant with a certified copy of the notice in which he is defendant."

Further amend the title to Senate File 47 by changing the period (.) at the end of line three (3) to a semi-colon (;) and by adding the following:

"to provide the form and manner of service of the original notice, and the proof of service thereof; to provide optional method of service of original notice; to provide for venue of actions and continuances; and to define the duty of the secretary of state."

G. R. HILL.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DE MOINES, IOWA, JANUARY 26, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. W. J. Fowler, Pastor of the First Methodist Church, Sigourney.

## LEAVE OF ABSENCE

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

## REPORT OF COMMITTEE ON COMMITTEE ROOMS

Senator Vrba offered the following amendment to the report of the committee on committee rooms and moved its adoption:

**MR. PRESIDENT:** Your committee on assignment of committee rooms begs leave to report the following changes:

Amend the report of committee on committee rooms, found on pages 80 and 81 of the Senate Journal, by changing the time and day of meeting of the following committees:

1. Appropriations 1 to Monday and Wednesday, 2:00 p. m., Room 22.
2. Conservation to Tuesday, 3:30 p. m., Lieutenant Governor's Room.
3. Committee on state accounting system to Friday, 3:30 p. m., Room 23.

The amendment to the report was adopted.

Senator Vrba moved the adoption of the report as amended, which motion prevailed.

## INTRODUCTION OF BILLS

Senate File 81, by Senators Keir, Whitehill, Faul and Sjulín, a bill for an act to provide for the clearing at par of checks drawn on any bank or trust company organized under the laws of this state and providing for penalties for violation thereof.

Read first and second times, is ready for commitment and amendment, and referred to committee on banks and banking.

Senate File 82, by Senator Shaw, a bill for an act to amend section sixty-nine hundred forty-three and forty-one thousandths

(6943.041), Code, 1939, and section sixty-nine hundred forty-three and forty-two thousandths (6943.042), Code, 1939, relating to allowable deductions on gross income and computing that income for taxation purposes by adding deduction provisions for medical care.

Read first and second times, is ready for commitment and amendment, and referred to committee on income tax reduction.

Senate File 83, by Senator Byers, a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, relating to the powers and duties of the board of supervisors.

Read first and second times, is ready for commitment and amendment, and referred to committee on county and township affairs.

Senate File 84, by Senator Byers, a bill for an act to amend section thirty-six hundred twelve (3612), Code, 1939, relating to the salary of probation officers.

Read first and second times, is ready for commitment and amendment, and referred to committee on compensation of public officers.

Senate File 85, by Senator Dykhouse, a bill for an act to amend section sixty-one hundred forty-five (6145), Code, 1939, relating to the publication notice and time for holding elections by cities and towns, relative to the management of public utility plants.

Read first and second times, is ready for commitment and amendment, and referred to committee on public utilities.

Senate File 86, by Senator Shaw, a bill for an act to amend section sixty-nine hundred forty-three and forty-four thousandths (6943.044), and sixty-nine hundred forty-three and forty-five thousandths (6943.045), and sixty-nine hundred forty-three and forty-six thousandths (6943.046), Code, 1939, relative to individual income taxes, increasing the amount of deductions from computed tax and increasing the exemptions on compulsory filing of returns.

Read first and second times, is ready for commitment and amendment, and referred to committee on income tax reduction.

Senate File 87, by Senator Hill (Kuester), a bill for an act to amend sections one hundred twenty-four (124) and one hundred

twenty-four and one tenth (124.1) of the 1939 Code of Iowa relating to audits of cities and school districts and providing for filing of reports with the auditor of state.

Read first and second times, is ready for commitment and amendment, and referred to committee on departmental affairs.

Senate File 88, by Senator Berg, a bill for an act to repeal chapter two hundred twelve (212), Senate File two hundred eighty-four (284), acts of the Forty-ninth (49th) General Assembly, and to amend section six thousand one hundred twenty-five (6125), Code, 1939, relating to the incurring of indebtedness and issuance of bonds for public improvements in cities and towns, including cities under special charter.

Read first and second times, is ready for commitment and amendment, and referred to committee on cities and towns.

Senate File 89, by Committee on National Defense Coordination, a bill for an act to amend chapter seventy-five (75) (House file, 192), acts of the Forty-ninth (49th) General Assembly relating to the Iowa Industrial and Defense Commission and the Legislative Committee on National Defense Coordination and to provide for the continuation of the Legislative Committee on National Defense.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 90, by Senators Hill, Zastrow, Faul, Cromwell and Reilly (Poston and Kuester), a bill for an act to amend chapter one hundred twenty-four and one tenth (124.1), Code, 1939, relating to the supervision and regulation of the practice of embalming.

Read first and second times, is ready for commitment and amendment, and referred to committee on public health.

Senate File 91, by Senator Elthon, a bill for an act authorizing and directing county attorneys to secure from the federal internal revenue collectors for Iowa certified copies of the names of all persons holding receipts or stamps showing payment to the federal government of the special tax imposed upon the business of selling intoxicating liquors within their respective counties and making such certified copies competent evidence, and to provide for the publication thereof and payment therefor, and exempt-

ing holders of special permits, as prescribed in section one thousand nine hundred twenty-one and twenty-seven thousandths (1921.027), Code, 1939, from the provisions of this act.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 92, by Senator Augustine, a bill for an act to amend section three thousand eight hundred twenty-eight and nine thousandths (3828.009) of chapter one hundred eighty-nine and one tenth (189.1), Code, 1939, raising the maximum allowance of old age pensions to forty dollars per month.

Read first and second times, is ready for commitment and amendment, and referred to committee on social security.

Senate File 93, by Senators Watson, Faul and Martin, a bill for an act to amend section six thousand three hundred twenty-six and eight hundredths (6326.08), Code, 1939, relating to benefits under retirement systems for policemen and firemen, and to make the same applicable to special charter cities.

Read first and second times, is ready for commitment and amendment, and referred to committee on cities and towns.

Senate File 94, by Senator Byers, a bill for an act to amend section five thousand seven hundred forty-three (5743), Code, 1939, relating to general powers of cities and towns, and to regulate and license electricians and electrical contractors and provide for their examination.

Read first and second times, is ready for commitment and amendment, and referred to committee on cities and towns.

Senate File 95, by Senator Faul, a bill for an act to amend section eleven thousand one hundred eleven (11111), relating to publication of notice of filing petition in commencement of actions in district court, and section eleven thousand four hundred thirty-nine (11439) relating to assignment of cases, motions and demurrers, and to amend section eleven thousand four hundred forty-one (11441), relating to court calendar, and to amend section eleven thousand one hundred six (11106), relating to fees for publication, and to amend section eleven thousand three hundred forty-nine (11349), all of the Code, 1939, relating to proof of publication, and to provide for publication in a daily newspaper of general circulation of the title of cases, motions,

demurrers, and assignments, and all related matters, and the compensation therefor, in all counties having a population of one hundred thousand or over.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 96, by Senator Faul, a bill for an act to amend section six thousand nine hundred forty-three and thirty-seven thousandths (6943.037), Code, 1939, relating to cancellation and suspension of collection of individual personal net income tax accrued or accruing for the years 1942 and 1943.

Read first and second times, is ready for commitment and amendment, and referred to committee on income tax reduction.

#### 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 11, a bill for an act relating to licensing of sale of cigarettes.

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

House File 18, a bill for an act relating to personal net income tax.

Also: 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 inheritance tax.

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

House File 43, a bill for an act to legalize expenditure of funds by counties, cities, and towns for purpose of civilian defense.

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

House File 81, a bill for an act relating to homestead exemption credits.

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

House File 82, a bill for an act relating to angling laws.

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

House File 83, a bill for an act relating to daily catch and possession limits on fish.

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

Senate File 11, a bill for an act relating to appropriation for use of Iowa Industrial and Defense Commission.

A. C. GUSTAFSON, *Chief Clerk.*

### THIRD READING OF BILLS

On motion of Senator Hill, Senate File 47, a bill for an act to correct the reference in the Unemployment Compensation Act as to the method of obtaining service of notice in civil action on nonresident employing units, was taken up and considered.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 47 by striking therefrom all after the enacting clause, and inserting in lieu thereof the following:

"Section 1. Amend section fifteen hundred fifty-one and twenty hundredths (1551.20), Code of 1939, by striking therefrom subsection F, and inserting in lieu thereof the following:

1. Original notice—form. The original notice of suit filed with the secretary of state shall be in form and substance the same as now provided in suits against residents of this state, except that that part of said notice pertaining to the return shall be in substantially the following form,

"and unless you appear thereto and defend in the district court of Iowa in and for.....county at the courthouse in ....., Iowa, before noon of the sixteenth day following the filing of this notice with the secretary of state of this state, default will be entered and judgment rendered against you by the court if then in session in said county, and if the court is not then in session said default will be entered and judgment rendered by the court on the first day of the first succeeding term or as soon thereafter as the same may be reached."

2. Manner of service. Plaintiff in any such action shall cause the original notice of suit to be served as follows:

a. By filing a copy of said original notice of suit with said secretary of state, together with a fee of two dollars, and

b. By mailing to the defendant, and to each of the defendants if more than one, within ten days after said filing with the secretary of state, by registered mail addressed to the defendant at his last known residence or place of abode, a notification of the said filing with the secretary of state.

3. Notification to nonresident—form. The notification, provided for in section three (3), shall be in substantially the following form, to wit:

"To..... (Here insert the name of each defendant and his residence or last known place of abode as definitely as known.)

You will take notice that an original notice of suit against you, a copy of which is hereto attached, was duly served upon you at Des Moines,



Iowa, by filing a copy of said notice on the.....day of  
 ....., 19....., with the secretary of state of the state  
 of Iowa.

Dated at....., Iowa, this.....day of  
 ....., 19.....

.....  
 Plaintiff.

By....."

Attorney for Plaintiff.

4. "Restricted registered mail" defined. The term "restricted registered mail" means mail which carries on the face thereof, in a conspicuous place where it will not be obliterated, the indorsement, "Deliver to addressee only", and which also requires a return receipt.

5. Optional notification. In lieu of mailing said notification to the defendant in a foreign state, plaintiff may cause said notification to be personally served in the foreign state on the defendant by any adult person not a party to the suit, by delivering said notification to the defendant or by offering to make such delivery in case defendant refuses to accept delivery.

6. Proof of service. Proof of the filing of a copy of said original notice of suit with the secretary of state, and proof of the mailing or personal delivery of said notification to said nonresident shall be made by affidavit of the party doing said acts. All affidavits of service shall be indorsed upon or attached to the originals of the papers to which they relate. All proofs of service, including the return registry receipt, shall be forthwith filed with the clerk of the district court.

7. Actual service within this state. The foregoing provisions relative to service of original notice of suit on nonresidents shall not be deemed to prevent actual personal service in this state upon the nonresident in the time, manner, form and under the conditions provided for service on residents.

8. Venue of actions. Actions against nonresidents as contemplated by this law may be brought in the county of which plaintiff is a resident, or in the county in which the injury was received, or damage done.

9. Continuances. The court in which such action is pending shall grant such continuances to a nonresident defendant as may be necessary to afford his reasonable opportunity to defend said action.

10. Duty of secretary of state. The secretary of state shall keep a record of all notices of suit filed with him, shall not permit said filed notices to be taken from his office except on an order of court, and shall, on request, and without fee, furnish any defendant with a certified copy of the notice in which he is defendant."

Further amend the title to Senate File 47 by changing the period (.) at the end of line three (3) to a semi-colon (;) and by adding the following:

"to provide the form and manner of service of the original notice, and the proof of service thereof; to provide option method of service

of original notice; to provide for venue of actions and continuances; and to define the duty of the secretary of state."

Filed January 25, 1943.

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:

Augustine	Foster	Leo	Schluter
Bekman	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lynes	Stewart
Clark	Hattery	Martin	Turner
Clem	Henningsen	Mercer	Vittetoe
Dykhouse	Hess	Miller	Vrba
Elthon	Hill	Mowry	Watson
Emerson	Hunt	Pelzer	Whitehill
Evans	Johnson	Pine	Zastrow
Faul	Jones	Reilly	Zeigler
Findlay	Keir		

Nays, none.

Absent or not voting, 4:

Benson	Cromwell	Fuller	Lundy
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The bill having received a constitutional majority was declared to have passed the Senate, 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 Love, Senate File 64, a bill for an act to amend section five thousand one hundred and six (5106) of the Code of 1939, relating to the time of election and term of office of members of boards of supervisors, was taken up and considered.

Senator Love asked and received unanimous consent that action on Senate File 64 be deferred and that it retain its place on the calendar.

On motion of Senator Love, Senate File 65, a bill for an act to amend section five hundred twenty (520) of the Code of 1939, relating to the terms of office of county officers, was taken up and considered.

Senator Love asked and received unanimous consent that action

on Senate File 65 be deferred and that it retain its place on the calendar.

On motion of Senator Martin, Senate File 5, a bill for an act to amend subsection twenty-five (25) of section sixty-two hundred eleven (6211) of the Code of Iowa, 1939, relating to levy of taxes for maintenance, operation and improvement of playgrounds or swimming pools, 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, 45:**

Augustine	Hart	Long	Schluter
Bekman	Harvey	Love	Shaw
Berg	Hattery	Lundy	Sjulin
Byers	Henningsen	Lynes	Stewart
Clark	Hess	Martin	Turner
Dykhouse	Hill	Mercer	Vittetoe
Elthon	Hunt	Miller	Vrba
Emerson	Johnson	Mowry	Watson
Evans	Jones	Pelzer	Whitehill
Findlay	Keir	Pine	Zastrow
Foster	Leo	Reilly	Zeigler
Goode			

**Nays, none.**

**Absent or not voting, 5:**

Benson	Cromwell	Faul	Fuller
Clem			

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 Martin, Senate File 4, a bill for an act to amend section fifty-seven hundred ninety-two (5792) of the Code of Iowa, 1939, relating to the levy of taxes for park purposes, 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, 44:**

Augustine	Goode	Leo	Reilly
Bekman	Hart	Long	Schluter
Berg	Harvey	Love	Shaw
Byers	Hattery	Lundy	Sjulin
Clark	Henningsen	Lynes	Stewart
Clem	Hess	Martin	Turner
Dykhouse	Hill	Mercer	Vrba
Emerson	Hunt	Miller	Watson
Faul	Johnson	Mowry	Whitehill
Findlay	Jones	Pelzer	Zastrow
Foster	Keir	Pine	Zeigler

**Nays, none.**

**Absent or not voting, 6:**

Benson	Elthon	Fuller	Vittetoe
Cromwell	Evans		

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 Faul, Senate File 7, a bill for an act to amend section fifty-seven hundred forty-five (5745), Code, 1939, as amended by chapter 205 of the laws of the Forty-ninth General Assembly, by granting additional powers to cities or towns to regulate the seizure, collection, protection and disposal of dogs, and to enter into contracts therefor with certain societies or associations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul asked and received unanimous consent that action on Senate File 7 be temporarily deferred and that it retain its place on the calendar.

On motion of Senator Keir, Senate File 9, a bill for an act to amend section three thousand eight hundred twenty-eight and one hundred fourteen thousandths (3828.114), Code, 1939, permitting the boards of supervisors of the various counties of the state to levy an additional millage for the support of the poor, 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.

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

**Ayes, 45:**

Augustine	Goode	Leo	Schluter
Bekman	Hart	Love	Shaw
Berg	Harvey	Lundy	Sjulin
Byers	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Elthon	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Whitehill
Faul	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler
Foster			

**Nays, none.**

**Absent or not voting, 5:**

Benson	Evans	Fuller	Long
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.

On motion of Senator Vrba, Senate File 15, a bill for an act to legalize the action of the board of supervisors of Howard county, Iowa, in making expenditures from the poor fund of said county for the purchase of farm land for the county home or county farm, was taken up and considered.

Senator Vrba asked and received unanimous consent that action on Senate File 15 be deferred and that it retain its place on the calendar.

On motion of Senator Watson, Senate File 17, a bill for an act to amend section six hundred forty (640), Code, 1939, relating to the duty of city and town officers in municipal primary elections, changing the duties from the city auditor to the city clerk, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson moved that the bill be read a third 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	Foster	Leo	Schluter
Bekman	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir	Reilly	

**Nays, none.****Absent or not voting, 3:**

Benson	Cromwell	Fuller
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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 Watson moved that the 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 19, a bill for an act to amend section forty-four hundred seventy-three (4473), forty-four hundred eighty-seven (4487), forty-four hundred eighty-eight (4488), forty-five hundred six (4506), and forty-five hundred seven (4507), Code of Iowa, 1939, relative to permanent school fund interest rates and loans, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 45:**

Augustine	Hart	Long	Schluter
Bekman	Harvey	Love	Shaw
Berg	Hattery	Lundy	Sjulin
Clark	Henningsen	Lynes	Stewart
Dykhouse	Hess	Martin	Turner
Elthon	Hill	Mercer	Vittetoe
Emerson	Hunt	Miller	Vrba
Evans	Johnson	Mowry	Watson
Faul	Jones	Pelzer	Whitehill
Findlay	Keir	Pine	Zastrow
Foster	Leo	Reilly	Zeigler
Goode			

**Nays, none.**

Absent or not voting, 5:

Benson	Clem	Cromwell	Fuller
Byers			

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 Faul, Senate File 24, a bill for an act to amend section fifty-six hundred eighty-nine (5689), Code, 1939, relating to appointment and length of terms of civil service commissioners, 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, 42:

Augustine	Foster	Leo	Schluter
Berg	Hart	Long	Shaw
Byers	Harvey	Love	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Dykhouse	Hess	Mercer	Vittetoe
Elthon	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Whitehill
Faul	Jones	Reilly	Zastrow
Findlay	Keir		

Nays, none.

Absent or not voting, 8:

Bekman	Cromwell	Goode	Pine
Benson	Fuller	Lundy	Zeigler

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 Keir, Senate File 29, a bill for an act to amend section fifty-five hundred seventy-three (5573) of the Code of Iowa, 1939, relating to the compensation of township assessors,

with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Keir offered the following amendment and moved its adoption:

Amend Senate File 29 by striking all of section two (2).

The amendment was adopted.

Senator Clem moved that the bill be read a third 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	Goode	Keir	Pine
Bekman	Hart	Leo	Reilly
Berg	Harvey	Long	Schulter
Byers	Hattery	Love	Shaw
Clark	Henningsen	Lynes	Stewart
Clem	Hess	Martin	Turner
Dykhouse	Hill	Mercer	Vittetoe
Elthon	Hunt	Miller	Vrba
Emerson	Johnson	Mowry	Watson
Faul	Jones	Pelzer	Zastrow
Foster			

Nays, 5:

Findlay	Sjulin	Whitehill	Zeigler
Lundy			

Absent or not voting, 4:

Benson	Cromwell	Evans	Fuller
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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 Clem moved that the 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 34, a bill for an act to amend chapter one hundred eighty-nine and four-tenths (189.4), Code, 1939, relating to use of the poor fund by the county board of supervisors, 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, 46:

Augustine	Goode	Long	Schluter
Bekman	Hart	Love	Shaw
Berg	Harvey	Lundy	Sjulin
Byers	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Dykhouse	Hess	Mercer	Vittetoe
Elthon	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Whitehill
Faul	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler
Foster	Leo		

Nays, none.

## Absent or not voting, 4:

Benson	Clem	Cromwell	Fuller
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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.

On motion of Senator Hattery, Senate File 41, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, relating to the amount that may be levied in cities and towns of less than five thousand population for collection of garbage, was taken up and considered.

Senator Hattery asked and received unanimous consent that action on Senate File 41 be deferred and that it retain its place on the calendar.

On motion of Senator Martin, Senate File 49, a bill for an act to amend chapter two hundred twenty-six (226) of the laws of the Forty-ninth General Assembly, relating to collection of taxes in cities acting under special charter, 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, 44:

Augustine	Clark	Emerson	Foster
Bekman	Clem	Evans	Goode
Berg	Dykhouse	Faul	Hart
Byers	Elthon	Findlay	Harvey

Hattery	Leo	Miller	Stewart
Henningsen	Long	Mowry	Vittetoe
Hill	Love	Pelzer	Vrba
Hunt	Lundy	Reilly	Watson
Johnson	Lynes	Schluter	Whitehill
Jones	Martin	Shaw	Zastrow
Keir	Mercer	Sjulin	Zeigler

Nays, none.

Absent or not voting, 6:

Benson	Fuller	Pine	Turner
Cromwell	Hess		

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 Pine, Senate File 58, a bill for an act to authorize the joint boards of supervisors of Muscatine and Louisa counties, acting as a governing body of Muscatine Island Levee District, to transfer jurisdiction of so much of said Muscatine Island Levee District as lies within the corporate limits of the city of Muscatine, Iowa, to said city, and requiring and empowering said city to repair, improve and maintain the same and providing procedure, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Pine moved that the bill be read a third 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	Hart	Lundy	Shaw
Bekman	Harvey	Lynes	Sjulin
Berg	Hattery	Martin	Stewart
Byers	Henningsen	Mercer	Turner
Clark	Hess	Miller	Vittetoe
Dykhous	Hill	Mowry	Vrba
Elthon	Hunt	Pelzer	Watson
Emerson	Jones	Pine	Whitehill
Faul	Keir	Reilly	Zastrow
Findlay	Leo	Schluter	Zeigler
Goode	Long		

Nays, none.

Absent or not voting, 8:

Benson	Cromwell	Foster	Johnson
Clem	Evans	Fuller	Love

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

Senator Pine moved that the 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 73, a bill for an act to amend section eleven thousand five hundred twenty-seven (11527), Code of Iowa, by striking the word "reference" and substituting in lieu thereof the word "referee", 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, 43:**

Augustine	Goode	Leo	Schluter
Bekman	Hart	Long	Shaw
Berg	Harvey	Love	Sjulin
Clark	Hattery	Lundy	Stewart
Dykhouse	Henningsen	Lynes	Turner
Elthon	Hess	Martin	Vittetoe
Emerson	Hill	Mercer	Vrba
Evans	Hunt	Miller	Watson
Faul	Johnson	Mowry	Zastrow
Findlay	Jones	Pelzer	Zeigler
Foster	Keir	Reilly	

**Nays, none.**

**Absent or not voting, 7:**

Benson	Clem	Fuller	Whitehill
Byers	Cromwell	Pine	

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 74, a bill for an act to amend chapter two hundred eighty-six (286), acts of the Forty-ninth (49th) General Assembly, relating to landlord's lien, 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, 43:

Augustine	Foster	Leo	Shaw
Bekman	Goode	Long	Sjulin
Berg	Harvey	Love	Stewart
Clark	Hattery	Lundy	Turner
Clem	Henningsen	Lynes	Vittetoe
Dykhous	Hess	Martin	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Reilly	Zeigler
Findlay	Keir	Schluter	

Nays, none.

Absent or not voting, 7:

Benson	Cromwell	Hart	Pine
Byers	Fuller	Mercer	

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 75, a bill for an act to amend chapter two hundred eighty-five (285), acts of the Forty-ninth (49th) General Assembly, relating to secondhand watches, 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, 46:

Augustine	Foster	Leo	Schulter
Bekman	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Dykhous	Hess	Miller	Vrba
Elthon	Hill	Mowry	Watson
Emerson	Hunt	Pelzer	Whitehill
Evans	Johnson	Pine	Zastrow
Faul	Jones	Reilly	Zeigler
Findlay	Keir		

Nays, none.

Absent or not voting, 4:

Benson	Cromwell	Fuller	Mercer
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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 Zeigler, House File 6, a bill for an act to amend section six thousand nine hundred forty-three and one hundred twenty-three thousandths (6943.123), Code, 1939, to make that part of the income tax law providing for jeopardy assessments applicable to Use tax, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Long moved that the bill be read a third 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	Foster	Leo	Schluter
Bekman	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir	Reilly	

Nays, none.

Absent or not voting, 3:

Benson	Cromwell	Fuller
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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 Long moved that the 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 17, a bill for an act to amend section six thousand two hundred fifteen (6215), Code of Iowa, 1939, relating to transfer of funds of cities and towns, 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, 47:**

Augustine	Foster	Leo	Schluter
Bekman	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir	Reilly	

Nays, none.

**Absent or not voting, 3:**

Benson	Cromwell	Fuller
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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.

On motion of Senator Keir, House File 40, a bill for an act to provide for the authorization of the appropriation of funds by boards of supervisors for payment of expenses of clerical help, rent, equipment, supplies, telephone and incidentals (except transportation) to aid in the sale of war savings bonds and stamps and to conduct campaigns therefor, 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 40 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Until funds are made available from some other source the board of supervisors of any county may, by resolution duly adopted, appropriate from the general funds of the county in each of the years 1943 and 1944 an amount they may deem necessary for the purpose of paying expenses incidental to office of County War Bond Committee for clerical help, rent, equipment, supplies, telephone and incidentals (except transportation) to aid in the sale of war savings bonds and stamps, and to conduct campaigns therefor; and any supplies or equipment so provided by the county shall be and remain the property of the county. The County War Bond Chairman shall file with the county auditor each month a detailed sworn statement of said expenses and the board shall audit and allow only so much thereof as it shall find reasonable and necessary.

Sec. 2. This act being deemed of immediate importance shall be in

full force and effect from and after its publication in the Montezuma Republican, a newspaper published at Montezuma, Iowa, and the Kingsley News-Times, a newspaper published at Kingsley, Iowa."

Senator Zeigler offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment by committee on township affairs to House File 40 by striking the parenthesis in line 7 and inserting immediately after the word "transportation" the following, "and postage)".

The amendment to the amendment was adopted.

The committee amendment as amended was adopted.

Senator Faul asked and received unanimous consent that the amendment filed by him to House File 40, and found on page 112 of the Senate Journal, be withdrawn.

Senator Keir moved that the bill be read a third 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	Harvey	Love	Shaw
Bekman	Hess	Lundy	Sjulin
Berg	Hunt	Lynes	Turner
Clark	Johnson	Mercer	Vittetoe
Elthon	Jones	Miller	Vrba
Emerson	Keir	Mowry	Whitehill
Evans	Long	Reilly	Zastrow
Faul			

Nays, 13:

Byers	Hill	Pelzer	Stewart
Clem	Leo	Pine	Watson
Findlay	Martin	Schluter	Zeigler
Foster			

Absent or not voting, 8:

Benson	Dykhouse	Goode	Hattery
Cromwell	Fuller	Hart	Henningsen

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

Senator Keir offered the following amendment to the title and moved its adoption:

Amend the title to House File 40 by inserting after the word "transportation" in line 4 the words "and postage".

The motion prevailed and the amendment to the title was adopted.

The title as amended was agreed to.

Senator Keir moved that the 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 11, a bill for an act to amend section one thousand five hundred fifty-six and thirty-two hundredths (1556.32), Code, 1939, providing for penalties for violation of the law relating to the licensing of the sale of cigarettes.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 18, a bill for an act to amend subsection eight (8) of section six thousand nine hundred forty-three and thirty-six thousandths (6943.036), Code, 1939, relating to personal net income tax.

Read first and second times, is ready for commitment and amendment, and referred to committee on ways and means.

House File 19, a bill for an act to amend sections seven thousand three hundred seventeen (7317), seven thousand three hundred thirty-five (7335), seven thousand three hundred fifty (7350), seven thousand three hundred fifty-two (7352), and seven thousand three hundred sixty-three (7363), Code, 1939, relating to inheritance tax.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

House File 43, a bill for an act to legalize the expenditure of funds by counties, cities, and towns for the purpose of civilian defense.

Read first and second times, is ready for commitment and amendment, and referred to committee on national defense coordination.

House File 81, a bill for an act to amend section six thousand nine hundred forty-three and one hundred forty-three thousandths (6943.143), Code, 1939, relating to securing the benefits of homestead exemption credits for and on behalf of persons



receiving old age assistance under chapter one hundred eighty-nine and one-tenth (189.1).

Read first and second times, is ready for commitment and amendment, and referred to committee on social security.

House File 82, a bill for an act to amend section seventeen hundred ninety-four and twenty-nine thousandths (1794.029), Code, 1939, relating to the angling laws.

Read first and second times, is ready for commitment and amendment, and referred to committee on conservation.

House File 83, a bill for an act to amend Table A of section one thousand seven hundred ninety-four and twenty-nine thousandths (1794.029), Code, 1939, relating to the daily catch and possession limits on fish, to correct conflict in the law.

Read first and second times, is ready for commitment and amendment, and referred to committee on conservation.

#### SENATE CONCURRENT RESOLUTION 9

*Whereas*, The tragedy of a world conflagration is imposing unprecedented financial demand upon the people of the entire nation, in the form of greatly increased tax levies; and

*Whereas*, The nation's "all-out" effort for an overwhelming victory over the Axis powers will place upon our people from time to time in the months ahead new and increased financial burdens to meet the demands of the war program and insure adequate defense of our nation and the American way of life; and

*Whereas*, These tremendous financial demands emphasize the need for holding state and local expenditures to the lowest minimum consistent with the public good; and

*Whereas*, Rising living costs have greatly enhanced the problem of needy people receiving old age assistance and assistance to the blind to subsist on the funds that may be reasonably available at this period, and

*Whereas*, The principle of individual self-help is a traditionally American one, and

*Whereas*, the federal security laws do not permit the matching of funds or grants to states unless the state program consider every source of income of the recipient, and

*Whereas*, The present man-power shortage renders it practically impossible for the people to obtain casual labor or to fill jobs of a temporary nature requiring only light work, and

*Whereas*, Many recipients of old age assistance, and assistance to the blind, are capable of obtaining and performing casual labor or to fill jobs of a temporary nature, and such recipients should be afforded an

opportunity to perform such services for the period of the duration of this nation's conflict with the Axis powers, and

*Whereas*, It is deemed reasonable that recipients of old age assistance or assistance to the blind be allowed to receive from personal earnings a sum not exceeding \$240.00 annually, and this income, when received from any source, be disregarded in determining need in all such cases, and

*Whereas*, Modification and liberalization of federal social security laws is necessary to permit states to include this provision without loss of federal grants:

*Therefore, Be It Resolved by the Senate of the Fiftieth General Assembly of Iowa, the House concurring*: That the Congress of the United States be memorialized to forthwith take such action as may be appropriate to modify and liberalize the federal social security laws to permit recipients of old age assistance and assistance to the blind to receive from personal earnings a sum not exceeding \$240.00 annually for the period of the duration of this nation's conflict with the Axis powers, without having the same charged to them or considered in determining need in all such cases.

*Be It Further Resolved*, That the Secretary of State be and he hereby is directed to forward a certified copy of this resolution to the Vice President of the United States and to the Speaker of the House of Representatives of the United States, and to each member of the Congress (Senate and House of Representatives) of the United States from the State of Iowa.

E. K. BEKMAN.

J. BERG.

GEORGE FAUL.

## REPORTS OF COMMITTEES

Senator Hattery submitted the following report:

MR. PRESIDENT: Your committee on highways, to which was referred House File 41, a bill for an act to suspend for the duration relating to farm-to-market road funds allotted to any county, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN R. HATTERY, *Chairman*.

Ordered passed on file.

Senator Henningsen submitted the following report:

MR. PRESIDENT: Your committee on appropriations 2, to which was referred House Joint Resolution 2, a bill for an act fixing compensation of chaplains and making an appropriation, begs leave to report it has had the same under consideration and recommends the same do pass.

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred

House File 8, a bill for an act relating to election and termination of employer's coverage, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE FAUL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File 50, a bill for an act to increase the amount that insurance companies organized under chapter 404, Code, 1939, may invest in corporate bonds and stocks, 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 50 by striking all of section two (2).

GEORGE FAUL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File 55, a bill for an act to amend section 9119, Code, 1939, relating to the licensing of insurance agents, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE FAUL, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 41, by striking the words "five thousand" in line five (5) and insert in lieu thereof the following: "twenty-five thousand, not to exceed".

J. BERG.

Amend House File 19 by striking from section one (1), subsections 2 and 3.

ROSS R. MOWRY.

Amend Senate File 22 by striking section eight (8) therefrom and inserting in lieu thereof the following:

"8. Any person required to make, render, or sign any return or supplemental return, who wilfully makes any false or fraudulent return, with intent to defeat or evade the assessment required by law to be made, shall upon conviction for each such offense be punished by imprisonment in the county jail for a term not exceeding one year or in the state penitentiary for a term not exceeding five years, or by a fine not exceeding five thousand dollars, or both."

ROSS R. MOWRY.

Amend Senate File 65 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section five hundred and twenty (520) of the Code of 1939 is hereby repealed and the following enacted in lieu thereof: "At the general election to be held in 1944 and every four (4) years thereafter the clerk of the district court, the treasurer and recorder of deeds of each county shall be elected and hold office for a term of four (4) years.

Also at the general election to be held in 1944 the sheriff, the auditor and the coroner of each county shall be elected and hold office for a term of two (2) years. At the general election to be held in 1946 and every four (4) years thereafter the sheriff, the auditor and the coroner of each county shall be elected and hold office for a term of four (4) years.

Sec. 2. There shall be elected in each county at every general election a county attorney, who shall hold office for a term of two (2) years."

ELECTION REFORM COMMITTEE,

H. S. LOVE, *Chairman.*

Amend Senate File 70 by adding thereto the following new section:

"Sec. 2. Nothing in this act shall affect any pending litigation".

J. BERG.

Amend the Goode amendment to section 3 of Senate File 1, which was filed January 19, 1943, by striking everything after the word "in" where it appears in line two of said amendment and insert in lieu thereof the following: "The General Fund of the State of Iowa." J. BERG.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 27, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. A. A. Burr, Pastor of the Christian Church, Colfax, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Fuller for the day, on request of Senator Hattery; Senator Benson for the day, on request of Senator Turner.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hill, from the county officers of Wright county, favoring four year term for county officers.

By Senator Pine, from the county officers of Muscatine county, favoring four year term for county officers.

By Senator Zastrow, from the county officers of Floyd county, favoring four year term for county officers.

By Senator Stewart, from residents of Allamakee county, in opposition to the fire prevention bill.

By Senator Vrba, from residents of Winneshiek county, relative to the allocation of taxes.

## INTRODUCTION OF BILLS

Senate File 97, by Senator Byers, a bill for an act to amend section ten thousand seven hundred thirty-nine (10739), Code, 1939, relating to the salary of judges of the superior court.

Read first and second times, is ready for commitment and amendment, and referred to committee on compensation of public officers.

Senate File 98, by Senator Hess, a bill for an act to amend

sections ten thousand one hundred and sixty-one (10161) and ten thousand one hundred and sixty-two (10162), Code, 1939, relating to service of notice to terminate lease by land owner or tenant.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 99, by Senators Hattery and Evans, a bill for an act to amend sections one thousand sixty-five (1065), one thousand sixty-six (1066), one thousand seventy-three (1073), one thousand seventy-eight (1078), two thousand five hundred ninety-six (2596), three thousand seven hundred thirteen (3713), Code, 1939, and to repeal section four thousand four hundred twenty-six (4426), Code, 1939, and enact a substitute therefor, and to amend sections five thousand one hundred thirty-three (5133), five thousand four hundred forty-three (5543), five thousand four hundred fifty-six (5456), five thousand five hundred forty-three (5543), five thousand six hundred thirty-two (5632), Code, 1939, and to repeal section five thousand six hundred sixty-four (5664), Code, 1939, and enact a substitute therefor, and amend sections six thousand five hundred twenty-eight, (6528), six thousand six hundred sixty-nine (6669), six thousand seven hundred three (6703), six thousand seven hundred thirty-two (6732), six thousand eight hundred sixty-seven (6867), six thousand nine hundred forty-three and one hundred forty-four thousandths (6943.144), six thousand nine hundred forty-three and one hundred forty-nine thousandths (6943.149), six thousand nine hundred seventy-three (6973), seven thousand nine (7009), seven thousand eighteen (7018), seven thousand twenty-seven (7027), seven thousand twenty-eight (7028), seven thousand one hundred nineteen (7119), seven thousand one hundred twenty (7120), seven thousand one hundred twenty-nine and one tenth (7129.1), seven thousand one hundred thirty-four and one tenth (7134.1), seven thousand one hundred thirty-four and two tenths (7134.2), seven thousand one hundred sixty-four (7164), Code, 1939, and to repeal sections five hundred twenty-five (525), five thousand five hundred seventy-three (5573), five thousand six hundred fifty-six (5656), five thousand six hundred sixty-nine (5669), six thousand seven hundred two (6702), six thousand eight hundred sixty-eight (6868), six thousand eight hundred sixty-nine (6869), six thousand eight hundred seventy (6870), seven thousand nineteen (7019), seven thousand one hundred six (7106),

seven thousand one hundred seven (7107), seven thousand one hundred eight (7108), seven thousand one hundred eleven (7111), seven thousand one hundred fourteen (7114), seven thousand one hundred fifteen (7115), seven thousand one hundred sixteen (7116), seven thousand one hundred seventeen (7117), seven thousand one hundred eighteen (7118), seven thousand one hundred twenty-one (7121), seven thousand one hundred twenty-two (7122), seven thousand one hundred twenty-three (7123), seven thousand one hundred twenty-five (7125), seven thousand one hundred twenty-six (7126), seven thousand one hundred twenty-seven (7127), seven thousand one hundred twenty-nine (7129), seven thousand one hundred thirty (7130), seven thousand one hundred thirty-one (7131), seven thousand one hundred thirty-two (7132), seven thousand one hundred thirty-three (7133), seven thousand one hundred thirty-four (7134), seven thousand one hundred thirty-five (7135), seven thousand one hundred thirty-six (7136), seven thousand one hundred thirty-seven (7137), seven thousand one hundred thirty-eight (7138), seven thousand one hundred sixty-one (7161), Code, 1939, and chapters two hundred one (201), two hundred two (202), and two hundred three (203), laws of the Forty-ninth General Assembly, and providing for a county assessor and county board of review, and prescribing their powers and duties.

Read first and second times, is ready for commitment and amendment, and referred to committee on county and township affairs.

Senate File 100, by Senator Mowry, a bill for an act to amend chapter two hundred fifty-one and one tenth (251.1) relative to motor vehicles and law of road in providing for proceedings for reinstating of driver's license where the cancellation or revocation was mandatory.

Read first and second times, is ready for commitment and amendment, and referred to committee on motor vehicles.

Senate File 101, by Senators Berg, Zastrow and Sjulín, a bill for an act to amend sections ten thousand two hundred seventy (10270), ten thousand two hundred seventy-one (10271), ten thousand two hundred seventy-four (10274), ten thousand two hundred seventy-five (10275), ten thousand two hundred seventy-seven (10277), ten thousand two hundred eighty-two (10282), ten thousand two hundred eighty-three (10283), ten thousand

two hundred eighty-seven (10287), ten thousand two hundred eighty-nine (10289), ten thousand two hundred ninety (10290), Code, 1939, relating to mechanics' liens, enlarging the definition of material and increasing the scope of mechanics' liens.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 102, by Senators Berg, Bekman and Faul, a bill for an act to amend section three thousand eight hundred twenty-eight and twenty-three one thousandths (3828.023), Code, 1939, as amended by section one (1), chapter one hundred forty-seven (147), acts of the Forty-ninth General Assembly, relating to property upon which there is an old age assistance lien.

Read first and second times, is ready for commitment and amendment, and referred to committee on social security.

Senate File 103, by Senators Faul, Bekman and Berg, a bill for an act to repeal section three thousand eight hundred twenty-eight and nine thousandths (3828.009), Code, 1939, and to enact a substitute therefor relating to old age assistance.

Read first and second times, is ready for commitment and amendment, and referred to committee on social security.

Senate File 104, by Senators Hess, Henningsen and Faul, a bill for an act to authorize minors, who shall have attained the age of eighteen (18) years, to receive benefit payments of life insurance proceeds and to receipt therefor.

Read first and second times, is ready for commitment and amendment, and referred to committee on insurance.

Senate File 105, by Senators Dykhouse, Zeigler and Faul, a bill for an act to authorize minors of not less than eighteen (18) years of age to contract for life insurance.

Read first and second times, is ready for commitment and amendment, and referred to committee on insurance.

Senate File 106, by committee on insurance, a bill for an act to amend section eight thousand nine hundred forty (8940), Code, 1939, relating to insurance and policies of insurance on aircraft.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.



Senate File 107, by committee on insurance, a bill for an act to repeal section eight thousand seven hundred eighty (8780) and to amend section eight thousand seven hundred eighty-one (8781), chapter four hundred two (402), Code, 1939, and to provide for the exclusion of certain fraternal orders from the provisions of this chapter, and for a reserve on certificates or funeral benefit contracts having no fixed or certain benefit.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 108, by committee on insurance, a bill for an act to amend section eight thousand six hundred and seventy-one (8671), the Code, 1939, relating to medical examination for life insurance policies.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 109, committee on insurance, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1939, relating to investment of trust funds by fiduciaries.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 110, by Senators Berg and Bekman, a bill for an act to appropriate funds for the erection and furnishing of a governor's home, to provide for the segregation of the funds so appropriated and their investment, and the method of carrying out the purposes of said appropriation.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 111, by committee on conservation, a bill for an act to amend section one thousand seven hundred three and forty-nine hundredths (1703.49), Code, 1939, relating to general duties of the state conservation commission.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 112, by committee on conservation, a bill for an act to amend section one thousand seven hundred ninety-four and ninety-eight thousandths (1794.098), chapter eighty-six and one

tenth (86.1), Code, 1939, by granting free hunting and fishing privileges to those in the military forces of the United States during time of war.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 113, by committee on conservation, a bill for an act to amend section one thousand seven hundred ninety-four and eighty-two thousandths (1794.082) and section one thousand seven hundred ninety-four and fifty-six thousandths (1794.056), Code, 1939, relating to trapping license and fur dealer's license.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 114, by committee on conservation, a bill for an act to amend chapter eighty-six (86), Code, 1939, relating to fish and game.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 115, by Senators Watson, Faul and Martin, a bill for an act to amend section six thousand three hundred fifteen (6315) and section six thousand three hundred seventeen (6317), Code, 1939, relating to disabled and retired firemen and policemen, including those in special charter cities, to clarify and reconcile the provisions of said sections with those of chapter 322 of the Code, 1939, as a whole.

Read first and second times, is ready for commitment and amendment, and referred to committee on cities and towns.

Senate File 116, by Senators Hill, Lundy, Martin, Berg, Hattery and Byers (Bryson, Nelson, Knudson and Gardner of Bremer), a bill for an act to regulate the construction of theatres, halls, auditoriums, or other places of public assembly where nitro-cellulose or combustible films are used, to place supervision of such construction under the department of the state fire marshal, and to provide for regular annual inspection and licensing of all halls, theatres, auditoriums, and other places of public assembly using nitrocellulose or combustible film within the state of Iowa by the state fire marshal or his deputies, and to provide fees therefor.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate joint resolution 1, by election reform committee, a joint resolution, proposing an amendment to the constitution of the state of Iowa to provide that the term of office of the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, and attorney general, and the county attorney of each county of the state of Iowa shall be for the term of four (4) years.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That the constitution of the state of Iowa be amended as follows:

“Commencing with the year nineteen hundred fifty-one (1951), the term of office of the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state and attorney general of the state, and of the county attorney in each county of the state shall be four (4) years and until their successors are elected and qualified.

“The provisions of this amendment shall apply to the term of office of those persons elected at the general election in the year nineteen hundred fifty (1950) to the respective offices referred to herein and to their elected successors.

“The General Assembly shall have the power to enact any necessary legislation to carry out the terms of this amendment.”

Sec. 2. That the foregoing proposed amendment be, and is hereby referred to the General Assembly to be chosen at the next general election, to-wit: the Fifty-first (51st) General Assembly of the state of Iowa, and that the secretary of state cause the same to be published as provided by law.

Read first and second times and placed on the calendar.

#### BILL ASSIGNED TO COMMITTEE

President Blue announced the following assignment: S. F. 76 Ways and means 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 106, a bill for an act relating to emergency funds for the department of health.

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

House Concurrent Resolution 9, relating to jackets for pages for Senate and House.

A. C. GUSTAFSON, *Chief Clerk*.

#### HOUSE CONCURRENT RESOLUTION 9

*Be It Resolved by the House, the Senate Concurring:* That the pages of the Senate and House shall be required to wear jackets during the session hours, the pages of the respective houses to be distinguished by different colors, and one member of the Senate to be appointed by the President and one member of the House to be appointed by the Speaker shall act as a committee to secure such uniforms.

Senator Evans asked and received unanimous consent to take up House concurrent resolution 9, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### HOUSE MESSAGE CONSIDERED

House File 106, a bill for an act to appropriate from the general fund of the state of Iowa for the period beginning March 15, 1943, and ending June 30, 1943, emergency funds for the department of health, of the state of Iowa, for the division of vital statistics.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 2.

#### THIRD READING OF BILLS

Senator Love asked and received unanimous consent to take up Senate File 65 ahead of Senate File 64, the first bill on the Senate calendar.

On motion of Senator Love, Senate File 65, a bill for an act to amend section five hundred twenty (520) of the Code of 1939, relating to the terms of office of county officers, was taken up and considered.

The following committee amendment was considered:

Amend Senate File 65 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section five hundred and twenty (520) of the Code of 1939 is hereby repealed and the following enacted in lieu thereof: "At the general election to be held in 1944 and every four (4) years thereafter the clerk of the district court, the treasurer and recorder of deeds of each county shall be elected and hold office for a term of four (4) years. Also at the general election to be held in 1944 the sheriff, the auditor and the coroner of each county shall be elected and hold office for a term of two (2) years. At the general election to be held in 1946 and every four (4) years thereafter the sheriff, the auditor and the coroner of each county shall be elected and hold office for a term of four (4) years.

Sec. 2. There shall be elected in each county at every general election a county attorney, who shall hold office for a term of two (2) years."

The amendment was adopted.

Senator Love moved that the bill be read a third 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	Foster	Leo	Reilly
Bekman	Goode	Long	Schluter
Berg	Hart	Love	Shaw
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir		

Nays, 1:

Sjulin

Absent or not voting, 3:

Benson	Cromwell	Fuller
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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 Love moved that the 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 Love, Senate File 64, a bill for an act to amend section five thousand one hundred and six (5106) of the Code of 1939, relating to the time of election and term of office of members of boards of supervisors, was taken up and considered.

Senator Love moved that the bill be read a third 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	Foster	Keir	Pine
Bekman	Hart	Iso	Reilly
Berg	Harvey	Love	Schluter
Byers	Hattery	Lundy	Shaw
Clark	Henningsen	Lynes	Stewart
Clem	Hess	Martin	Turner
Dykhouse	Hill	Mercer	Vrba
Elthon	Hunt	Miller	Watson
Emerson	Johnson	Mowry	Whitehill
Evans	Jones	Pelzer	Zastrow
Faul			

Nays, 5:

Findlay	Sjulin	Vittetoe	Zeigler
Goode			

Absent or not voting, 4:

Benson	Cromwell	Fuller	Long
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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 Love moved that the 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 7, a bill for an act to amend section fifty-seven hundred forty-five (5745), Code, 1939, as amended by chapter 205 of the laws of the Forty-ninth General Assembly, by granting additional powers to cities or towns to regulate the seizure, collection, protection and disposal of dogs, and to enter into contracts therefor with certain societies or associations, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 7 by striking the word "for" as it appears the second time in line 13 of section one (1), and by substituting therefor the following: "to assist in".

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 7 by striking section two (2), the publication clause.

Further amend Senate File 7 by striking the first four (4) lines of section 1 and substituting therefor the following:

"Section 1. Paragraph four (4) of section fifty-seven hundred forty-five (5745), Code, 1939, as amended by chapter two hundred five (205) of the laws of the Forty-ninth General Assembly, is amended by adding thereto the following:"

Further amend Senate File 7 by adding the following as section two:

"Sec. 2. The provisions of this act shall be applicable to special charter cities."

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	Findlay	Jones	Pine
Bekman	Foster	Keir	Reilly
Berg	Goode	Leo	Schluter
Byers	Hart	Long	Sjulin
Clark	Harvey	Love	Stewart
Clém	Hattery	Lynes	Vittetoe
Dykhousé	Henningsen	Martin	Vrba
Elthon	Hess	Mercer	Watson
Emerson	Hill	Miller	Whitehill
Evans	Hunt	Mowry	Zeigler
Faul	Johnson	Pelzer	

Nays, 1:

Zastrow

Absent or not voting, 6:

Benson	Fuller	Shaw	Turner
Cromwell	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 Vrba, Senate File 15, a bill for an act to legalize the action of the board of supervisors of Howard county, Iowa, in making expenditures from the poor fund of said county for the purchase of farm land for the county home or county farm, was taken up and considered.

Senator Vrba asked and received unanimous consent that

action on Senate File 15 be deferred until proof of publication is received.

On motion of Senator Hattery, Senate File 41, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, relating to the amount that may be levied in cities and towns of less than five thousand population for collection of garbage, was taken up and considered.

Senator Hattery asked and received unanimous consent that action on Senate File 41 be deferred and that it retain its place on the calendar.

On motion of Senator Faul, Senate File 50, a bill for an act to amend paragraph six (6) of section eighty-nine hundred twenty-seven (8927), chapter four hundred four (404), Code, 1939, as amended by chapter two hundred seventy-six (276), acts of the Forty-ninth (49th) General Assembly, to increase the amount that insurance companies organized under chapter four hundred four (404), Code, 1939, may invest in corporate bonds and stocks, with report of committee recommending amendment and passage, was taken up and considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend Senate File 50 by striking all of section two (2).

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, 29:**

Augustine	Hart	Leo	Pine
Berg	Henningsen	Long	Reilly
Byers	Hill	Love	Schluter
Clem	Hunt	Lundy	Turner
Dykhous	Johnson	Lynes	Vrba
Elthon	Jones	Martin	Watson
Faul	Keir	Mercer	Zeigler
Goode			

**Nays, 17:**

Bekman	Harvey	Mowry	Stewart
Clark	Hattery	Pelzer	Vittetoe
Emerson	Hess	Shaw	Whitehill
Evans	Miller	Sjulin	Zastrow
Findlay			

**Absent or not voting, 4:**

Benson	Cromwell	Foster	Fuller
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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.

On motion of Senator Faul, Senate File 55, a bill for an act to amend section nine thousand one hundred nineteen (9119), Code, 1939, relating to the licensing of insurance agents, 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, 44:

Augustine	Findlay	Leo	Schluter
Bekman	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Dykhous	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Johnson	Mowry	Whitehill
Evans	Jones	Pelzer	Zastrow
Faul	Keir	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Benson	Foster	Hunt	Pine
Cromwell	Fuller		

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 Berg, Senate File 89, a bill for an act to amend chapter seventy-five (75) (House file, 192), acts of the Forty-ninth (49th) General Assembly relating to the Iowa Industrial and Defense Commission and the Legislative Committee on National Defense Coordination and to provide for the continuation of the Legislative Committee on National Defense, was taken up and considered.

Senator Goode offered the following amendment and moved its adoption:

Amend Senate File 89 by adding:

"Sec. 2. Six months after the ending of the present war in which the United States is engaged, chapter seventy-five (75), acts of the Forty-ninth General Assembly, shall be null and void."

And further amend by renumbering the following section.

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, 43:

Augustine	Goode	Love	Shaw
Bekman	Hart	Lundy	Sjulin
Berg	Harvey	Lynes	Stewart
Clark	Hattery	Martin	Turner
Clem	Henningsen	Mercer	Vittetoe
Dykhouse	Hess	Miller	Vrba
Elthon	Hill	Mowry	Watson
Emerson	Hunt	Pelzer	Whitehill
Faul	Jones	Pine	Zastrow
Findlay	Leo	Reilly	Zeigler
Foster	Long	Schluter	

Nays, none.

Absent or not voting, 7:

Benson	Cromwell	Fuller	Keir
Byers	Evans	Johnson	

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

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

Senator Berg asked and received unanimous consent that Senate File 89 be immediately messaged to the House, which request was complied with.

On motion of Senator Henningsen, House Joint Resolution 2, a joint resolution fixing the compensation of the chaplains of the Fiftieth General Assembly, and making an appropriation therefor, and for miscellaneous expense, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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	Foster	Long	Schluter
Bekman	Goode	Love	Shaw
Berg	Hart	Lundy	Sjulin
Byers	Harvey	Lynes	Stewart
Clark	Hattery	Martin	Turner
Clem	Henningsen	Mercer	Vittetoe
Dykhouse	Hess	Miller	Vrba
Elthon	Hill	Mowry	Watson
Emerson	Hunt	Pelzer	Whitehill
Evans	Jones	Pine	Zastrow
Faul	Keir	Reilly	Zeigler
Findlay	Leo		

Nays, none.

Absent or not voting, 4:

Benson	Cromwell	Fuller	Johnson
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The resolution having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Henningsen 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.

On motion of Senator Long, House File 8, a bill for an act to amend section fifteen hundred fifty-one and fourteen hundredths (1551.14), Code of Iowa, 1939, relating to election and termination of employer's coverage; and to provide for the effective date of such amendment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Long moved that the bill be read a third 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	Findlay	Hill	Lundy
Byers	Foster	Hunt	Lynes
Clark	Goode	Johnson	Martin
Clem	Hart	Jones	Mercer
Dykhouse	Harvey	Keir	Miller
Elthon	Hattery	Leo	Mowry
Emerson	Henningsen	Long	Pelzer
Evans	Hess	Love	Reilly

Schluter	Stewart	Vrba	Zastrow
Shaw	Turner	Watson	Zeigler
Sjulin	Vittetoe	Whitehill	

Nays, none.

Absent or not voting, 7:

Bekman	Berg	Faul	Pine
Benson	Cromwell	Fuller	

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

Senator Long moved that the 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 Hattery, House File 41, a bill for an act to suspend, for the duration of the war, the provisions of section forty-six hundred eighty-six and twenty-seven hundredths (4686.27), Code, 1939, relating to the reversion and reapportionment of farm-to-market road fund allotted to any county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hattery moved that the bill be read a third 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	Foster	Keir	Pine
Berg	Goode	Long	Reilly
Byers	Hart	Love	Schluter
Clark	Harvey	Lundy	Shaw
Clem	Hattery	Lynes	Sjulin
Dykhouse	Henningsen	Martin	Stewart
Elthon	Hill	Mercer	Turner
Emerson	Hunt	Miller	Vittetoe
Evans	Johnson	Mowry	Vrba
Findlay	Jones	Pelzer	Watson
Zeigler			

Nays, none.

Absent or not voting, 9:

Bekman	Faul	Hess	Whitehill
Benson	Fuller	Leo	Zastrow
Cromwell			

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

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

## PROOF OF PUBLICATION

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

Senate File 15, a proposed bill for the legalization of the action of the Howard county board of supervisors in making certain expenditures from the county poor fund.

W. J. SCARBOROUGH.

Senator Vrba called up Senate File 15, a bill for an act to legalize the action of the board of supervisors of Howard county, Iowa, in making expenditures from the poor fund of said county for the purchase of farm land for the county home or county farm. The report of committee recommending passage was taken up, considered, and 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, 42:

Augustine	Goode	Long	Schluter
Berg	Hart	Love	Shaw
Byers	Harvey	Lundy	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Dykhouse	Hill	Mercer	Vittetoe
Elthon	Hunt	Miller	Vrba
Emerson	Johnson	Mowry	Watson
Evans	Jones	Pelzer	Whitehill
Faul	Keir	Pine	Zeigler
Findlay	Leo		

Nays, none.

## Absent or not voting, 8:

Bekman	Cromwell	Fuller	Reilly
Benson	Foster	Hess	Zastrow

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

Senator Henningsen offered the following concurrent resolution:

## SENATE CONCURRENT RESOLUTION 10

*Whereas*, Claude R. Wickard is Secretary of Agriculture, and there has been a demand by the United States Government for increased production of food in the war effort, and

*Whereas*, The progress of increased production is retarded by lack of protein feeds necessary to provide balanced rations for live stock, and

*Whereas*, The Commodity Credit Corporation has protein feeds avail-

able in this territory, which should be immediately released to aid in meeting the demand for increased production, and

*Whereas*, The 1939 Year Book of Agriculture emphasizes the fact that protein feeds to supplement the feed of home grown grains are necessary in the economical production of pork, beef and poultry, therefore,

*Be It Resolved by the Senate, the House Concurring*: That Claude R. Wickard, Secretary of Agriculture, and the Commodity Credit Corporation be requested to immediately release and make available to the farmers of Iowa, protein feeds, especially soy bean meal, to supplement the home grown grains in connection with the increased production and feeding of pork, beef, poultry and other livestock necessary in the war efforts, and that the Secretary of the Senate is hereby authorized and directed to mail a copy of this resolution to Claude R. Wickard, Secretary of Agriculture, and the Commodity Credit Corporation.

By RICHARD V. LEO.

JOHN R. HATTERY.

O. H. HENNINGSEN.

#### LEAVE OF ABSENCE

MR. PRESIDENT: Having been called into the service of the United States Army Air Corps, I desire to obtain a leave of absence as Senate File Clerk of the Fiftieth General Assembly, to be effective after January 31, 1943.

Respectfully submitted,

JACK MARTIN.

#### REPORTS OF COMMITTEES

Senator Hill submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 34, a bill for an act to repeal chapter sixty-four (64), Code, 1939, relating to commissioners for Iowa in other states, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 35, a bill for an act to amend section 13027, Code, 1939, relating to embezzlement of public officers, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 70, a bill for an act to amend chapter 463, Code, 1939, relating to real property legalizing acts, and to legalize sheriff's deeds and foreclosure proceedings prior to January 1, 1930, and for a statute of limitation, begs leave to report it has had the same under considera-

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

Amend Senate File 70 by striking section two (2) of said bill.

G. R. HILL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 35, a bill for an act relating to the transfer of lots in cities and towns for use as schoolhouse sites, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 44, a bill for an act relating to water navigation regulations, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 33, a bill for an act to amend section 1905.09, Code, 1939, relating to qualifications for license to practice accountancy, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 29, a bill for an act relating to the style of the Code of Iowa, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 20, a bill for an act relating to tenure of class "B" permits issued to golf or country clubs, 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 Foster submitted the following report:

MR. PRESIDENT: Your committee on private corporations, to which was referred Senate File 10, a bill for an act to amend Sec. 8360, Code,

1939, relating to amendments to articles of incorporation of certain corporations and the renewal thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

HARLAN C. FOSTER, *Chairman*.

Ordered passed on file.

Senator Mowry submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 39, a bill for an act to authorize the establishment of pension and annuity retirement systems for employees other than public school teachers in independent school districts, begs leave to report it has had the same under consideration and recommends the same do pass.

ROSS R. MOWRY, *Chairman*.

Ordered passed on file.

Senator Sjulin submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred House File 21, a bill for an act relating to rate of contribution and method of determining rates of unemployment compensation, begs leave to report it has had the same under consideration and recommends that the same do pass.

CARL O. SJULIN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred House File 5, a bill for an act relating to reciprocal benefit agreements, begs leave to report it has had the same under consideration and recommends that the same do pass.

CARL O. SJULIN, *Chairman*.

Ordered passed on file.

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 25, a bill for an act relating to the time of expiration of liquor permits, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 77, a bill for an act to amend section eleven thousand nine hundred one (11901), Code, 1939, relating to the administration of the estate of an absentee, and providing that administration may be had on the estate of an absentee who was the owner of property in this state, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.



Also :

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 51, a bill for an act relating to the duties of the clerk of the district court, begs leave to report it has had the same under consideration and recommends the same do pass. E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 66, a bill for an act to amend section thirteen thousand two hundred nineteen (13219), Code, 1939, relating to permitting minors to enter and remain in nine or ten pin alleys, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 9, a bill for an act relating to the issuance of state permits to holders of class "B" and class "C" beer permits, and providing for the payment of fees for such applications, 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 9 by adding thereto the following:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Cedar Rapids Tribune, a newspaper published in Cedar Rapids, Iowa, and the Charles City Daily Press, a newspaper published in Charles City, Iowa.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Senator Whitehill submitted the following report:

MR. PRESIDENT: Your committee on military affairs, to which was referred House File 39, a bill for an act to amend section four hundred sixty-seven and forty-two hundredths (467.42), Code, 1939, relating to the appointment of the adjutant general by the governor, 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 39 by inserting after the word "service" in line nine (9) the following: "in time of war". B. C. WHITEHILL, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 28 by changing the number of the present section two (2) to section three (3) and adding the following as section two (2) of said bill:

Sec. 2. Section five thousand four hundred forty (5440), Code, 1939,

is amended by striking from line 2 thereof the word "April" and inserting in lieu thereof the word "June".

A. D. CLEM.

Amend House File 13 by inserting as section two (2) the following:

Amend section three thousand two hundred sixty-one (3261) of the Code of 1939 by striking from line 2 the word "metal" and inserting in lieu thereof the word "suitable".

Further amend House File 13 by renumbering the sections.

LEO ELTHON.

Amend Senate File 39 by adding the following as section four:

"Sec. 4. In the event the old age annuity provisions of the Federal social security law are extended to embrace public employees of the several states and their subdivisions, the pension and annuity retirement system authorized by this act, and all benefits therefrom, shall cease, and the contributions paid by the employees shall be refunded to them. The contributions to the pension fund or funds from tax levies shall be returned to the school general fund."

GEORGE FAUL.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 28, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. John Maze, Pastor of the Presbyterian Church, Malcom.

## PETITIONS AND MEMORIALS

The following petitions were presented and passed on file:

By Senator Watson, from members of the American Association of University Women of Council Bluffs, favoring repeal of the income tax law.

By Senator Foster, from a resident of Henry county, relative to general legislation.

By Senator Hill, from the county officers of Hamilton county, favoring four year term for county officers.

By Senator Vrba, from residents of Winneshiek county, in opposition to the fire prevention bill.

By Senator Love, from residents of Madison county, favoring aid to dependent children.

By Senator Shaw, from the Laurens chamber of commerce, favoring repeal of the income tax law.

By Senator Mercer, from the county officers of Johnson county, favoring four year term for county officers.

## PRESENTATION OF QUEEN

Senator Lynes asked and received unanimous consent to present to the Senate, Miss Jeanne Leo, clerk to Senator Leo, who was chosen queen of the Senate by the pages.

Miss Leo was escorted to the rostrum by the Lieutenant Governor's page and Senator Lynes presented the queen with a bouquet of roses.

## INTRODUCTION OF BILLS

Senate File 117, by Senator Shaw, a bill for an act to amend section eleven thousand nine hundred and sixty-four (11964),

Code, 1939, relating to demands not yet due in an estate providing and adding that where the demands are secured by mortgage on real estate, the claim shall not be allowed unless the claimant proves that the security is inadequate.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 118, by Senator Zeigler, a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, relating to the general powers of the board of supervisors providing for the additional power to purchase and pay for liability and property damage insurance which shall insure against individual personal liability of county employees while in the performance of their duties.

Read first and second times, is ready for commitment and amendment, and referred to committee on county and township affairs.

Senate File 119, by Senator Pine, a bill for an act to make an appropriation to Muscatine county, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 2.

Senate File 120, by Senator Clem, a bill for an act to legalize the action of the board of supervisors of Woodbury county, in setting the salaries of deputy sheriffs in and for Woodbury county, for the year 1942 at an amount in excess of the maximum provided in paragraph one (1) of section fifty-two hundred twenty-seven (5227) of the 1939 Code of Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 121, by Senator Clem, a bill for an act to legalize action of the board of supervisors of Woodbury county, Iowa, instructing the county auditor of said county to make necessary adjustments as of January 1, 1942, in order that tax sale certificates and real estate acquired by the county under the tax sale of January 23, 1935, and under the tax sale of March 8, 1935, be placed in the same status as tax sale certificates and real estate acquired under the provisions of section seventy two hundred fifty-five-B1 (7255-B1) of the 1935 Code of Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 122, by Senator Clem, a bill for an act to legalize the action of the board of supervisors of Woodbury county, Iowa, in making expenditures from the poor fund of said county for the repairs and remodeling of office building used by poor relief offices.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 123, by Senator Clem, a bill for an act to legalize action of the board of supervisors of Woodbury county, in making expenditures from the court expense fund for the purpose of paying the salaries and expenses of officers and employees of the juvenile court of Woodbury county.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 124, by Senator Clem, a bill for an act to repeal section thirty-six hundred sixteen and one-tenth (3616.1) of the 1939 Code of Iowa and to amend section thirty-six hundred sixteen (3616) of the 1939 Code of Iowa, both relating to salaries and expenses of officers and employees of the juvenile court.

Read first and second times, is ready for commitment and amendment, and referred to committee on county and township affairs.

Senate File 125, by Senator Foster (Anderson), a bill for an act to amend section thirteen thousand nine hundred eighty-six (13986), Code, 1939, relating to the erection of a scaffold and the direction of the manner of execution of a condemned person.

Read first and second times, is ready for commitment and amendment, and referred to committee on departmental affairs.

Senate File 126, by Senator Foster (Anderson), a bill for an act to amend section thirteen thousand nine hundred eighty-seven (13987), Code, 1939, relating to the admission of witnesses to the execution of a condemned person.

Read first and second times, is ready for commitment and amendment, and referred to committee on departmental affairs.

Senate File 127, by Senators Foster, Goode and Clark (Martin, Dodds, Fimmen, Doud, Siefkas and Poston), a bill for an act to amend section one thousand seven hundred ninety-four and eleven thousandths (1794.011), Code, 1939, to change the open season on quail and the time for shooting quail each day during the open season.

Read first and second times, is ready for commitment and amendment, and referred to committee on conservation.

Senate File 128, by committee on judiciary 2, a bill for an act relating to conveyances of homesteads and legalizing conveyances of homesteads heretofore executed.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 129, by committee on judiciary 2, a bill for an act to amend various sections of chapter four hundred sixty-three (463), Code, 1939, relating to legalizing acts affecting titles to real property.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 130, by committee on judiciary 2, a bill for an act to amend, revise, and codify chapter four hundred sixty-one (461), Code, 1939, relating to legalization of acts of notaries public, acknowledgments, and instruments executed by attorneys in fact.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 131, by committee on judiciary 2, a bill for an act to amend sections ten thousand seventy (10070), ten thousand seventy-one (10071) and ten thousand seventy-nine (10079), Code, 1939, relating to conveyances of real property.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 132, by committee on judiciary 2, a bill for an act to amend sections ten thousand four hundred sixteen (10416) and ten thousand four hundred seventeen (10417), Code, 1939, relating to legalizing improperly signed or acknowledged plats.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 133, by committee on judiciary 2, a bill for an act to amend various sections of the Code, 1939, relating to special limitations of actions in regard to the recovery of interests in real estate.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 134, by Senators Augustine, Johnson, Vrba, Reilly and Mercer, a bill for an act to repeal sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one and one tenth (3641.1), thirty-six hundred forty-two (3642), and thirty-six hundred forty-three (3643), Code, 1939, relating to widow's 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 state department 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.

Read first and second times, is ready for commitment and amendment, and referred to committee on child welfare.

Senate File 135, by Senators Zastrow, Bekman, Emerson, Hill, Byers and Mowry, a bill for an act to amend section ten thousand three hundred thirteen (10313), Code, 1939, relating to labor and material on public improvements, and the time for filing claims and bringing action thereon.

Read first and second times, is ready for commitment and amendment, 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 47, a bill for an act relating to fish and game.

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

House File 67, 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 Senate is asked:

House File 103, a bill for an act relating to fish and game.

Also: That the House has concurred in Senate amendments to and passed House File 2, a bill for an act relating to soldiers' exemptions.

Also: That the House has concurred in Senate amendments to and passed House File 22, a bill for an act relating to definition of practice of accountancy.

Also: That the House has concurred in Senate amendments to and passed House File 40, a bill for an act relating to appropriation of funds by boards of supervisors for payment of expenses, etc., to aid in sale of war savings bonds and stamps and to conduct campaigns therefor.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 44, a bill for an act relating to pardon of paroled prisoners.

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

House Concurrent Resolution 10, providing for a joint convention on Lincoln's birthday, February 12, 1943.

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

House Concurrent Resolution 11, extending an invitation to Miss Lena Daugherty to address a joint convention of the Fiftieth General Assembly Friday morning, January 29.      A. C. GUSTAFSON, *Chief Clerk*.

#### HOUSE CONCURRENT RESOLUTION 10

*Whereas*, February the twelfth will be the one hundred thirty-fifth anniversary of the birth of Abraham Lincoln, one of this country's most illustrious Presidents, and

*Whereas*, It is appropriate that this day be commemorated by suitable patriotic exercises, and

*Whereas*, Mr. J. A. Nelson, attorney, of Decorah, Iowa, has made an extensive study of the life of our martyred President, now, therefore,

*Be It Resolved by the House, the Senate Concurring*: That a joint convention of the Fiftieth General Assembly be held in the Chamber of the House of Representatives on Lincoln's birthday, February 12, 1943, from the hours of ten o'clock until ten forty-five o'clock a. m., and that Mr. Nelson be invited to address the General Assembly at that time.

*Be It Further Resolved*, That the Governor and other executive and administrative officers of the state, and the Chief Justice and Associate Justices of the Supreme Court of Iowa be invited to participate in the said exercises, and that this invitation be communicated to said officers and justices by the Secretary of the Senate and Chief Clerk of the House of Representatives.



## HOUSE CONCURRENT RESOLUTION 11

*Be It Resolved by the House, the Senate Concurring:* That, whereas, Miss Lena Daugherty, a resident of Taylor county, has recently returned from a twenty-seven year teaching assignment in Tokio, Japan, and has had opportunity to make observations of the life, culture, and political conditions of the Japanese people as a whole;

And, whereas, such information is of vital interest to the people of the state of Iowa and the members of the 50th General Assembly;

That an invitation be extended to her to address the members of the Senate and the House in joint convention at 11:45 Friday, January 29, 1943.

## HOUSE AMENDMENT TO SENATE FILE 44

Amend Senate File 44 by striking the word "may" from line four (4) thereof, and inserting in lieu thereof the word, "shall".

Senator Turner asked and received unanimous consent to take up House Concurrent Resolution 10 and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Bekman called up the following concurrent resolution and moved its adoption:

## SENATE CONCURRENT RESOLUTION 9

*Whereas*, The tragedy of a world conflagration is imposing unprecedented financial demand upon the people of the entire nation, in the form of greatly increased tax levies; and

*Whereas*, The nation's "all-out" effort for an overwhelming victory over the Axis powers will place upon our people from time to time in the months ahead new and increased financial burdens to meet the demands of the war program and insure adequate defense of our nation and the American way of life; and

*Whereas*, These tremendous financial demands emphasize the need for holding state and local expenditures to the lowest minimum consistent with the public good; and

*Whereas*, Rising living costs have greatly enhanced the problem of needy people receiving old age assistance and assistance to the blind to subsist on the funds that may be reasonably available at this period, and

*Whereas*, The principle of individual self-help is a traditionally American one, and

*Whereas*, The federal security laws do not permit the matching of funds or grants to states unless the state program consider every source of income of the recipient, and

*Whereas*, The present man-power shortage renders it practically impossible for the people to obtain casual labor or to fill jobs of a temporary nature requiring only light work, and

*Whereas*, Many recipients of old age assistance, and assistance to the blind, are capable of obtaining and performing casual labor or to fill

jobs of a temporary nature, and such recipients should be afforded an opportunity to perform such services for the period of the duration of this nation's conflict with the Axis powers, and

*Whereas*, It is deemed reasonable that recipients of old age assistance or assistance to the blind be allowed to receive from personal earnings a sum not exceeding \$240.00 annually, and this income, when received from any source, be disregarded in determining need in all such cases, and

*Whereas*, Modification and liberalization of federal social security laws is necessary to permit states to include this provision without loss of federal grants:

*Therefore, Be It Resolved by the Senate of the Fiftieth General Assembly of Iowa, the House Concurring*: That the Congress of the United States be memorialized to forthwith take such action as may be appropriate to modify and liberalize the federal social security laws to permit recipients of old age assistance and assistance to the blind to receive from personal earnings a sum not exceeding \$240.00 annually for the period of the duration of this nation's conflict with the Axis powers, without having the same charged to them or considered in determining need in all such cases.

*Be It Further Resolved*, That the secretary of state be and he hereby is directed to forward a certified copy of this resolution to the Vice President of the United States and to the Speaker of the House of Representatives of the United States, and to each member of the Congress (Senate and House of Representatives) of the United States from the state of Iowa.

The motion prevailed and the resolution was adopted.

Senator Bekman asked and received unanimous consent that Senate Concurrent Resolution 9 be immediately messaged to the House, which request was complied with.

Senator Leo called up the following concurrent resolution and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 10

*Whereas*, Claud R. Wickard is Secretary of Agriculture, and there has been a demand by the United States Government for increased production of food in the war effort, and

*Whereas*, The progress of increased production is retarded by lack of protein feeds necessary to provide balanced rations for livestock, and

*Whereas*, The Commodity Credit Corporation has protein feeds available in this territory, which should be immediately released to aid in meeting the demand for increased production, and

*Whereas*, The 1939 Year Book of Agriculture emphasizes the fact that proteins to supplement the feed of home grown grains are necessary in the economical production of pork, beef and poultry, therefore,

*Be It Resolved by the Senate, the House Concurring*: That Claude R.

Wickard, Secretary of Agriculture, and the Commodity Credit Corporation, be requested to immediately release and make available to the farmers of Iowa, protein feeds, especially soy bean meal, to supplement the home grown grains in connection with the increased production and feeding of pork, beef, poultry and other livestock necessary in the war efforts, and that the Clerk of the Senate is hereby authorized and directed to mail a copy of this resolution to Claude R. Wickard, Secretary of Agriculture, and the Commodity Credit Corporation.

Senator Henningsen offered the following amendment to the resolution and moved its adoption:

Amend Senate Concurrent Resolution 10 by striking from line eight (8) of the fifth paragraph the word "clerk" and by inserting in lieu thereof the word "secretary".

Further amend Senate Concurrent Resolution 10 by adding the following: "Be It Further Resolved that a copy of this resolution be sent to Senator Guy M. Gillette, to Senator George A. Wilson and each member from Iowa in the national house of representatives."

The amendment was adopted.

The resolution as amended was adopted.

Senator Henningsen asked and received unanimous consent that Senate Concurrent Resolution 10 be immediately messaged to the House, which request was complied with.

### EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate in executive session confirmed the following appointments:

James A. Lucas, of Taylor county, as Commerce Counsel for the Commerce Commission, for the unexpired term of Harold Davidson, ending June 30, 1943.

James A. Lucas, of Taylor county, as Commerce Counsel for the Commerce Commission, for the term ending June 30, 1947.

C. Fred Porter, of Polk county, as State Comptroller, to serve at the pleasure of the governor.

Dan Hunter, of Linn county, as a member of the Commission of Aeronautics, for a four year term beginning January 18, 1943, and ending on the third Monday in January, 1947.

Virginia Bedell, of Dickinson county, as a member of the Board of Parole, for the term ending June 30, 1949.

The Senate arose from executive session and resumed regular session.

#### HOUSE MESSAGES CONSIDERED

House File 47, a bill for an act to amend section one thousand seven hundred ninety-four and seventy-four thousandths (1794.074), Code, 1939, relating to the kinds of fish that may be taken by commercial fishermen.

Read first and second times, is ready for commitment and amendment, and referred to committee on conservation.

House File 67, a bill for an act to amend section six thousand nine hundred forty-six (6946), Code, 1939, relating to exemptions from taxation of property of soldiers, sailors, marines, nurses, and widows, and child or children of soldiers, sailors, marines, and husbands of nurses.

Read first and second times, is ready for commitment and amendment, and referred to committee on military affairs.

House File 103, a bill for an act to amend section one thousand seven hundred ninety-four and twenty-nine thousandths (1794.029), Code, 1939, relating to catfish season, size of large-mouth bass, size of wall-eyed pike.

Read first and second times, is ready for commitment and amendment, and referred to committee on conservation.

#### HOUSE AMENDMENTS CONSIDERED

Senator Whitehill asked and received unanimous consent to take up Senate File 44, a bill for an act to repeal section three thousand eight hundred fifteen (3815), Code, 1939, and enact a substitute therefor relating to the recommendation for pardon of paroled prisoners who enter the military, naval, or nursing service of the United States, amended by the House, and moved that the Senate concur in the following House amendment:

Amend Senate File 44 by striking the word "may" from line four (4) thereof, and inserting in lieu thereof the word, "shall".

The motion prevailed and the Senate concurred.

Senator Whitehill moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Goode	Long	Schluter
Bekman	Hart	Love	Shaw
Berg	Harvey	Lundy	Sjulin
Byers	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Whitehill
Faul	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler
Foster	Leo		

Nays, none.

Absent or not voting, 4:

Benson	Cromwell	Elthon	Fuller
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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 COMMITTEE ON SENATE EMPLOYEES

MR. PRESIDENT: Your committee on Senate employees recommends that Robert Young, of Washington county, be appointed assistant file clerk in place of Jack Martin who resigned to enter military service.

K. A. EVANS.

Senator Evans moved the adoption of the report.

The motion prevailed and the report was adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 16, 31, 2, 6, 17, 22, 40, and Senate File 11.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 16, 31, 2, 6, 17, 22, 40, and Senate File 11.

#### BILLS SENT TO THE GOVERNOR

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

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 28th day of January, 1943, sent to the governor for his approval Senate File 11.

**ROBERT C. REILLY, Chairman.**

Passed on file.

#### REPORTS OF COMMITTEES

Senator Love submitted the following report:

**MR. PRESIDENT:** Your committee on election reform, to which was referred Senate File 52, a bill for an act to make the office of commerce commissioners appointive, begs leave to report it has had the same under consideration and recommends that the same do pass.

**H. S. LOVE, Chairman.**

Ordered passed on file.

Senator Pine submitted the following report:

**MR. PRESIDENT:** Your committee on manufacturing, commerce and trade, to which was referred House File 13, a bill for an act relating to license fees for scales and gasoline pumps, begs leave to report it has had the same under consideration and recommends the same do pass.

**F. J. PINE, Chairman.**

Ordered passed on file.

Senator Zeigler submitted the following report:

**MR. PRESIDENT:** Your committee on ways and means, to which was referred Senate File 48, a bill for an act to provide for the transfer of funds from "the state sinking fund for public deposits" to the state general fund, begs leave to report it has had the same under consideration and recommends the same do pass.

**SANFORD ZEIGLER, JR., Chairman.**

Ordered passed on file.

Also:

Senator Zeigler submitted the following report:

**MR. PRESIDENT:** Your committee on ways and means, to which was referred House File 18, a bill for an act to amend subsection eight (8) of section six thousand nine hundred forty-three and thirty-six thousandths (6943.036), Code, 1939, relating to personal net income tax, begs leave to report it has had the same under consideration and recommends the same do pass.

**SANFORD ZEIGLER, JR., Chairman.**

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 107 by striking from line nine (9) of section 1 the word "exempting" and by substituting in lieu thereof the word "excepting".

GEORGE FAUL.

Amend Senate Joint Resolution 1 by striking the word "Governor" in line four, section one (1), thereof.

Also by adding the following new paragraph after line 9 in section one (1) thereof, as follows:

"Commencing with the year nineteen hundred fifty-one (1951) the term of office of the Governor shall be four (4) years and the incumbent of said office shall not be eligible to reelection for the succeeding four (4) years.

HUGH W. LUNDY.

Amend Senate File 112 by striking everything after the enacting clause and substituting the following:

Section 1. Amend section one (1) of chapter one hundred ten (110), Acts of the 49th General Assembly, by adding the following: "nor shall any person during the time the United States of America is engaged in war who is a member of the military or naval forces of the United States be required to have a license to hunt or fish in this state."

Also amend the title to read as follows:

An Act to amend section one (1) of chapter one hundred ten (110), Acts of the 49th General Assembly, by granting free hunting and fishing privileges to persons in the military and naval forces of the United States during time of war.

J. T. DYKHOUSE.

Amend Senate File 12 by striking in lines 5 and 6 the words and figures "two thousand (2000)" and inserting in lieu thereof the words and figures "five hundred (500)".

RICHARD V. LEO.

Amend Senate File 42 as follows:

Strike all of line 5 and insert in lieu thereof the following:

"The commissioner may with the written approval of the Governor,"

E. K. BERMAN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 29, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. M. D. Summerbell of the Methodist Church, Anita.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Miller, from members of the women's club of Panora, relative to certain public health legislation.

By Senator Shaw, from the members of the board of supervisors of Buena Vista county, favoring a four year term for supervisors.

## INTRODUCTION OF BILLS

Senate File 136, by Senator Elthon, a bill for an act to legalize the action of the board of supervisors of Worth county, Iowa, in making expenditures from the Worth county maintenance and construction funds for the purpose of paying workmen's compensation insurance.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 137, by Senator Goode, a bill for an act to amend section three thousand eight hundred twenty-eight and twenty-nine thousandths (3828.029), Code, 1939, in reference to a child's liability for funeral expenses for a recipient of old age assistance.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 138, by Senators Martin, Reilly and Vrba, a bill for an act to amend section one hundred eighty-seven (187), Code, 1939, relating to the state printing board and establishing requirements for bidders.

Read first and second times, is ready for commitment and amendment, and referred to committee on printing.



Senate File 139, by Senator Watson, a bill for an act to amend section sixty-nine hundred forty-three and seventy-six thousandths (6943.076), Code, 1939, and to amend section sixty-nine hundred forty-three and one hundred four one-thousandths (6943.104), Code, 1939, relating to exemption from sales tax and use tax of purchase of tax certifying or levying governmental bodies.

Read first and second times, is ready for commitment and amendment, and referred to committee on ways and means.

Senate File 140, by Senator Shaw, a bill for an act to amend chapter three hundred three (303), Senate file fifty-eight (58), acts and laws of the Forty-ninth (49th) General Assembly of the state of Iowa, section twelve thousand two hundred and sixty-seven (12267) and twelve thousand two hundred and seventy-seven (12277), Code, 1939, relating to actions of forcible entry and detention of real property, providing for additional jurisdiction in municipal and superior court, time of trial and the notice to be given.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 141, by Senators Clem and Bekman, a bill for an act to amend section eleven thousand nine hundred sixty-four (11964) of the Code of Iowa, 1939, providing conditions under which unmatured claims against decedent's estates secured by real estate mortgage may be allowed.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 2.

Senate File 142, by Senator Goode, a bill for an act to amend section three thousand eight hundred twenty-eight and eighteen thousandths (3828.018), Code, 1939, as amended by chapter one hundred forty-six (146), acts of the Forty-ninth General Assembly, in reference to paying funeral expenses of persons who have received old age assistance.

Read first and second times, is ready for commitment and amendment, and referred to committee on judiciary 1.

Senate File 143, by Senator Faul, a bill for an act to amend the law as it appears in section six thousand sixty-six and nineteen hundredths (6066.19), Code, 1939, relating to collection of

sewage rentals or charges, and authorizing the discontinuing of water service for nonpayment of such rentals and charges.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 144, by Senator Augustine, a bill for an act to amend sections one thousand nine hundred twenty-one and fifty thousandths (1921.050) of the Code, 1939, relating to profits of the state liquor commission.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 145, by Senators Byers and Lundy, a bill for an act to amend section seven thousand eighty-nine (7089) and to repeal section seven thousand one hundred two (7102), Code, 1939, relating to the taxation of electric transmission lines.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 146, by Senator Elthon, a bill for an act to amend section seventeen hundred ninety-four and thirty-eight thousandths (1794.038), Code, 1939, relating to fish and game conservation providing for exceptions in the Winnebago river.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 147, by Senator Whitehill, a bill for an act to amend section six thousand one hundred forty-seven (6147) of the Code relating to trustees for public utilities.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 148, by Senator Hart, a bill for an act to amend section five thousand two hundred twenty (5220), section five thousand two hundred twenty-two (5222), section five thousand two hundred twenty-four (5224), section five thousand two hundred twenty-six (5226), section five thousand two hundred twenty-eight (5228), section five thousand two hundred thirty (5230), Code, 1939, relating to the compensation of the county auditor, county treasurer, county recorder, sheriff, county attorney, and clerk of the district court in counties having two places at which the district court is held.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senator Clark asked and received unanimous consent to present the students of the government class of the Chariton high school who were present in the balcony with their teacher, a daughter of Representative Johannes.

### THIRD READING OF BILLS

On motion of Senator Fuller, Senate File 41, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, relating to the amount that may be levied in cities and towns of less than five thousand population for collection of garbage, was taken up and considered.

Senator Fuller asked and received unanimous consent that action be deferred on Senate File 41 and that it retain its place on the calendar.

On motion of Senator Love, Senate Joint Resolution 1, a joint resolution, proposing an amendment to the constitution of the state of Iowa to provide that the term of office of the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, and attorney general, and the county attorney of each county of the state of Iowa shall be for the term of four (4) years.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That the constitution of the state of Iowa be amended as follows:

“Commencing with the year nineteen hundred fifty-one (1951), the term of office of the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state and attorney general of the state, and of the county attorney in each county of the state shall be four (4) years and until their successors are elected and qualified.

“The provisions of this amendment shall apply to the term of office of those persons elected at the general election in the year nineteen hundred fifty (1950) to the respective offices referred to herein and to their elected successors.

“The General Assembly shall have the power to enact any necessary legislation to carry out the terms of this amendment.”

Sec. 2. That the foregoing proposed amendment be, and is hereby referred to the General Assembly to be chosen at the next general election, to-wit: the Fifty-first (51st) General Assembly of the state of Iowa, and that the secretary of state cause the same to be published as provided by law, was taken up and considered.

Senator Love asked and received unanimous consent that action be deferred on Senate Joint Resolution 1 and that it retain its place on the calendar.

On motion of Senator Mercer, Senate File 10, a bill for an act to amend section eight thousand three hundred sixty (8360), Code, 1939, relating to amendments to articles of incorporation of certain corporations and the renewal thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mercer moved that the bill be read a third 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	Foster	Keir	Reilly
Benson	Fuller	Leo	Schluter
Berg	Goode	Long	Shaw
Byers	Hart	Love	Sjulin
Clark	Harvey	Lundy	Stewart
Clem	Hattery	Lynes	Turner
Dykhhouse	Henningsen	Martin	Vittetoe
Elthon	Hess	Mercer	Vrba
Emerson	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
Faul	Johnson	Pelzer	Zastrow
Findlay	Jones	Pine	Zeigler

Nays, none.

Absent or not voting, 2:

Bekman                      Cromwell

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

Senator Mercer moved that the 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 35, a bill for an act to amend section thirteen thousand twenty-seven (13027), Code,

1939, relating to embezzlement by public officers, 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, 44:**

Augustine	Goode	Leo	Schluter
Benson	Hart	Long	Shaw
Berg	Harvey	Love	Sjulin
Byers	Hattery	Lundy	Stewart
Clark	Henningson	Lynes	Turner
Clem	Hess	Martin	Vittetoe
Dykhouse	Hill	Mercer	Vrba
Elthon	Hunt	Miller	Watson
Emerson	Johnson	Mowry	Whitehill
Faul	Jones	Pelzer	Zastrow
Findlay	Keir	Pine	Zeigler

**Nays, none.**

**Absent or not voting, 6:**

Bekman	Evans	Fuller	Reilly
Cromwell	Foster		

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 39, a bill for an act to authorize the establishment of pension and annuity retirement systems for employees other than public school teachers in independent school districts located in whole or in part in cities having a population of one hundred thousand or more, with report of the 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 Senate File 39 by striking the word "a" where it first appears in line 2 of section 1, and inserting in lieu thereof the following: "any special charter city having a population of fifty thousand or more and any independent school district located in whole or in part within any".

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 39 by adding the following as section four:

"Sec. 4. In the event the old age annuity provisions of the Federal social security law are extended to embrace public employees of the several states and their subdivisions, the pension and annuity retirement system authorized by this act, and all benefits therefrom, shall cease, and the contributions paid by the employees shall be refunded to them. The contributions to the pension fund or funds from tax levies shall be returned to the school general fund."

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend the title to Senate File 39 by striking the period (.) at the end of the title following the word "more" and by substituting therefor and adding thereto the following: "and providing for the termination thereof in the event of the inclusion of said employees under the annuity provisions of the Federal Social Security Law."

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend the title to Senate File 39 by adding between the words "cities" and "having" in line four (4) the following: "under special charter having a population of fifty thousand or more, and any independent school district located in whole or in part in cities".

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, 37:

Augustine	Hart	Leo	Schluter
Bekman	Harvey	Long	Shaw
Benson	Hattery	Love	Turner
Berg	Henningsen	Lynes	Vittetoe
Clem	Hill	Martin	Vrba
Dykhouse	Hunt	Mercer	Watson
Elthon	Johnson	Miller	Whitehill
Emerson	Jones	Mowry	Zastrow
Faul	Keir	Reilly	Zeigler
Findlay			

Nays, 3:

Clark	Hess	Pine
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Absent or not voting, 10:

Byers	Foster	Lundy	Sjulin
Cromwell	Fuller	Pelzer	Stewart
Evans	Goode		

The bill having received a constitutional majority was declared to have passed the Senate, 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 Byers, Senate File 66, a bill for an act to amend section thirteen thousand two hundred nineteen (13219), Code, 1939, relating to permitting minors to enter and remain in nine or ten pin alleys, 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, 34:

Bekman	Fuller	Long	Schluter
Benson	Hart	Love	Shaw
Berg	Harvey	Lundy	Stewart
Byers	Hattery	Lynes	Turner
Clark	Henningsen	Martin	Vittetoe
Clem	Hill	Mercer	Vrba
Dykhouse	Johnson	Miller	Zastrow
Emerson	Keir	Reilly	Zeigler
Faul	Leo		

Nays, 7:

Elthon	Foster	Pine	Watson
Findlay	Mowry	Sjulin	

Absent or not voting, 9:

Augustine	Goode	Hunt	Pelzer
Cromwell	Hess	Jones	Whitehill
Evans			

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

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

On motion of Senator Berg, Senate File 70, a bill for an act to amend chapter four hundred sixty-three (463), Code, 1939, re-

lating to real property legalizing acts, and to legalize sheriff's deeds and foreclosure proceedings prior to January 1, 1930, and for a statute of limitation, 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 70 by striking section two (2), the publication clause.

The amendment was adopted.

Senator Hess asked and received unanimous consent to withdraw the amendment filed by him to Senate File 70 and found on page 130 of the Senate Journal.

Senator Berg asked and received unanimous consent that action be deferred on Senate File 70, and that it retain its place on the calendar.

On motion of Senator Lundy, Senate File 77, a bill for an act to amend section eleven thousand nine hundred one (11901), Code, 1939, relating to the administration of the estate of an absentee, and providing that administration may be had on the estate of an absentee who was the owner of property in this state, 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, 46:

Augustine	Fuller	Leo	Reilly
Bekman	Goode	Long	Schluter
Benson	Hart	Love	Shaw
Berg	Harvey	Lundy	Sjulin
Byers	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Dykhouse	Hess	Mercer	Vittetoe
Elthon	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Watson
Faul	Johnson	Pelzer	Zastrow
Findlay	Jones	Pine	Zeigler
Foster	Keir		

Nays, none.

Absent or not voting, 4:

Clem	Cromwell	Evans	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.

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 Byers, Senate File 106, a bill for an act to amend section eight thousand nine hundred forty (8940), Code, 1939, relating to insurance and policies of insurance on aircraft, 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, 43:

Bekman	Foster	Leo	Schluter
Benson	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Martin	Turner
Clem	Henningaen	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Elthon	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir	Reilly	

Nays, none.

Absent or not voting, 7:

Augustine	Evans	Hess	Whitehill
Cromwell	Fuller	Lynes	

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 107, a bill for an act to repeal section eight thousand seven hundred eighty (8780) and to amend section eight thousand seven hundred eighty-one (8781), chapter four hundred two (402), Code, 1939, and to provide for the exclusion of certain fraternal orders from the provisions of this chapter, and for a reserve on certificates or funeral benefit contracts having no fixed or certain benefit, was taken up and considered.

Senator Faul asked and received unanimous consent that action be temporarily deferred on Senate File 107 and that it retain its place on the calendar.

On motion of Senator Faul, Senate File 108, a bill for an act to amend section eight thousand six hundred and seventy-one (8671), the Code, 1939, relating to medical examination for life insurance policies, 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, 44:**

Augustine	Findlay	Keir	Reilly
Bekman	Fuller	Leo	Schluter
Benson	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lynes	Stewart
Clark	Hattery	Martin	Turner
Clem	Henningsen	Mercer	Vittetoe
Dykhousé	Hill	Miller	Vrba
Elthon	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler

**Nays, none.**

**Absent or not voting, 6:**

Cromwell	Foster	Lundy	Whitehill
Emerson	Hess		

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 Zastrow, Senate File 109, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1939, relating to investment of trust funds by fiduciaries, 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, 45:**

Augustine	Byers	Dykhousé	Evans
Benson	Clark	Elthon	Faul
Berg	Clem	Emerson	Findlay

Foster	Johnson	Martin	Sjulin
Goode	Jones	Mercer	Stewart
Hart	Keir	Mowry	Turner
Harvey	Leo	Pelzer	Vittetoe
Hattery	Long	Pine	Vrba
Henningsen	Love	Reilly	Whitehill
Hess	Lundy	Schluter	Zastrow
Hill	Lynes	Shaw	Zeigler
Hunt			

Nays, none.

Absent or not voting, 5:

Bekman	Fuller	Miller	Watson
Cromwell			

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

Senator Zastrow moved that the 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 Dykhouse, Senate File 111, a bill for an act to amend section one thousand seven hundred three and forty-nine hundredths (1703.49), Code, 1939, relating to general duties of the state conservation commission, was taken up and considered.

Senator Dykhouse moved that the bill be read a third 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	Foster	Long	Schluter
Benson	Hart	Love	Shaw
Berg	Harvey	Lundy	Sjulin
Byers	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Emerson	Johnson	Mowry	Watson
Evans	Jones	Pelzer	Whitehill
Faul	Keir	Pine	Zastrow
Findlay	Leo	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Bekman	Elthon	Goode	Hunt
Cromwell	Fuller		

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

Senator Dykhouse moved that the 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 Dykhouse, Senate File 112, a bill for an act to amend section one thousand seven hundred ninety-four and ninety-eight thousandths (1794.098), chapter eighty-six and one tenth (86.1), Code, 1939, by granting free hunting and fishing privileges to those in the military forces of the United States during time of war, was taken up and considered.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend Senate File 112 by striking everything after the enacting clause and substituting the following:

Section 1. Amend section one (1) of chapter one hundred ten (110), Acts of the 49th General Assembly, by adding the following: "nor shall any person during the time the United States of America is engaged in war who is a member of the military or naval forces of the United States be required to have a license to hunt or fish in this state."

Also amend the title to read as follows:

An Act to amend section one (1) of chapter one hundred ten (110), Acts of the 49th General Assembly, by granting free hunting and fishing privileges to persons in the military and naval forces of the United States during time of war.

The amendment was adopted.

Senator Dykhouse moved that the bill be read a third 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	Fuller	Long	Schluter
Bekman	Hart	Love	Shaw
Benson	Harvey	Lundy	Sjulin
Berg	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vra
Elthon	Johnson	Mowry	Watson
Evans	Jones	Pine	Zastrow
Faul	Keir	Reilly	Zeigler
Findlay	Leo		

Nays, none.

Absent or not voting, 8:

Byers	Emerson	Goode	Pelzer
Cromwell	Foster	Hunt	Whitehill

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

Senator Dykhouse moved that the 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 Dykhouse, Senate File 113, a bill for an act to amend section one thousand seven hundred ninety-four and eighty-two thousandths (1794.082) and section one thousand seven hundred ninety-four and fifty-six thousandths (1794.056), Code, 1939, relating to trapping license and fur dealer's license, was taken up and considered.

Senator Dykhouse asked and received unanimous consent that action be deferred on Senate File 113 and that it retain its place on the calendar.

On motion of Senator Dykhouse, Senate File 114, a bill for an act to amend chapter eighty-six (86), Code, 1939, relating to fish and game, was taken up and considered.

Senator Dykhouse asked and received unanimous consent that action be deferred on Senate File 114 and that it retain its place on the calendar.

Senator Mowry asked and received unanimous consent to withdraw the amendment filed by him to Senate File 22 and found on page 157 of the Senate Journal.

#### COMMUNICATION FROM THE GOVERNOR

THE HONORABLE PRESIDENT OF THE SENATE:

THE HONORABLE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

THE HONORABLE MEMBERS OF THE FIFTIETH GENERAL ASSEMBLY:

In accordance with the provision of Chapter 7.1 of the Code, I am herewith submitting drafts of suggested appropriation bills with reference to administration, operation and maintenance of departments for each of the fiscal years of the ensuing biennium as contemplated in Part III of Section 84.15.

It is to be noted that the operation costs of state government as recommended in the budget and as reflected in these suggested appropriation bills, is lower for each year of the ensuing biennium than for each year of the past biennium by over one million dollars per year. This decrease is occasioned by savings caused through the elimination of nonessential capital construction and other nonessential activities.

The necessary cost of operation of required functions of govern-

ment has increased, but such increase is confined in its practical entirety, to unavoidable increases in food costs and the vital necessity for increases in wages and salaries, especially in the lower brackets, and the unavoidable increased cost of supplies. In these fields of increase, with respect to food and supplies, the state and the administrative heads of the various departments have no control. These prices have gone up in every business and activity and in every home.

It is to be noted that the essential foodstuffs and supplies of the institutions under the Board of Control such as our penal and mental institutions and the essential increases that must be made in wages in these institutions in order to maintain the help vital to their operation, has increased approximately \$732,000.

With reference to the Board of Education, an increase of approximately \$258,000 is indicated largely as a result of the operation of the schools and colleges under the Board of Education operating on a twelve month basis, due to the war emergency demands of national security, rather than on a nine month basis as heretofore the practice.

In many departments of government reductions have been made in many fields of activities that are not vital and necessary, at this time, to the efficient operation of government, but it is to be noted, and I am certain that every person realizes, that all businesses, private and public, have been faced with the necessity of increasing wages and have had to pay substantially more for supplies, materials and equipment in recent months, and are facing the known necessity of further increases in the future so long as the conditions of war economy continue.

With reference to the State University, the Iowa State College, and the Iowa State Teachers College, recommendations contemplated the normal operation of these institutions without regard to their utilization by the Federal Government for war training. At the time of compiling the budget and the preparation of the suggested appropriation bills, information is not at hand that will clearly indicate whether or not the full responsibility for the operation of these institutions will remain with the state or whether the war demands will absorb a substantial portion of our facilities. Manifestly, the degree to which Federal demands and the war effort do absorb or utilize the facilities of our state institutions, will determine to a great extent the financial cost of maintenance and operation to the state.

There are a number of other fields of state activity normally requiring expenditure of substantial sums of money, that, in my opinion, can be curtailed, but due to the fact that statutes now require such activities, recommended appropriations therefor have been made in the budget, but such recommendations will be changed from time to time, dependent upon the action of the legislature.

By way of illustration, I refer to requirements of publication of the Code each four years which, under the statute, would require the Code to be published after the 50th General Assembly. The cost of publication of the Code is estimated to be between \$75,000 and \$100,000 depending upon the cost of labor, print paper and other material elements. In my opinion, there is no vital necessity for publication of

the Code at this time and the purposes and conveniences intended by the present statute could be met by an amendment thereto eliminating the necessity for such publication in 1943 and authorizing the publication only of a combined volume containing the session laws of the 49th and 50th General Assemblies and such other action as may be taken by this General Assembly.

A substantial saving of an estimated amount in excess of \$40,000 per year can be made by issuing certificates or renewal for automobile licenses and continuing the present plates. In addition to the great difficulty of securing steel for such plates, it would appear that the continued use of the plates, issued in 1942, is practical and will answer all reasonable purposes.

A substantial saving can be made if the legislature sees fit to eliminate the re-issuance of drivers licenses, and authorizes the renewal of present licenses, under proper qualification, upon payment of the fee the issuance of a certificate or receipt therefor under the general plan recommended by the Motor Vehicle Department. Such a plan will eliminate the expense of the purchase of paper for the re-production of licenses and of the use of expensive equipment and the services in connection therewith.

Further detailing of the great number of instances where savings can be made would be impracticable. Many of these fields are now being explored by your body, many are being considered by the administrative and executive departments. State government is being operated on a careful and economical basis, but each field and department is making every effort to curtail in small as well as large details. United action by the legislative, the executive and the administrative branches will result in definite and substantial savings.

From time to time as action is taken by the legislature in connection with the appropriation of public funds, I shall, as contemplated by statute, make such amendatory changes in the budget recommendations as will conform to such legislative direction.

Respectfully submitted,

B. B. HICKENLOOPER, *Governor*.

The President referred the communication from the governor and the proposed appropriation bills to the committees on appropriations for consideration and recommendation.

#### COMMUNICATION FROM THE CHIEF JUSTICE OF THE SUPREME COURT OF IOWA

The following communication was received from the Chief Justice of the Supreme Court of Iowa:

TO THE GENERAL ASSEMBLY OF IOWA:

In accordance with Chapter 311, Acts of the Forty-ninth General Assembly, the Supreme Court of Iowa has prescribed and herewith reports to the General Assembly rules of pleading, practice, and procedure and forms of process, writs and notices, for proceedings of a civil nature in

courts of this state, for the purpose of simplifying the same, and of promoting the speedy determination of litigation upon its merits.

These rules are the result of efforts over a period of about twenty-two months during which a study has been made of the rules of procedure in this state and in other jurisdictions, including the new rules promulgated by the Supreme Court of the United States. During this period the court has had the valuable assistance of an advisory committee, appointed by the court, consisting of fifteen representatives and able lawyers, and some twenty subcommittees of equally capable attorneys and judges. Much credit is due the members of the committee and subcommittees, whose names are listed in this report. All served without compensation.

Tentative drafts of these rules were furnished to every lawyer and judge in Iowa, from whom several hundred communications were received. These communications were carefully considered. The tentative drafts were also discussed in meetings of lawyers held in every judicial district in this state.

The final report of the advisory committee was submitted to the court about December 10, 1942. Since that time each member of the court has carefully studied the report and numerous changes have been made therein.

This report includes:

1. Names of members of the advisory committee.
2. Names of members of the subcommittees.
3. Some information regarding the work of the committees.
4. Table of contents.
5. The rules.
6. Appendix I, showing statutes affected by these rules. (The inclusion of a statute in this table by no means indicates that the existing procedure has been changed by these rules. The greater portion of the statutes listed as of no further force and effect have been incorporated in the rules either verbatim, in substance, or with slight modifications.)

Ten additional copies of this report are being furnished to the General Assembly (twelve in all). While these are about all the copies now available, arrangements can probably be made to furnish the General Assembly with many additional copies, perhaps one for each member, if so desired.

Respectfully submitted,

T. G. GARFIELD, *Chief Justice*,

Supreme Court of Iowa.

Des Moines, January 28, 1943.

The President referred the communication from the Chief Justice of the supreme court and the report on rules of pleading, practice and procedure to the committee on court procedure reform, upon appointment of the members of the committee, to be announced Monday.



## 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 House Concurrent Resolution 11, duly adopted, the joint convention was called to order, Lieutenant Governor Robert D. Blue, President of the Senate, presiding.

The President of the Senate introduced Kuhn of Taylor, who presented Miss Lena Daugherty, recently returned from Japan, who told of her experiences while a teacher in the Tokyo schools.

The Senate returned to the Senate Chamber 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 108, a bill for an act relating to special plates for motor vehicles.

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

House File 162, a bill for an act making an emergency appropriation for institutions under board of control.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED

House File 108, a bill for an act to amend section five thousand four and eight hundredths (5004.08), Code, 1939, relating to special plates to manufacturers, transporters and dealers, providing for the private use of motor vehicles by automobile dealers operating under special plates and providing for the termination of this act.

Read first and second times, is ready for commitment and amendment and passed on file.

House File 162, a bill for an act to provide an emergency appropriation for salaries, support and maintenance for the institutions under the jurisdiction of the board of control.

Read first and second times, is ready for commitment and amendment and passed on file.

#### SECRETARY'S COMMUNICATION TO GOVERNOR

The secretary of the Senate reports that he has advised the governor of the confirmation by the Senate in executive session of the following appointments:

C. Fred Porter, State Comptroller.  
Virginia Bedell, Board of Parole.  
Dan Hunter, Commission of Aeronautics.

#### SECRETARY'S COMMUNICATION TO COMMERCE COMMISSION

The secretary of the Senate reports that the commerce commission has been advised of the confirmation by the Senate of the appointment made by the commission of James A. Lucas as commerce counsel for the unexpired term ending June 30, 1943, and for the full term appointment ending June 30, 1947.

#### BILLS ASSIGNED TO COMMITTEES

President Blue announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 135	Judiciary 1.
S. F. 143	Cities and Towns.
S. F. 144	Ways and Means.
S. F. 146	Conservation.
S. F. 147	Cities and Towns.
S. F. 148	Compensation of Public Officers.
H. F. 108	Motor Vehicles.
H. F. 162	Appropriations 1.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 2, House Files 8 and 41, and Senate File 44.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 2, House Files 8 and 41 and Senate File 44.

## BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 29th day of January, 1943, sent to the governor for his approval Senate File 44.

ROBERT C. REILLY, *Chairman*.

Passed on file.

## REPORT OF COMMITTEE

Senator Leo submitted the following report:

MR. PRESIDENT: Your committee on livestock and marketing, to which was referred Senate File 12, a bill for an act to recognize the Iowa State Sheep Association; to define the duties and objects of the association; and to aid in promoting the welfare of the sheep industry in Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

RICHARD V. LEO, *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 41 by striking everything after the word "towns" in line three (3) of the title and insert in lieu thereof a period (.).

I further move to amend Senate File 41 by striking everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Section six thousand two hundred eleven (6211), Code, 1939, is amended by striking all of subsection sixteen (16) thereof and insert in lieu thereof the following:

"16. Garbage disposal and street cleaning fund. Within any sanitary district the following amounts which shall be used only to pay the cost of the collection and disposal of garbage and such other material as may become dangerous to the public health, and for the oiling and sprinkling, flushing and cleaning of streets herein:

a. Cities with a population of less than five thousand (5000) not to exceed two (2) mills;

b. Cities with a population of five thousand (5000) and less than twenty-five thousand (25,000) not to exceed one (1) mill;

c. Cities with a population of twenty-five thousand (25,000) and less than seventy-five thousand (75,000) not to exceed three-quarters ( $\frac{3}{4}$ ) mill; and

d. Cities with a population of seventy-five thousand (75,000) or more not to exceed one-half ( $\frac{1}{2}$ ) mill." J. BERG.

Amend Senate File 22 by striking section four and inserting in lieu thereof the following:

"Sec. 4. That paragraph eight (8) of section six thousand nine hundred forty-three and fifty-seven thousandths (6943.057), Code, 1939, be and the same hereby is repealed and the following enacted in lieu thereof:

"8. Any person required to make, render, or sign any return or supplemental return, who willfully makes any false or fraudulent return, with intent to defeat or evade the assessment required by law to be made, shall upon conviction for each such offense be punished by imprisonment in the county jail for a term not exceeding one year or in the state penitentiary for a term not exceeding five years, or by a fine not exceeding five thousand dollars, or both." ROSS R. MOWRY.

Amend Senate File 42 by striking all of lines five to eight inclusive and substituting in lieu thereof the following: "The commissioner may, with the written approval of the governor, appoint in writing two deputy commissioners, for whose acts the commissioner shall be responsible, and who shall serve during his pleasure."

E. K. BEKMAN.

A. D. CLEM.

Amend title of Senate File 113 by striking the following: "and section one thousand seven hundred ninety-four and fifty-six thousandths (1794.056), Code, 1939," J. T. DYKHOUSE.

On motion of Senator Hunt, the Senate adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 1, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. Richard Paul Graebel, pastor of the First Presbyterian church, Ottumwa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hess for the day, on request of Senator Hattery; Senator Johnson for the day, on request of Senator Watson; Senator Miller for the day, on request of Senator Harvey; Senator Sjulín for the day, on request of Senator Benson.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Vrba, from residents of Howard county, in opposition to the fire prevention bill.

By Senator Schluter, from members of the Twentieth Century Club of Olin, favoring aid to dependent children.

By Senator Keir, from the county officers of Palo Alto county, favoring an increase in salary for county officers.

By Senator Harvey, from the county officers of Harrison county, favoring an increase in salary for county officers.

By Senator Hill, from the Webster City chamber of commerce, favoring repeal of the income tax law.

By Senator Evans, from the Red Oak chamber of commerce, favoring repeal of the income tax law.

By Senator Shaw, from the Pocahontas county American Legion commander, favoring repeal of the income tax law, at least for the duration of the war.

By Senator Stewart, from residents of Allamakee county, in opposition to the fire prevention bill.

By Senator Clem, from over ten thousand residents of Wood-

bury county, favoring a forty dollar minimum for old age pensions.

#### INTRODUCTION OF BILLS

Senate File 149, by Senator Watson, a bill for an act to amend section five thousand six hundred seventy-four (5674), Code, 1939, relating to the acceptance by officers of cities and towns of free passes issued by railroad companies.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 150, by Senators Cromwell, Zeigler, Pine, Mercer, Hart, Foster and Dykhousé, a bill for an act to amend the law as it appears in chapter seventy-seven and two tenths (77.2), Code of Iowa, 1939, relating to and providing for the payment of unemployment benefits; to fix the amount of such benefits to be so paid to unemployed seasonal employees; to provide the method of calculating such unemployment benefits and the regulations for payment of same; to authorize and direct the commission to administer this subsection; to define "seasonal industry" and other words requiring clear meaning; and to repeal all acts or parts of acts, in so far as they are inconsistent therewith.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 151, by Senators Cromwell, Zeigler, Pine, Mercer, Hart, Foster and Dykhousé, a bill for an act to amend the law as it appears in chapters seventy (70) and seventy-one (71), Code, 1939, relating to workmen's compensation, fixing the maximum amount of weekly compensation, the time when such compensation shall be payable, reducing the waiting period from two weeks to one week, and fixing the time within which an award or settlement may be reviewed.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 152, by Senators Cromwell, Zeigler, Pine, Mercer, Hart, Foster and Dykhousé, a bill for an act to amend the Iowa Employment Security Law as it appears in chapter seventy-seven and two tenths (77.2), Code, 1939, as amended, providing for unemployment compensation and regulating the payment of benefits thereunder; to so amend the law as it appears in sec-

tion fifteen hundred fifty-one and nine one hundredths, subsection B (1551.09 (B)), Code, 1939, as to increase the weekly benefit amount for total unemployment; to repeal the law as it appears in section fifteen hundred fifty-one and nine one hundredths, subsection D, paragraph 2, (1551.09 (D), (2)), Code, 1939, and to enact a substitute therefor increasing the weekly benefit amount payable, and fixing the method of determining same; to so amend fifteen hundred fifty-one and nine one hundredths, subsection E (1551.09 (E)), Code, 1939, as will increase individual credits and lengthen the duration of the payment of weekly benefits therefrom; to so amend fifteen hundred fifty-one and eleven hundredths, subsection A (1551.11 (A)), Code, 1939, as to modify certain causes which disqualify for benefits; to so amend fifteen hundred fifty-one and thirteen hundredths, subsection C, paragraph 1, (1551.13 (C) (1)), Code, 1939, as to increase the maximum amount of benefits which may be charged against the account of any employer; to repeal section fifteen hundred fifty-one and twenty-five hundredths, subsection A, paragraph 1, (1551.25 (A) (1)), Code, 1939, and to enact a substitute therefor changing the definition of "annual payroll"; to fix the method of receiving, processing, paying and charging of all claims filed prior to the effective date of this act; and to repeal all acts, or parts of acts, in so far as they conflict therewith.

**Read first and second times, is ready for commitment and amendment, and passed on file.**

Senate File 153, by Senators Hart and Schluter, a bill for an act to amend section thirteen thousand three hundred fifty-five (13355), Code, 1939, relating to costs and fees in prosecutions for prison escapes and violations of parole.

**Read first and second times, is ready for commitment and amendment, and passed on file.**

### THIRD READING OF BILLS

On motion of Senator Fuller, Senate File 41, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, relating to the amount that may be levied in cities and towns of less than five thousand population for collection of garbage, 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 41 by striking everything after the word "towns" in line three (3) of the title and insert in lieu thereof a period (.).

I further move to amend Senate File 41 by striking everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Section six thousand two hundred eleven (6211), Code, 1939, is amended by striking all of subsection sixteen (16) thereof and insert in lieu thereof the following:

"16. Garbage disposal and street cleaning fund. Within any sanitary district the following amounts which shall be used only to pay the cost of the collection and disposal of garbage and such other material as may become dangerous to the public health, and for the oiling and sprinkling, flushing and cleaning of streets herein:

a. Cities with a population of less than five thousand (5000) not to exceed two (2) mills;

b. Cities with a population of five thousand (5000) and less than twenty-five thousand (25,000) not to exceed one (1) mill;

c. Cities with a population of twenty-five thousand (25,000) and less than seventy-five thousand (75,000) not to exceed three-quarters ( $\frac{3}{4}$ ) mill; and

d. Cities with a population of seventy-five thousand (75,000) or more not to exceed one-half ( $\frac{1}{2}$ ) mill."

The amendment was adopted.

Senator Berg asked and received unanimous consent to withdraw the amendment filed by him to Senate File 41 and found on page 157 of the Senate Journal.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 37:

Benson	Findlay	Jones	Reilly
Berg	Fuller	Keir	Schluter
Byers	Goode	Leo	Shaw
Clark	Hart	Lundy	Stewart
Clem	Harvey	Lynes	Vittetoe
Cromwell	Hattery	Martin	Vrba
Dykhouse	Henningsen	Mercer	Whitehill
Elthon	Hill	Mowry	Zastrow
Emerson	Hunt	Pine	Zeigler
Evans			

Naye, 3:

Augustine	Long	Watson
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Absent or not voting, 10:

Bekman	Hess	Miller	Sjulin
Faul	Johnson	Pelzer	Turner
Foster	Love		

The bill having received a constitutional majority was declared



to have passed the Senate and the title as amended 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 Love, Senate Joint Resolution 1, a joint resolution, proposing an amendment to the constitution of the state of Iowa to provide that the terms of office of the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, and attorney general, and the county attorney of each county of the state of Iowa shall be for the term of four (4) years.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That the constitution of the state of Iowa be amended as follows:

“Commencing with the year nineteen hundred fifty-one (1951), the term of office of the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state and attorney general of the state, and of the county attorney in each county of the state shall be four (4) years and until their successors are elected and qualified.

“The provisions of this amendment shall apply to the term of office of those persons elected at the general election in the year nineteen hundred fifty (1950) to the respective offices referred to herein and to their elected successors.

“The General Assembly shall have the power to enact any necessary legislation to carry out the terms of this amendment.”

Sec. 2. That the foregoing proposed amendment be, and is hereby referred to the General Assembly to be chosen at the next general election, to-wit: the Fifty-first (51st) General Assembly of the state of Iowa, and that the secretary of state cause the same to be published as provided by law, was taken up and considered.

Senator Love asked and received unanimous consent that action be deferred on Senate Joint Resolution 1 and that it retain its place on the calendar.

Senator Faul took the chair at 10:30 a. m.

On motion of Senator Berg, Senate File 70, a bill for an act to

amend chapter four hundred sixty-three (463), Code, 1939, relating to real property legalizing acts, and to legalize sheriff's deeds and foreclosure proceedings prior to January 1, 1930, and for a statute of limitation, was taken up and considered.

Senator Berg asked and received unanimous consent that action be deferred on Senate File 70 and that it retain its place on the calendar.

President Blue took the chair at 10:45 a. m.

On motion of Senator Faul, Senate File 107, a bill for an act to repeal section eight thousand seven hundred eighty (8780) and to amend section eight thousand seven hundred eighty-one (8781), chapter four hundred two (402), Code, 1939, and to provide for the exclusion of certain fraternal orders from the provisions of this chapter, and for a reserve on certificates or funeral benefit contracts having no fixed or certain benefit, was taken up and considered.

Senator Faul asked and received unanimous consent that action be deferred on Senate File 107 and that it retain its place on the calendar.

On motion of Senator Dykhousé, Senate File 113, a bill for an act to amend section one thousand seven hundred ninety-four and eighty-two thousandths (1794.082) and section one thousand seven hundred ninety-four and fifty-six thousandths (1794.056), Code, 1939, relating to trapping license and fur dealer's license, was taken up and considered.

Senator Dykhousé moved that the bill be read a third 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	Faul	Keir	Reilly
Bekman	Findlay	Leo	Schluter
Benson	Foster	Long	Shaw
Berg	Fuller	Love	Stewart
Byers	Goode	Lundy	Turner
Clark	Hart	Lynes	Vittetoe
Clem	Harvey	Martin	Vrba
Cromwell	Hattery	Mercer	Watson
Dykhousé	Henningsen	Mowry	Whitehill
Elthon	Hill	Pelzer	Zastrow
Emerson	Jones	Pine	Zeigler
Evans			

Nays, none:

Absent or not voting, 5:

Hess	Johnson	Miller	Sjulin
Hunt			

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

Senator Dykhousé offered the following amendment to the title and moved its adoption:

Amend title of Senate File 113 by striking the following: "and section one thousand seven hundred ninety-four and fifty-six thousandths (1794.056)".

The amendment was adopted, and the title as amended was agreed to.

Senator Dykhousé moved that the 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 Dykhousé, Senate File 114, a bill for an act to amend chapter eighty-six (86), Code, 1939, relating to fish and game, was taken up and considered.

Senator Dykhousé moved that the bill be read a third 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	Faul	Jones	Pine
Bekman	Findlay	Keir	Reilly
Benson	Foster	Leo	Schluter
Berg	Fuller	Long	Stewart
Byers	Goode	Love	Turner
Clark	Hart	Lundy	Vittetoe
Clem	Harvey	Lynes	Vrba
Cromwell	Hattery	Martin	Watson
Dykhousé	Henningsen	Mercer	Whitehill
Elthon	Hill	Mowry	Zastrow
Emerson	Hunt	Pelzer	Zeigler
Evans			

Nays, none:

Absent or not voting, 5:

Hess	Miller	Shaw	Sjulin
Johnson			

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

Senator Dykhousé moved that the 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 5, a bill for an act to amend the law as it appears in section fifteen hundred fifty-one and twenty-six hundredths (1551.26), Code of Iowa, 1939, relating to reciprocal benefit agreements; providing that the commission may enter into agreements with other states or the federal government relating to which state contributions on the wages of employees who perform services for one employer in more than one state would be paid, 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, 45:

Augustine	Faul	Jones	Pine
Bekman	Findlay	Keir	Reilly
Benson	Foster	Leo	Schluter
Berg	Fuller	Long	Shaw
Byers	Goode	Love	Stewart
Clark	Hart	Lundy	Turner
Clem	Harvey	Lynes	Vittetoe
Cromwell	Hattery	Martin	Vrba
Dykhouse	Henningsen	Mercer	Watson
Elthon	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zeigler
Evans			

Nays, none:

Absent or not voting, 5:

Hess	Miller	Sjulin	Zastrow
Johnson			

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 9, a bill for an act to amend section one thousand nine hundred twenty-one and ninety-nine thousandths (1921.099), Code, 1939, relating to the issuance of state permits to holders of class "B" and class "C"

beer permits, and providing for the payment of fees for such applications, 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 9 by adding thereto the following:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Cedar Rapids Tribune, a newspaper published in Cedar Rapids, Iowa, and the Charles City Daily Press, a newspaper published in Charles City, 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, 43:

Augustine	Evans	Jones	Schluter
Bekman	Faul	Keir	Shaw
Benson	Findlay	Leo	Stewart
Berg	Foster	Lundy	Turner
Byers	Goode	Lynes	Vittetoe
Clark	Hart	Martin	Vrba
Clem	Harvey	Mercer	Watson
Cromwell	Hattery	Mowry	Whitehill
Dykhouse	Henningsen	Pelzer	Zastrow
Elthon	Hill	Pine	Zeigler
Emerson	Hunt	Reilly	

Nays, none:

Absent or not voting, 7:

Fuller	Johnson	Love	Sjulin
Hess	Long	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 Martin, House File 20, a bill for an act to repeal section one thousand nine hundred twenty-one and one hundred one thousandths (1921.101), Code, 1939, relating to tenure of class "B" permits issued to golf or country clubs, 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, 43:

Augustine	Evans	Hunt	Schluter
Bekman	Faul	Jones	Shaw
Benson	Findlay	Leo	Stewart
Berg	Foster	Lundy	Turner
Byers	Fuller	Lynes	Vittetoe
Clark	Goode	Martin	Vrba
Clem	Hart	Mercer	Watson
Cromwell	Harvey	Mowry	Whitehill
Dykhous	Hattery	Pelzer	Zastrow
Elthon	Henningsen	Pine	Zeigler
Emerson	Hill	Reilly	

Nays, none:

Absent or not voting, 7:

Hess	Keir	Love	Sjulin
Johnson	Long	Miller	

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 Faul, House File 21, a bill for an act to amend section fifteen hundred fifty-one and thirteen hundredths (1551.13), Code of Iowa, 1939, as amended, relating to rate of contribution and method of determining rate, and providing for right of appeal by the employer; amending chapter one hundred three (103) of the acts of the Forty-ninth General Assembly of Iowa, relating to the computation and assessment of contributions and procedures by which the employer may protest such assessments, and appeals from such assessments to the commission and to the court, 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	Berg	Clem	Elthon
Bekman	Byers	Cromwell	Emerson
Benson	Clark	Dykhous	Evans

Faul	Hunt	Martin	Stewart
Findlay	Jones	Mercer	Turner
Fuller	Keir	Mowry	Vittetoe
Goode	Leo	Pelzer	Vrba
Hart	Long	Pine	Watson
Harvey	Love	Reilly	Whitehill
Hattery	Lundy	Schluter	Zastrow
Henningsen	Lynes	Shaw	Zeigler
Hill			

Nays, none:

Absent or not voting, 5:

Foster	Johnson	Miller	Sjulin
Hess			

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 Bekman, House File 25, a bill for an act to amend section nineteen hundred twenty-one and twenty-nine thousandths (1921.029), Code, 1939, relating to the time of expiration of liquor permits, 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, 43:

Augustine	Findlay	Leo	Schluter
Bekman	Foster	Long	Shaw
Benson	Fuller	Love	Stewart
Berg	Goode	Lundy	Turner
Byers	Hart	Lynes	Vittetoe
Clark	Harvey	Martin	Vrba
Clem	Hattery	Mercer	Watson
Cromwell	Henningsen	Mowry	Whitehill
Dykhouse	Hill	Pelzer	Zastrow
Elthon	Jones	Pine	Zeigler
Emerson	Keir	Reilly	

Nays, none:

Absent or not voting, 7:

Evans	Hess	Johnson	Sjulin
Faul	Hunt	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 Hattery, House File 29, a bill for an act to amend section one hundred and sixty-eight (168), Code, 1939, relating to the style of the Code of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hattery moved that the bill be read a third 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	Faul	Hunt	Schluter
Bekman	Findlay	Jones	Shaw
Benson	Foster	Keir	Stewart
Berg	Fuller	Leo	Turner
Byers	Goode	Lundy	Vittetoe
Clem	Hart	Lynes	Vrba
Cromwell	Harvey	Martin	Watson
Elthon	Hattery	Mowry	Whitehill
Emerson	Henningsen	Pine	Zastrow
Evans	Hill	Reilly	Zeigler

**Nays, 2:**

Long                      Love

**Absent or not voting, 8:**

Clark	Hess	Mercer	Pelzer
Dykhouse	Johnson	Miller	Sjulin

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

Senator Hattery moved that the 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 33, a bill for an act to amend section one thousand nine hundred five and nine-hundredths (1905.09), Code, 1939, relating to qualifications for license to practice accountancy, 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, 43:**

Augustine	Findlay	Leo	Schluter
Bekman	Foster	Long	Shaw
Benson	Goode	Love	Stewart
Berg	Hart	Lundy	Turner
Byers	Harvey	Lynes	Vittetoe
Clem	Hattery	Martin	Vrba
Cromwell	Henningsen	Mercer	Watson
Dykhousé	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Evans	Jones	Pine	Zeigler
Faul	Keir	Reilly	

**Nays, none:**

**Absent or not voting, 7:**

Clark	Fuller	Johnson	Sjulin
Elthon	Hess	Miller	

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.

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

On motion of Senator Shaw, House File 34, a bill for an act to repeal chapter sixty-four (64), Code, 1939, relating to commissioners for Iowa in other states, 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, 42:**

Augustine	Foster	Leo	Reilly
Bekman	Fuller	Long	Schluter
Benson	Goode	Love	Shaw
Clem	Hart	Lundy	Stewart
Cromwell	Harvey	Lynes	Vittetoe
Dykhousé	Hattery	Martin	Vrba
Elthon	Henningsen	Mercer	Watson
Emerson	Hill	Mowry	Whitehill
Evans	Hunt	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir		

**Nays, none:**

**Absent or not voting, 8:**

Berg	Clark	Johnson	Sjulin
Byers	Hess	Miller	Turner

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 Mowry, House File 35, a bill for an act to amend section six thousand three hundred nine (6309), Code, 1939, relating to the transfer of lots in cities and towns for use as schoolhouse sites, 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.

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

Ayes, 41:

Augustine	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Goode	Long	Stewart
Berg	Hart	Love	Turner
Clem	Harvey	Lundy	Vittetoe
Cromwell	Hattery	Martin	Vrba
Dykhousé	Henningsen	Mercer	Watson
Elthon	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Evans	Jones	Pine	Zeigler
Faul			

Nays, none:

Absent or not voting, 9:

Byers	Hess	Lynes	Shaw
Clark	Johnson	Miller	Sjulin
Fuller			

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 Whitehill, House File 39, a bill for an act to amend section four hundred sixty-seven and forty-two hundredths (467.42), Code, 1939, relating to the appointment of the adjutant general by the governor, 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 39 by inserting after the word "service" in line nine (9) the following: "in time of war".

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, 44:

Augustine	Faul	Keir	Reilly
Bekman	Findlay	Leo	Schluter
Benson	Foster	Long	Shaw
Berg	Fuller	Love	Stewart
Byers	Goode	Lundy	Turner
Clem	Hart	Lynes	Vittetoe
Cromwell	Harvey	Martin	Vrba
Dykhouse	Hattery	Mercer	Watson
Elthon	Henningsen	Mowry	Whitehill
Emerson	Hill	Pelzer	Zastrow
Evans	Jones	Pine	Zeigler

Nays, none:

Absent or not voting, 6:

Clark	Hunt	Miller	Sjulin
Hess	Johnson		

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.

Senator Whitehill asked and received unanimous consent that House File 39 be immediately messaged to the House, which request was complied with.

On motion of Senator Mowry, House File 44, a bill for an act to amend section one thousand seven hundred three and fourteen hundredths (1703.14), Code, 1939, relating to water navigation regulations, 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.

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

Senator Byers took the chair at 11:50 a. m.

Ayes, 45:

Augustine	Faul	Jones	Pine
Bekman	Findlay	Keir	Reilly
Benson	Foster	Leo	Schluter
Berg	Fuller	Long	Shaw
Byers	Goode	Love	Stewart
Clark	Hart	Lundy	Turner
Clem	Harvey	Lynes	Vittetoe
Cromwell	Hattery	Martin	Vrba
Dykhous	Henningsen	Mercer	Watson
Elthon	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zeigler
Evans			

Nays, none:

Absent or not voting, 5:

Hess	Miller	Sjulin	Zastrow
Johnson			

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 Bekman, House File 51, a bill for an act to amend section ten thousand eight hundred twenty-five (10825), Code, 1939, relating to the duties of the clerk of the district court, 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, 42:

Augustine	Evans	Jones	Pine
Bekman	Faul	Keir	Reilly
Benson	Findlay	Leo	Schluter
Berg	Foster	Long	Shaw
Byers	Fuller	Love	Stewart
Clark	Hart	Lundy	Turner
Clem	Harvey	Martin	Vittetoe
Cromwell	Hattery	Mercer	Vrba
Dykhous	Henningsen	Mowry	Watson
Elthon	Hill	Pelzer	Zeigler
Emerson	Hunt		

Nays, 1:

Goode

Absent or not voting, 7:

Hess  
Johnson

Lynes  
Miller

Sjulin  
Whitehill

Zastrow

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 Senate is asked:

House File 104, a bill for an act relating to jurisdiction in civil matters of municipal court.

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

Senate Concurrent Resolution 10 relating to the increased production and feeding of pork, beef, poultry and other livestock.

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

House Concurrent Resolution 12 authorizing the committee on agriculture to make a study and investigation of marketing of farm products.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE CONCURRENT RESOLUTION 12

A concurrent resolution memorializing the Congress of the United States to enact House Resolution 38, authorizing the committee on agriculture to make a study and investigation of marketing, transportation and distribution of farm products.

*Whereas*, With the increasing demands on the farms of the United States to meet the food requirements of our fighting men and lend-lease commitments, at the same time assuring the people of the United States of the proper amount of food stuffs, it is essential for the war effort and the well-being of our people that a study be made of the complicated problems of marketing, transportation and distribution of farm products; and,

*Whereas*, Farm products should be properly graded, and distributed when and where needed, and immediate steps should be taken for a co-ordination of efforts and the adopting of a comprehensive and workable plan in betterment of the interests of the producing farmer and the consumer; and

*Whereas*, House Resolution 38 has been introduced into Congress providing for the committee on agriculture to make a study and investiga-

tion of marketing, transportation and distribution of farm products, which study and investigation are imperative at this time; therefore,

*Be It Resolved by the House, the Senate Concurring:*

Section 1. That the Iowa Legislature urges Congress of the United States to enact House Resolution 38.

Sec. 2. That copies of this resolution be transmitted to the President of the United States, to the President of the Senate and Speaker of the House of Representatives of Congress, and to the Iowa members in the Senate and House of Representatives of Congress.

#### HOUSE MESSAGE CONSIDERED

House File 104, a bill for an act to amend section ten thousand six hundred fifty-five (10655), Code, 1939, relating to the jurisdiction in civil matters of the municipal court.

Read first and second times, is ready for commitment and amendment, and passed on file.

#### SECRETARY'S REPORT ON SENATE CONCURRENT RESOLUTION 10

The Secretary of the Senate reports that in accordance with Senate Concurrent Resolution 10, a certified copy of the resolution has been mailed to the Vice President of the United States, the Speaker of the House of Representatives, Claude R. Wickard, Secretary of Agriculture, the Commodity Credit Corporation, Senator Guy M. Gillette, Senator George A. Wilson, and to each member of the Congress from Iowa.

#### LEAVE OF ABSENCE

MR. PRESIDENT: Having been called into the service of the United States army, I desire to obtain a leave of absence as committee clerk for Senator Lynes.

HAROLD BRINKMAN.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on January 29th he had approved the following:

Senate File 11, relating to appropriation for use of the Iowa industrial and defense commission.

Senate File 44, relating to recommendation for pardon of paroled prisoners.

#### PROOF OF PUBLICATION

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

Senate File 71, a proposed bill legalizing the proceedings of the board of supervisors of Monona county, with respect to levy of assessments for improvements and issuance of bonds for Haitz Drainage District No. 17.

W. J. SCARBOROUGH.

#### BILLS ASSIGNED TO COMMITTEES

President Blue announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 145	Ways and Means
S. F. 149	Railroads
S. F. 150	Social Security
S. F. 151	Labor
S. F. 152	Social Security
S. F. 153	Judiciary 2
H. F. 104	Judiciary 2

#### REPORTS OF COMMITTEES

Senator Hill submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 1, to which was referred House File 11, a bill for an act providing for penalties for violation of the law relating to the licensing of the sale of cigarettes, 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.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1, to which was referred House File 69, a bill for an act to amend section 10215, Code, 1939, relating to rights of aliens in real property, 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.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1, to which was referred Senate File 95, a bill for an act relating to publication of notice of filing petition in commencement of actions in district court, and to assignment of cases, motions and demurrers, court calendar and publication fee, 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 Keir submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 2, a bill for an act to amend section 10260.4 of the Code, 1939, authorizing the sale of real estate acquired by a county for delinquent taxes, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman*.

Ordered passed on file.

Senator Evans submitted the following report:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred House File 162, a bill for an act to provide an emergency appropriation for the salaries, support and maintenance for the institutions under the jurisdiction of the board of control, 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.

Senator Hart submitted the following report:

MR. PRESIDENT: Your committee on banks and banking, to which was referred House File 32, a bill for an act to amend section nine thousand three hundred and four (9304), Code, 1939, relating to the cash reserve required by trust companies organized under chapter four hundred sixteen (416), of the Code, begs leave to report it has had the same under consideration and recommends the same do pass.

STANLEY L. HART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File 81, a bill for an act to provide for the clearing at par of checks drawn on any bank or trust company organized under the laws of this state and providing for penalties for violation thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

STANLEY L. HART, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 52 by striking the title and inserting in lieu thereof and as the title, the following:

"An Act to repeal section five hundred sixteen (516), Code, 1939, to amend sections seven thousand eight hundred sixty-five (7865) and seven thousand eight hundred sixty-six (7866) and chapter three hundred sixty-eight (368), Code, 1939, relating to the Iowa state commerce



commission and providing for the appointment of the commissioners instead of their election, for their removal, and fixing salaries."

Amend section four (4) of Senate File 52 by striking lines one (1) to four (4) inclusive of said section, and substituting in lieu thereof the following:

"Amend chapter three hundred sixty-eight (368), Code, 1939, by adding to said chapter immediately following section seven thousand eight hundred sixty-six (7866), the following as additional sections:"

Amend section four (4) of Senate File 52 by striking lines seventy (70) to seventy-three (73) inclusive of said section and substituting in lieu thereof the following:

"Each member of the commission shall receive as full compensation a salary of four thousand dollars (\$4,000.00) per annum and shall receive his actual necessary expenses incurred in the performance of his duties."

FRED CROMWELL.

Amend Senate File 22 by inserting the following as section three:

"Sec. 3. Section six thousand nine hundred forty-three and fifty-three thousandths (6943.053), Code, 1939, is amended by striking from lines eight (8) and nine (9) the sentence which is in the following words: "The return shall be made under oath."

Further amend by renumbering the succeeding sections.

GEORGE FAUL.

Amend Senate File 133 as follows:

By inserting at the end of section two (2) the following:

"4. Strike the last sentence in said section."

By striking the word "figures" in line two (2) of section four (4) and all of line three (3) and inserting the following:

"word and figures 'July 4, 1919' and inserting in lieu thereof the following, 'prior to July 4, 1943'";

By striking from line six (6) of section five (5) the figures "1944" and inserting the figures "1945";

By adding at the end of said bill a new section as follows:

"Sec. 6. Section eleven thousand twenty-three (11023), Code, 1939, is hereby repealed and the following enacted in lieu thereof:

"Section 11022, Code, 1939, as amended by this act, shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force prior to July 4, 1943."

FRANK C. BYERS.

Amend Senate File 51 by striking "statute, or adopted under the authority of any statute, for the purpose of carrying into effect the provisions of such statute" from lines 3, 4 and 5 and by inserting in lieu thereof the following:

"Law of this state relating to that department."

A. J. SHAW.

Amend Senate File 129 as follows:

1. By striking all of section one (1) and inserting the following:

"Section 1. Section ten thousand three hundred eighty-four (10384), Code, 1939, is amended by striking from line three (3) the word 'heretofore' and inserting after the word, 'executed' in said line the following, 'before July 4, 1943'; also by striking from lines seven (7) and eight (8)

the words, 'heretofore passed' and inserting in lieu thereof the following, 'passed before July 4, 1943'."

2. By striking all of section two (2) and inserting the following:

"Sec. 2. Section ten thousand three hundred eighty-five (10385), Code, 1939, is amended by striking from line two (2) the words, 'heretofore executed' and inserting in lieu thereof the following, 'executed before July 4, 1943'."

3. By striking all of section five (5) and inserting the following:

"Sec. 5. Section ten thousand three hundred eighty-seven and one-tenth (10387.1), Code, 1939, is amended by striking from lines two (2) and three (3) the word 'heretofore' and inserting in line three (3) after the word, 'certified' the following, 'before July 4, 1943'."

4. By striking all of section six (6) and inserting the following:

"Sec. 6. Section ten thousand three hundred eighty-eight (10388), Code, 1939, is amended by striking from line two (2) the words, 'heretofore executed' and inserting in lieu thereof the following, 'executed before July 4, 1943'; also by striking from line fourteen (14) the words, 'heretofore recorded' and inserting in lieu thereof the following, 'recorded before July 4, 1943'."

5. By striking all of section nine (9) and inserting the following:

"Sec. 9. Section ten thousand three hundred ninety-three (10393), Code, 1939, is amended by striking from line three (3) the word 'heretofore' and inserting in said line after the word, 'made' the following, 'before July 4, 1943'."

6. By striking all of subsection one (1) of section nineteen (19) and inserting the following:

"1. Strike from line two (2) the words, 'heretofore conveyed' and insert in said line after the word, 'been' the following, 'conveyed prior to January 1, 1943'."

IRVING D. LONG.

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

# **JOURNAL OF THE SENATE**

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 2, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. Thos. Doyle, Pastor of the Immanuel Methodist church, Des Moines.

## **LEAVE OF ABSENCE**

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

## **PETITIONS AND MEMORIALS**

The following petitions were presented and placed on file:

By Senator Love, from residents of Madison county, favoring aid to dependent children.

By Senator Martin, from the Davenport chamber of commerce, favoring repeal of the income tax law.

By Senator Hattery, from the Boone chamber of commerce, favoring repeal of the income tax law; also from the Iowa Automobile Dealers Association, in opposition to proposed bank installment loan legislation.

## **INTRODUCTION OF BILLS**

Senate File 154, by Senator Faul, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of corporate existence and the adoption of the amended and substituted articles of incorporation of the Continental Amusement Company and to provide for the renewal of the charter of said Continental Amusement Company.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 155, by Senators Berg and Shaw, a bill for an act to amend chapter one hundred sixty-seven (167), Code, 1939, relating to government of institutions under the board of control

of state institutions providing for dormitories and/or apartments and cottages and the purchase or condemnation of property, title to property, borrowing money and mortgaging property, the nature and limitation of obligations, and exempting the property from taxation, all relating to a dormitory, apartment and cottage system for institutions under the board of control.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 156, by Senators Whitehill and Evans, a bill for an act to amend section two hundred fifteen (215), Code, 1939, by striking therefrom the requirement for publication annually of amounts paid to state employees.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 157, by committee on income tax reduction, a bill for an act to provide for a credit on personal income tax imposed under the provisions of division two (II), chapter three hundred twenty-nine and three-tenths (329.3), Code, 1939, for the years nineteen hundred forty-two (1942) and nineteen hundred forty-three (1943) and payable in the years nineteen hundred forty-three (1943) and nineteen hundred forty-four (1944).

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 158, by Senator Faul, a bill for an act to amend chapter four hundred thirty (430), Code, 1939, relating to the registration of trademarks, labels and advertisements, providing for a limitation of the registration, and for the renewal of registrations, and fees therefor, and for renewal of registrations heretofore made.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 159, by Senators Schluter and Hart, a bill for an act to amend section three thousand seven hundred forty-one (3741), Code, 1939; to repeal section three thousand seven hundred forty-two (3742), Code, 1939, relating to salaries at the state penitentiary and men's reformatory and to enact a substitute therefor.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 160, by Senator Faul, a bill for an act to amend section eight thousand nine hundred forty-one (8941), Code, 1939, relating to insurance and requirement of insurance companies.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 161, by Senator Faul, a bill for an act to amend chapter four hundred eight (408) of title XX, Code, 1939, relating to bonds executed by reciprocal or interinsurance exchanges and providing for the acceptance thereof.

Read first and second times, is ready for commitment and amendment, and passed on file.

### THIRD READING OF BILLS

On motion of Senator Love, Senate Joint Resolution 1, a joint resolution, proposing an amendment to the constitution of the state of Iowa to provide that the terms of office of the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, and attorney general, and the county attorney of each county of the state of Iowa shall be for the term of four (4) years.  
*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That the constitution of the state of Iowa be amended as follows:

“Commencing with the year nineteen hundred fifty-one (1951), the term of office of the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state and attorney general of the state, and of the county attorney in each county of the state shall be four (4) years and until their successors are elected and qualified.

“The provisions of this amendment shall apply to the term of office of those persons elected at the general election in the year nineteen hundred fifty (1950) to the respective offices referred to herein and to their elected successors.

“The General Assembly shall have the power to enact any necessary legislation to carry out the terms of this amendment.”

Sec. 2. That the foregoing proposed amendment be, and is hereby referred to the General Assembly to be chosen at the next

general election, to-wit: the Fifty-first (51st) General Assembly of the state of Iowa, and that the secretary of state cause the same to be published as provided by law, was taken up and considered.

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 1 by striking the word "governor" in line 4, section one (1) thereof.

Also by adding the following new paragraph after line 9 in section one (1) thereof, as follows:

"Commencing with the year nineteen hundred fifty-one (1951) the term of office of the governor shall be four (4) years and the incumbent of said office shall not be eligible for re-election for the succeeding four (4) years.

Roll call was demanded and rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 19:**

Augustine	Findlay	Reilly	Vrba
Benson	Foster	Shaw	Watson
Berg	Hess	Sjulin	Zastrow
Clark	Johnson	Stewart	Zeigler
Elthon	Lundy	Vittetoe	

**Nays, 28:**

Bekman	Fuller	Hunt	Martin
Byers	Goode	Jones	Mowry
Clem	Hart	Keir	Pelzer
Cromwell	Harvey	Leo	Pine
Emerson	Hattery	Long	Schluter
Evans	Henningesen	Love	Turner
Faul	Hill	Lynes	Whitehill

**Absent, 3:**

Dykhous	Mercer	Miller
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The amendment having failed to receive a constitutional majority was declared lost.

Senator Love moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Bekman moved that action on Senate Joint Resolution 1 be deferred.

The Chair ruled that since the resolution had gone to its third reading it would be necessary to reconsider the vote by which it went to its third reading.

Senator Bekman asked and received unanimous consent to withdraw the motion made by him to defer action.

Senator Elthon moved that the vote by which Senate Joint Resolution 1 went to its third reading be reconsidered, which motion prevailed.

Senator Elthon moved that further action on Senate Joint Resolution 1 be deferred and that it retain its place on the calendar.

Senator Elthon asked and received unanimous consent to withdraw the motion filed by him to defer action.

Senator Goode moved that action on Senate Joint Resolution 1 be deferred and that it retain its place on the calendar.

The Chair ruled that the motion made by Senator Goode has preference over the motion that the resolution be placed on its third reading and passage.

The motion made by Senator Goode prevailed and further action on Senate Joint Resolution 1 was deferred.

The Chair announced that the resolution is now subject to amendment and debate and retains its place on the calendar with a motion pending for the third reading.

Senator Byers asked and received unanimous consent that action on Senate File 70 be deferred in the temporary absence of Senator Berg, and that it retain its place on the calendar.

On motion of Senator Goode, Senate File 48, a bill for an act to provide for the transfer of funds from "the state sinking fund for public deposits" to the state general fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 48 as follows:

Strike from line 2 of section 1 the words and figures "two million dollars (\$2,000,000)" and insert in lieu thereof the words and figures "two million five hundred thousand dollars (\$2,500,000)".

Senator Hess moved that further action on Senate File 48 be deferred and that it retain its place on the calendar, which motion lost.

The amendment by Senator Elthon was lost.

Senator Goode moved that the bill be read a third 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	Fuller	Leo	Schluter
Bekman	Goode	Long	Shaw
Benson	Hart	Love	Sjulin
Berg	Harvey	Lundy	Stewart
Byers	Hattery	Lynes	Turner
Clark	Henningsen	Martin	Vittetoe
Clem	Hess	Mercer	Vrba
Cromwell	Hill	Mowry	Watson
Elthon	Hunt	Pelzer	Whitehill
Evans	Johnson	Pine	Zastrow
Findlay	Jones	Reilly	Zeigler
Foster	Keir		

Nays, 1:

Emerson

Absent or not voting, 3:

Dykhouse

Faul

Miller

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

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

## COMMUNICATION FROM STATE APPEAL BOARD

### STATE APPEAL BOARD

#### STATEHOUSE

February 2, 1942

SECRETARY OF THE SENATE

Building

Sir:

Attached hereto you will find an additional list of claims to be transmitted to the Claims Committee. All of these claims have been investigated by the Attorney General's Office and presented to the State Appeal Board, who have made recommendations upon each one of them.

Yours very truly,

STATE APPEAL BOARD

C. FRED PORTER, *Chairman.*

W. G. C. BAGLEY,

C. B. AKERS, *Members.*



## 1943 CLAIMS

Claim No. 32, Muscatine county, Robert Toborg, secretary independent school district, claim for tuition of high school students in charitable institutions, \$340.00, approved as filed.

Claim No. 41, Polk county, Cecil H. Grantham, salary as examiner (army induction), \$150.00, approved as filed.

Claim No. 43, Marion county, A. D. Evans, funeral claim, \$100.00, approved as filed.

Claim No. 44, Linn county, John R. Gardner, per diem salary as member Iowa industrial and defense commission, \$20.00, approved.

Claim No. 45, Pottawattamie county, Herman W. Walter, per diem salary as member of Iowa industrial and defense commission, \$160.00, approved.

Claim No. 46, Louisa county, F. J. Pine, per diem salary as member of Iowa industrial and defense commission, \$110.00, approved.

Claim No. 47, Jefferson county, Sanford Zeigler, Jr., per diem salary as member of Iowa industrial and defense commission, \$130.00, approved.

Claim No. 48, Marshall county, B. C. Whitehill, per diem salary as member of Iowa industrial and defense commission, \$130.00, approved.

Claim No. 49, Bremer county, J. Kendall Lynes, per diem salary for school code commission, \$385.00, approved.

## HIGHWAY CLAIMS

Claim No. H-97-43, Jefferson county, Wade C. Harvey, accident claim, \$48.00, approved for \$25.00.

Claim No. H-98-43, Henry county, Harry S. McCallister, accident claim, \$167.72, not approved.

Claim No. H-99-43, Kossuth county, Walter Hawley, accident claim, \$23.01, not approved.

All of these people involved in same accident:

Claim No. H-100-43, C. A. Kenney, Pawnee City, Nebraska, highway accident claim, \$448.90, approved for \$148.90.

Claim No. H-101-43, Harold Dusenbery, Pawnee City, Nebraska, highway accident claim, \$631.00, approved for \$231.00.

Claim No. H-102-43, Joe Vacek, Pawnee City, Nebraska, highway accident claim, \$29.50, approved for \$29.50.

Claim No. H-103-43, LaVerne McGuire, Pawnee City, Nebraska, highway accident claim, \$72.25, approved for \$72.25.

Claim No. H-104-43, Bob A. Losey, Pawnee City, Nebraska, highway accident claim, \$82.50, approved for \$7.50.

Claim No. H-107-43, Pottawattamie county, A. C. Vandruff, highway accident claim, \$19.50, approved as filed.

Claim No. H-108-43, Woodbury county, Monroe Garland, highway accident claim, \$12.57, approved as filed.

Claim No. H-109-43, Woodbury county, John E. Conway, highway accident claim, \$99.51, not approved.

Claim No. H-110-43, Buena Vista county, Wm. Halvorsen, highway accident claim, \$43.05, approved as filed.

## APPOINTMENT OF SENATE COMMITTEES

The President announced the following appointments of standing committees:

COURT PROCEDURE REFORM			
Shaw—	Bekman	Hattery	Leo
Chairman	Cromwell	Hunt	Reilly
Emerson*	Evans		
POST-WAR PLANNING			
Watson—	Elthon*	Faul	Hunt
Chairman	Cromwell	Hart	Keir
FEDERAL RELATIONS			
Findlay—	Leo*	Cromwell	Stewart
Chairman	Berg	Sjulin	

\*Indicates ranking member.

## PROOF OF PUBLICATION

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

Senate File 72, a proposed bill to legalize the proceeding of the Monona County Board of Supervisors with respect to the levy of assessments and improvements in the Farmers and Garretson Drainage District.

W. J. SCARBOROUGH.

## BILLS ASSIGNED TO COMMITTEES

President Blue announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 154	Judiciary 2.
S. F. 155	Public Lands and Buildings.
S. F. 156	Departmental Affairs.
S. F. 158	Manufacturing, Commerce, and Trade.
S. F. 159	Compensation of Public Officers.
S. F. 160	Insurance.
S. F. 161	Insurance.

## EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

## REPORTS OF COMMITTEES

Senator Goode submitted the following report:

**MR. PRESIDENT:** Your committee on motor vehicles, to which was referred House File 30, a bill for an act to amend section one (1) chapter one hundred seventy eight (178), relating to the maximum loads on motor trucks, begs leave to report it has had the same under consideration and recommends the same do pass. *DEWEY E. GOODE, Chairman.*

Ordered passed on file.

Senator Henningsen submitted the following report:

**MR. PRESIDENT:** Your committee on Appropriations 2, to which was referred Senate File 78, 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.

*O. H. HENNINGSEN, Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on Appropriations 2, to which was referred House File 106, a bill for an act to appropriate from the general fund of the State of Iowa, for the period beginning March 15, 1943, and ending June 30, 1943, emergency funds for the Department of Health, of the State of Iowa, for the Division of Vital Statistics, begs leave to report it has had the same under consideration and recommends the same do pass.

*O. H. HENNINGSEN, Chairman.*

Ordered passed on file.

Senator Bekman submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 2, to which was referred Senate File 21, a bill for an act to amend sections thirty-nine (39) and forty (40), Code, 1939, relating to the committee on retrenchment and reform, 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 21 by striking therefrom section two (2) and substituting the following:

**Sec. 2.** Section forty (40), Code, 1939, is amended by striking all of said section after the word "be" in line five (5) and substituting therefor the following:

"Thirteen (13) members or less of the minority party in the Senate or twenty-eight (28) members or less in the House, representation on said committee in such House shall be one (1) member from the minority party.

*E. K. BEKMAN, Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 71, a bill for an act to legalize proceedings of the board of supervisors of Monona county, Iowa, for account of Heitz Drainage District No. 17 in said county with respect to the levy of supplemental and additional assessments to pay the cost of improvements in and for said drainage district and with respect to the issuance of bonds for account of said drainage district in anticipation of the collection of the unpaid portion of said assessments, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 72, a bill for an act to legalize proceedings of the board of supervisors of Monona county, Iowa, for account of Farmers and Garretson Drainage District in said county with respect to the levy of assessments to pay the cost of improvements in and for said drainage district and with respect to the issuance of bonds for account of said drainage district in anticipation of the collection of the unpaid portion of said assessments, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 79, a bill for an act relating to a state census, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Senator Cromwell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 25, a bill for an act to authorize cities acting under special charter to adopt municipal codes, providing for manner of adoption and approval, begs leave to report it has had the same under consideration and recommends that the same do pass.

FRED CROMWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 80, a bill for an act relating to civil service in certain cities and providing the qualifications of applicants for appointment in any department connected with the inspection of milk and dairies, begs leave to report it has had the same under consideration and recommends that the same do pass.

FRED CROMWELL, *Chairman*.

Ordered passed on file.

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on conservation, to which was referred Senate File 31, a bill for an act relating to fish and game conservation, begs leave to report it has had the same under consideration and recommends that the same do pass. J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation, to which was referred House File 42, a bill for an act relating to fish and game licenses, begs leave to report it has had the same under consideration and recommends that the same do pass. J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation, to which was referred House File 46, a bill for an act relating to agents of licensed fur dealers, begs leave to report it has had the same under consideration and recommends that the same do pass. J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation, to which was referred House File 103, a bill for an act relating to catfish season, size of large-mouth bass, and size of wall-eyed pike, begs leave to report it has had the same under consideration and recommends that the same do pass. J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 128 by adding thereto a new section as follows:

"Sec. 3. This act shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force prior to July 4, 1943."

FRANK C. BYERS.

Amend Senate File 129 by adding thereto a new section as follows:

"Sec. 23. This act shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force prior to July 4, 1943."

FRANK C. BYERS.

Amend Senate File 130 by adding thereto a new section as follows:

"Sec. 2. This act shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred

by any statute which is in force prior to July 4, 1943."

FRANK C. BYERS.

Amend Senate File 131 by adding thereto a new section as follows:

"Sec. 4. This act shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force prior to July 4, 1943."

FRANK C. BYERS.

Amend Senate File 132 by adding thereto a new section as follows:

"Sec. 3. This act shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force prior to July 4, 1943."

FRANK C. BYERS.

Amend Senate File 52 by striking from line 71 of section four (4) the following: "of four thousand (4000)" and inserting in lieu thereof: "of three thousand eight hundred and fifty (3850)".

IRVING D. LONG.

Amend Senate File 81 by striking therefrom section three (3).

G. W. HUNT.

Amend House File 19 by striking from section one (1) thereof all of paragraph two (2).

Further amend House File 19 by striking from section one (1) all of paragraph three (3) and by inserting in lieu thereof the following:

"3. Amend section seven thousand three hundred seventeen (7317), Code, 1939, by striking from paragraph one (1), lines twelve (12), thirteen (13), and fourteen (14), the words "the statutory fee of executors, administrators, or trustees estimated upon the appraised value of the property" and by inserting in lieu thereof the following: 'the fee of executors, administrators, or trustees as allowed by order of court'."

Further amend House File 19 by adding a new section as follows:

Amend section seven thousand three hundred seventeen (7317), Code, 1939, by striking from paragraph one (1) thereof in line seventeen (17) the word "ordinary".

ROSS R. MOWRY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 3, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. W. C. Porter, Pastor of the Sinclair Memorial Presbyterian church, Cedar Rapids.

## PETITIONS AND MEMORIALS

The following petition was presented and placed on file:

By Senator Long, from residents of Buchanan county, relating to tax levy for road purposes; also the apportionment of revenue from the state liquor commission.

## INTRODUCTION OF BILLS

Senate File 162, by Senator Elthon, a bill for an act to amend chapter one hundred ninety (190), Code, 1939, relating to education by adding a provision requiring the superintendent of public instruction to supply the public high schools, academies, and institutions ranking as secondary schools of the state with educational materials and supplies necessary for the instruction and education of students on the effects of alcoholic stimulants and narcotics upon the human system; and to employ competent assistants to instruct teachers and students on such matters; and to provide for an appropriation for such purpose.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 163, by Senators Bekman, Berg, Cromwell, Sjulín and Watson, a bill for an act to authorize banks, operating under title XXI of the 1939 Code of Iowa, to make installment loans subject to certain definite limitations, and to make the provisions of this act, in so far as applicable, available to national banks operating in this state.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 164, by Senators Berg and Hill, a bill for an act to provide a revolving provident contingent fund for the purpose of repairing, rebuilding, or restoring state property injured or destroyed; to make an appropriation therefor and to provide for maintaining the revolving fund.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 165, by Senators Hunt and Martin (Lage and Hedin), a bill for an act to amend section one thousand seven hundred ninety-four and sixty-nine thousandths (1794.069), Code, 1939, relating to seining for fish in the Mississippi river.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 166, by Senator Goode, a bill for an act to amend section one thousand nine hundred twenty-one and one hundred twenty-eight thousandths (1921.128), Code, 1939, in reference to allocation of license fees and taxes collected upon beer.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 167, by Senator Bekman, a bill for an act to amend, revise and codify section five thousand seven hundred eighty-seven (5787), Code, 1939, relating to park commissioners in cities and towns.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 168, by Senator Lundy, a bill for an act to amend section seven thousand one hundred seventy-one (7171), Code, 1939, relative to annual levies.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 169, by Senator Augustine, a bill for an act to limit the number of employees which may be employed at any time by the state of Iowa.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 170, by Senator Cromwell, a bill for an act pro-



viding for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 171, by Senators Cromwell, Foster (Dodds), a bill for an act to amend section one thousand seven hundred ninety-four and twenty-nine thousandths (1794.029), Code, 1939, relating to fishing seasons and limitations.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 172, by Senators Hill, Berg, Mercer and Shaw, a bill for an act relating to the public health and the pollution of water: to repeal sections two thousand one hundred ninety-eight (2198), two thousand one hundred ninety-nine (2199), and two thousand two hundred eight (2208), Code, 1939, and to enact substitutes therefor; and to amend section two thousand two hundred four (2204), Code, 1939; and to amend chapter one hundred five (105), Code, 1939, by adding thereto provisions relating to sewerage systems and permits for the installation of or change in such systems, and the powers and duties of the state department of health in relation thereto; and to prevent the discharge of treated or untreated sewage or waste into state owned lakes.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senator Stewart called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 12

A concurrent resolution memorializing the Congress of the United States to enact House Resolution 38, authorizing the committee on agriculture to make a study and investigation of marketing, transportation and distribution of farm products.

*Whereas*, With the increasing demands on the farms of the United States to meet the food requirements of our fighting men and lend-lease commitments, at the same time assuring the people of the United States of the proper amount of food stuffs, it is essential for the war effort and the well-being of our people that a study be made of the complicated

problems of marketing, transportation and distribution of farm products; and

*Whereas*, Farm products should be properly graded, and distributed when and where needed, and immediate steps should be taken for a coordination of efforts and the adopting of a comprehensive and workable plan in betterment of the interests of the producing farmer and the consumer; and

*Whereas*, House Resolution 38 has been introduced into Congress providing for the committee on agriculture to make a study and investigation of marketing, transportation and distribution of farm products, which study and investigation are imperative at this time; therefore,

*Be It Resolved by the House, the Senate Concurring:*

Section 1. That the Iowa Legislature urges Congress of the United States to enact House Resolution 38.

Sec. 2. That copies of this resolution be transmitted to the President of the United States, to the President of the Senate and Speaker of the House of Representatives of Congress, and to the Iowa members in the Senate and House of Representatives of Congress.

The motion prevailed and the resolution was adopted.

#### UNFINISHED BUSINESS

Senator Love called up Senate Joint Resolution 1, a joint resolution, proposing an amendment to the constitution of the state of Iowa to provide that the term of office of the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, and attorney general, and the county attorney of each county of the state of Iowa shall be for the term of four (4) years.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That the constitution of the state of Iowa be amended as follows:

“Commencing with the year nineteen hundred fifty-one (1951), the term of office of the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state and attorney general of the state, and of the county attorney in each county of the state shall be four (4) years and until their successors are elected and qualified.

“The provisions of this amendment shall apply to the term of office of those persons elected at the general election in the year nineteen hundred fifty (1950) to the respective offices referred to herein and to their elected successors.

“The General Assembly shall have the power to enact any necessary legislation to carry out the terms of this amendment.”

Sec. 2. That the foregoing proposed amendment be, and is hereby referred to the General Assembly to be chosen at the next general election, to-wit: the Fifty-first (51st) General Assembly of the state of Iowa, and that the secretary of state cause the same to be published as provided by law, and moved the previous question on the resolution, which motion prevailed. The chair then put the motion of Senator Love, that the resolution be read a third time and placed on its passage, found on page 240 of the Senate Journal, which motion prevailed. The resolution was then read a third time.

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

**Ayes, 31:**

Augustine	Dykhouse	Hill	Pelzer
Bekman	Emerson	Hunt	Reilly
Benson	Evans	Johnson	Schluter
Berg	Faul	Keir	Stewart
Byers	Hart	Long	Turner
Clark	Harvey	Love	Vrba
Clem	Hattery	Martin	Whitehill
Cromwell	Henningsen	Mercer	

**Nays, 17:**

Elthon	Hess	Mowry	Vittetoe
Findlay	Lundy	Pine	Watson
Foster	Lynes	Shaw	Zastrow
Fuller	Miller	Sjulin	Zeigler
Goode			

**Absent or not voting, 2:**

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

Senator Love 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.

**SPECIAL ORDER OF BUSINESS**

On motion of Senator Hunt, Senate File 157 was made a special order of business for 10:15 a. m. Friday, February 5th.

**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 144, a bill for an act relating to provisions for publication of proceedings of school districts.

Also: That the House has concurred in Senate amendments to and passed House File 9, a bill for an act relating to issuance of permits to holders of class "B" and "C" beer permits, and providing for payment of fees.

Also: That the House has concurred in Senate amendments to and passed House File 39, a bill for an act relating to appointment of adjutant general by governor.

A. C. GUSTAFSON, *Chief Clerk.*

### THIRD READING OF BILLS

On motion of Senator Faul, Senate File 107, a bill for an act to repeal section eight thousand seven hundred eighty (8780) and to amend section eight thousand seven hundred eighty-one (8781), chapter four hundred two (402) Code, 1939, and to provide for the exclusion of certain fraternal orders from the provisions of this chapter, and for a reserve on certificates or funeral benefit contracts having no fixed or certain benefit, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 107 by striking from line 9 of section one (1) the word "exempting" and by substituting in lieu thereof the word "excepting".

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, 44:

Bekman	Faul	Keir	Pine
Benson	Findlay	Leo	Schluter
Berg	Goode	Long	Shaw
Byers	Hart	Love	Sjulin
Clark	Harvey	Lundy	Stewart
Clem	Hattery	Lynes	Turner
Cromwell	Henningsen	Martin	Vrba
Dykhouse	Hess	Mercer	Watson
Elthon	Hill	Miller	Whitehill
Emerson	Hunt	Mowry	Zastrow
Evans	Jones	Pelzer	Zeigler

Nays, none:

Absent or not voting, 6:

Augustine	Fuller	Reilly	Vittetoe
Foster	Johnson		

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 Cromwell, Senate File 52, a bill for an act to make the office of commerce commissioners appointive, 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 52 by striking the title and inserting in lieu thereof and as the title, the following:

"An Act to repeal section five hundred sixteen (516), Code, 1939, to amend sections seven thousand eight hundred sixty-five (7865) and seven thousand eight hundred sixty-six (7866) and chapter three hundred sixty-eight (368), Code, 1939, relating to the Iowa state commerce commission and providing for the appointment of the commissioners instead of their election, for their removal, and fixing salaries."

Amend section four (4) of Senate File 52 by striking lines one (1) to four (4) inclusive of said section, and substituting in lieu thereof the following:

"Amend chapter three hundred sixty-eight (368), Code, 1939, by adding to said chapter immediately following section seven thousand eight hundred sixty-six (7866), the following as additional sections:"

Amend section four (4) of Senate File 52 by striking lines seventy (70) to seventy-three (73) inclusive of said section and substituting in lieu thereof the following:

"Each member of the commission shall receive as full compensation a salary of four thousand dollars (\$4,000.00) per annum and shall receive his actual necessary expenses incurred in the performance of his duties."

Senator Long offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Senator Cromwell to Senate File 52 by striking from the second line of the last paragraph the words and figures "four thousand dollars (\$4,000.00)" and inserting in lieu thereof the words and figures "thirty-eight hundred and fifty dollars (\$3850.00)".

Senator Cromwell moved the previous question on the amendment by Senator Long.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Goode offered the following amendment and moved its adoption:

Amend Senate File 52 by striking lines 61 to 69 inclusive.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 18:

Berg	Hart	Martin	Sjulin
Byers	Harvey	Mercer	Vittetoe
Dykhousc	Hattery	Pelzer	Zastrow
Evans	Henningsen	Schluter	Zeigler
Goode	Lynes		

Nays, 25:

Bekman	Findlay	Keir	Pine
Clark	Foster	Leo	Shaw
Clem	Hess	Long	Stewart
Cromwell	Hill	Love	Turner
Elthon	Hunt	Lundy	Watson
Emerson	Jones	Mowry	Whitehill
Faul			

Absent or not voting, 7:

Augustine	Fuller	Miller	Vrba
Benson	Johnson	Reilly	

The amendment having failed to receive a constitutional majority was lost.

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:

Bekman	Fuller	Keir	Schluter
Berg	Goode	Leo	Shaw
Byers	Hart	Long	Sjulin
Clem	Harvey	Love	Stewart
Cromwell	Hattery	Lynes	Turner
Dykhousc	Henningsen	Martin	Vittetoe
Elthon	Hess	Miller	Whitehill
Emerson	Hill	Pelzer	Zastrow
Evans	Hunt	Pine	Zeigler
Foster	Jones		

Nays, 12:

Augustine	Faul	Lundy	Reilly
Benson	Findlay	Mercer	Vrba
Clark	Johnson	Mowry	Watson

Absent or not voting, none.

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

Senator Long asked and received unanimous consent to withdraw the amendment filed by him to Senate File 52 and found on page 248 of the Senate Journal.

#### WITHDRAWAL OF SENATE FILE 32 AND REINTRODUCTION OF SENATE FILE 30

Senator Cromwell asked and received unanimous consent to withdraw Senate File 32 from further consideration of the Senate.

Senator Cromwell asked and received unanimous consent to reintroduce Senate File 30, previously withdrawn.

Senate File 30, a bill for an act providing for the acknowledgment of instruments by persons serving in or with the Armed Forces of the United States before any commissioned officer and providing a form of certification of such acknowledgment, was read the first and second times and rereferred to the committee on judiciary 1, the committee to which it was originally assigned.

#### HOUSE MESSAGES CONSIDERED

House File 144, a bill for an act to amend chapter one hundred fifty-eight (158), laws of the Forty-ninth General Assembly, relating to provisions for publication or posting of quarterly summaries of proceedings and expenditures of school districts.

Read first and second times, is ready for commitment and amendment, and passed on file.

#### REPORT OF COMMITTEE ON COMMITTEE CLERKS

**MR. PRESIDENT:** Your committee appointed to determine the qualifications of committee clerks finds Mabel Mohr, Polk county, qualified as a committee clerk, and has been assigned to Senator Lynes.

**K. A. EVANS, Chairman.**

Senator Evans moved the adoption of the report.

The motion prevailed and the report was adopted.

**BILLS ASSIGNED TO COMMITTEES**

President Blue announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 162	Public Schools.
S. F. 163	<b>Banks and Banking.</b>
S. F. 164	Public Lands and Buildings.
S. F. 165	Conservation.
S. F. 166	Ways and Means.
S. F. 167	Cities and Towns.
S. F. 168	Ways and Means.
S. F. 169	Departmental Affairs.
S. F. 170	Judiciary 1.
S. F. 171	Conservation.
S. F. 172	Conservation.
H. F. 144	Public Schools.

**REPORT OF JOINT COMMITTEE ON ENROLLED BILLS**

Senator Reilly, 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 5, 9, 20, 21, 25, 29, 33, 34, 35, 39, 44 and 51.

*ROBERT C. REILLY, Chairman Senate Committee.*

*E. L. EDWARDS, 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 5, 9, 20, 21, 25, 29, 33, 34, 35, 39, 44 and 51.

**APPOINTMENT OF PAGE**

President Blue announced the appointment of the following page of the Senate:

Raymond DeBord, Polk county.

**EXECUTIVE SESSION**

On motion of Senator Hunt, the Senate resolved itself into executive session.



The Senate arose from executive session and resumed regular session.

Senator Cromwell offered the following resolution:

#### SENATE CONCURRENT RESOLUTION 11

*Be It Resolved by the Senate, the House concurring*, that a joint committee be appointed consisting of three (3) members of the Senate, to be appointed by the President of the Senate, and three (3) members of the House, to be appointed by the Speaker of the House, to arrange for the acceptance of bids for the photographing of members of the 50th General Assembly, to be assembled for the Historical Department and to be used in the publication of the Iowa Official Register.

#### REPORT OF COMMITTEE ON RULES

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

The rules of the Senate for the Forty-ninth General Assembly shall be adopted as the rules of the Senate for the Fiftieth General Assembly except as hereinafter repealed, altered, amended or substituted.

Rule 22 of the printed rules of the Senate for the Forty-ninth General Assembly is amended by striking the figure "24th" in all places where same appears in said Rule 22, and by inserting in lieu thereof the figure "15th", and said Rule 22 is further amended by striking from lines 9, 10, and 11 the following: "the Congressional Redistricting Committee and the State Political Districts Committee", and by inserting in lieu thereof the following: "and shall not apply to committee bills relating to the proposed codification and revision of the school laws and committee bills relating to court procedure reform", and by striking the word "committee" in line 19 and inserting in lieu thereof the word "committees", and by striking the word "committee" in line 14 and inserting in lieu thereof the word "committees", and by striking from lines 14, 15, 16, and 17 the following: "and redistricting bills may be introduced at any time by a majority vote of the members of either of the said redistricting committees.", and by inserting in lieu thereof the following: "and bills relating to the codification and revision of the school laws may be introduced at any time by a majority vote of the members of the Committee on Public Schools, and bills relating to court procedure reform may be introduced at any time by a majority vote of the members of the Committee on Court Procedure Reform."

Rule 38 of the printed rules of the Senate for the Forty-ninth General Assembly is amended by striking from lines 2 and 3 the following: "5th legislative day of March" and inserting in lieu thereof: "25th day of February".

FRANK C. BYERS, *Chairman*.

## REPORTS OF COMMITTEES

Senator Hart submitted the following report:

MR. PRESIDENT: Your committee on banks and banking, to which was referred House File 28, a bill for an act to amend section nine thousand one hundred and eighty-three and one-tenth (9183.1), Code, 1939, relating to investment of funds of state banks, savings banks, and trust companies, begs leave to report it has had the same under consideration and recommends the same do pass.      STANLEY L. HART, *Chairman*.

Ordered passed on file.

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 60, a bill for an act to amend section three thousand three hundred ninety-five (3395), of chapter one hundred sixty-nine (169), Code, 1939; and to repeal sections three thousand three hundred ninety-nine (3399), three thousand four hundred (3400), and three thousand four hundred one (3401), of chapter one hundred sixty-nine (169), Code, 1939, relating to the support of patients committed to the sanatorium, and to substitute in lieu thereof all provisions of chapter one hundred seventy-eight (178), Code, 1939, 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 60 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three thousand three hundred ninety-nine (3399), Code, 1939, is amended by striking all of the first three (3) lines and inserting in lieu thereof the following:

'Each county shall be liable to the state for the support in the state sanatorium of all patients having a legal settlement in that county, and the state shall be liable for such support when such patients have no legal settlement in this state, or when such settlement is unknown'."

Also amend the title by substituting in lieu thereof the following:

"An act to amend section three thousand three hundred ninety-nine (3399), Code, 1939, relating to the liability for support by counties for patients in the state sanatorium."      E. R. BEKMAN, *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 157 by striking the title and substituting in lieu thereof, the following:

"An Act to amend section 6943.100, Code of Iowa, 1939, as amended by chapter 237, Acts of the Forty-ninth General Assembly, relating to the allocation and use of revenues collected under the provisions of chapter 329.3, Code of Iowa, 1939, providing for the use of fifty (50%)

per cent of the amount collected in years of 1943 and 1944 as a property credit tax and providing penalties for making false claims."

By striking all after the enacting clause and substituting in lieu thereof, the following:

"Section 6943.100, Code of Iowa, 1939, as amended by chapter 237, Acts of the Forty-ninth General Assembly, is amended by adding thereto as temporary emergency sections, the following:

"Section 1. Notwithstanding any provision of the law as it is contained in section 6943.100, Code of Iowa, 1939, as amended by chapter 237, Acts of the Forty-ninth General Assembly, one-half of the revenue collected in the years 1943 and 1944 from the personal net income tax, under the provisions of Division II, chapter 329.3, Code of Iowa, 1939, shall be held by the treasurer of state and shall be designated as the 'property credit fund' and shall be distributed by the treasurer of state on warrants drawn by the comptroller under the direction of the state tax commission under the provisions of section three (3) of this act.

"Sec. 2. Each owner of property subject to taxation in this state shall receive, on taxes assessed against his property which he owned in the year in which the assessment was made, due and payable in the year 1944 and the year 1945, a credit equal in amount to fifty (50%) per cent of the amount of his personal net income tax due, payable, and paid by him during the year preceding the year in which he is entitled to said credit.

"Sec. 3. Each county treasurer of this state shall in the years 1944 and 1945, upon the filing with him of a tax receipt by the owner of property subject to taxation in this state issued by the state of Iowa showing payment of said property owner's personal net income tax due and payable in the year preceding that for which credit is to be given as in this act provided, credit on the taxes assessed against said taxpayer's property an amount equal to fifty (50%) per cent of the amount of the net income tax paid as shown by said receipt. In the event the amount of credit which said taxpayer is entitled to receive shall be in excess of the amount of property tax due and payable by said taxpayer in said county, then the county treasurer of said county shall issue to said taxpayer an income tax property credit receipt showing the number of said taxpayer's personal net income tax receipt and the amount of credit said taxpayer is entitled to receive, as herein authorized, in excess of the amount credited to said taxpayer by said county treasurer. Said taxpayer shall, upon the filing of said 'income tax property credit receipt' with any other county treasurer in the state during the year in which said taxpayer is entitled to receive such credit, be entitled to a credit on taxes assessed against property owned by him in said county. Each county treasurer of this state shall, upon the filing with him by a taxpayer who is the owner of property subject to taxation in said county of an 'income tax property credit receipt' issued to said taxpayer, credit against taxes assessed against said taxpayer's property in said county the amount of credit said taxpayer is entitled to as shown by said receipt. If the amount of credit said taxpayer is entitled to is in excess of the taxes due and payable by said taxpayer on his property in said county for said year then the county treasurer shall issue to said taxpayer an

'income tax property credit receipt' showing the number of said taxpayer's personal net income tax receipt and the amount which was not credited to him, which said taxpayer may use as a credit on taxes assessed against property owned by him in any other county of the state.

"Sec. 4. On or after April 1, 1944 and April 1, 1945, each county treasurer shall transmit to the state tax commission a certified list of taxpayers who receive credit as provided for in this act, showing the number of each taxpayer's personal net income tax receipt and income tax property credit receipt issued by a county treasurer, as in this act provided, giving the name of the county treasurer issuing the same and the amount of credit given each such taxpayer on taxes assessed against property owned by him in this state.

"Sec. 5. The state tax commission shall every six months after the first day of January, 1944, during the years of 1944 and 1945, certify to the state comptroller the total amount of money due each county in the state for property credits given as in this act provided, and direct said comptroller to draw warrants therefor payable to the county treasurer of the several counties of the state, and remit the same to said treasurers.

"Sec. 6. The treasurer of state shall, as of January 15, 1945, and January 15, 1946, transfer and credit any balance of the property credit fund, which has not been distributed during the preceding year in accordance with the terms and provisions of this act, to a fund which shall be held by the treasurer of state and shall be designated as the 'public school state aid fund', and said fund shall be apportioned and distributed by the state comptroller to the several counties of the state on the same basis, in the same manner, for the same purposes, and at the same time as the interest from the permanent school fund now is apportioned and distributed, and apportioned and distributed by each county auditor of the state to the same school corporations on the same basis, in the same manner, and for the same purposes as the interest from the permanent school fund of the state is now apportioned and distributed.

"Sec. 7. The state tax commission shall, for the year 1943 and the year 1944, issue to each person who pays a personal net income tax to the state of Iowa, in accordance with the provisions of Division II, chapter 329.3, Code of Iowa, 1939, serially numbered tax receipts showing the amount of personal net income tax paid by each such taxpayer, in accordance with the provisions of this act, and the commission shall prescribe the form of said tax receipt, of the income tax property credit receipt to be issued by the county treasurers of the state, as in this act provided, and such other forms as may be necessary for the proper administration of this act, and forward to each county auditor sample forms thereof, and the county auditors shall furnish the necessary blank forms prepared in accordance therewith to the county treasurers of the several counties. The state tax commission shall have the power and authority to prescribe rules and regulations not inconsistent with the provisions of this act necessary to carry out and effectuate its purposes.

"Sec. 8. In the event any credit is given to which the taxpayer is not

entitled under the provisions of this act, any such credit shall be void and the amount of such credit shall be charged against the property for which income tax credit was allowed, and the state tax commission, the county auditor and the county treasurer are authorized and directed to correct their books and records accordingly. The amount of such erroneous credit, when collected, shall be returned by the county treasurer to the property credit fund.

"Sec. 9. Any person making a false claim for the purpose of securing a property tax credit, as in this act provided, or for the purpose of aiding another to secure such credit, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred (\$500) dollars or by imprisonment in the county jail not more than six (6) months, or by both such fine and imprisonment.

"Sec. 10. Definitions:

(1) Owner—The word 'owner' as used in this act shall mean the person who is the titleholder of the whole interest of either real or personal property, as defined in this act, subject to taxation, and if real property the title shall be established of record and if personal property it shall be established in the name of the one against whom such property is assessed, and in addition shall mean a person who is a contract purchaser where it is shown that not less than one-tenth of the purchase price named in the contract actually has been paid and said person is required by the terms of said contract to pay the taxes assessed against said property, and which contract has been recorded in the office of the county recorder of the county in which the property is located.

For the purpose of this act, where the husband and wife file a joint personal net income tax return, the personal net income tax receipt issued to either one or the other may be used for the purpose of securing credit under this act by either one or the other.

(2) Property—The word 'property' as used in this act shall mean all real and personal property subject to taxation in this state (not including moneys and credits and other moneyed capital taxed at a flat rate as provided in section sixty-nine hundred eighty-five (6985), Code of Iowa, 1939)."

J. K. LYNES.

Amend Senate File 43 by striking the title and inserting in lieu thereof and as the title, the following:

"An Act fixing the period of limitations within which actions may be begun with respect to certain claims arising out of Federal statutes, when no period of limitation is prescribed therein, and fixing the period of limitation within which actions may be begun with respect to certain claims against holders of contracts with the United States government or any agency thereof."

Further amend Senate File 43 by striking everything after the enacting clause and adding the following:

"Section 1. No action based upon any claim arising prior to March 1, 1943, shall be maintained either at law or in equity, in any court, to

recover against the holder of a contract for the processing or manufacture of goods or materials of war, or for the rendering of services in connection with the conduct of the war, when such claim arises out of the performance of such contract and when such contract is with the United States government, or any agency thereof, unless such action be begun within six months from the effective date of this act; and in all other cases, no such claim shall be maintained unless action therein is begun within six months from the date of accrual thereof.

Sec. 2. In all cases wherein a claim or cause of action has arisen or may arise pursuant to the provisions of any Federal statute wherein no period of limitation is prescribed, the holder of such claim or cause of action may commence action thereon within but not after a period of six months after March 1, 1943, if such claim or cause of action arose prior to March 1, 1943, or within but not later than six months after the accrual of such claim or cause of action if such claim or cause of action arose after March 1, 1943.

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Daily Hawkeye Gazette, a newspaper published at Burlington, Iowa, and in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa."

FRED CROMWELL.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 4, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. E. Carnell Wilson, pastor of the Congregational church, Storm Lake.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hunt, from the county officers of Clayton county, favoring an increase in salary for county officers.

By Senator Turner, from the board of social welfare of Taylor county, favoring an increase in salary for members of the board.

By Senator Reilly, from the parent-teacher association of Lincoln school of Dubuque, favoring aid to dependent children.

By Senator Love, from the teachers of the Winterset schools, favoring the recodification of the school laws.

By Senator Miller, from residents of Dallas county, favoring local option; also the ban of liquor stores, at least for the duration.

By Senator Clem, from the members of the Bar Association of Sioux City, in opposition to the proposed change in legal procedure.

By Senator Hill, from residents of Hardin county, favoring local option.

By Senator Benson, from residents of Carroll county, in opposition to the fire prevention bill.

By Senator Harvey, from the county officers of Monona county, favoring an increase in salary for county officers.

## INTRODUCTION OF BILLS

Senate File 173, by committee on conservation, a bill for an act to amend sections four (4), and four and five tenths (4.5),

Code, 1939, relating to federal acquirements of real estate within the state and jurisdiction thereover.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 174, by committee on conservation, a bill for an act to amend section seventeen hundred three and fifty hundredths (1703.50), chapter eighty-five and one tenth (85.1), Code, 1939, relating to the powers and duties of the state conservation commission.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 175, by committee on dairying, a bill for an act to amend the law as it appears in paragraphs 33, 34, and 35, section 3058 of the Code of Iowa, 1939, relating to the standard by weight of milk fat in ice cream.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 176, by Senator Henningsen, a bill for an act to amend section eighty-nine hundred forty (8940), Code, 1939, to authorize the writing of insurance against loss from additional hazards.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 177, by Senator Cromwell (Hicklin), a bill for an act to amend section seven thousand three hundred thirty and one-tenth (7330.1), Code, 1939, relative to compensation of inheritance tax appraisers.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 178, by Senator Cromwell (Hicklin), a bill for an act to amend section three thousand six hundred twelve (3612), Code, 1939, concerning the compensation of probation officers in counties of less than thirty thousand (30,000) population.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 179, by Senator Cromwell, a bill for an act relating



to a plan for airports within the state and to amend section five thousand nine hundred three and seven hundredths (5903.07), Code, 1939, relating to airports.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 180, by Senator Mowry, a bill for an act to amend chapter 65 (Senate File 472), acts of the 49th General Assembly, relating to compensation of county, municipal and school examiners and their assistants.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 181, by Senators Foster and Faul, a bill for an act to amend sections nine thousand twenty-nine (9029) and nine thousand forty-six (9046), Code, 1939, relating to insurance and policies of insurance on aircraft.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 182, by Senator Watson (Walter of Pottawattamie), a bill for an act to repeal section six thousand two hundred seventeen (6217), Code, 1939, relating to the consolidated tax levy in cities and towns, and section six thousand two hundred eighteen (6218), Code, 1939, relating to the appropriation of levy in cities and towns.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 183, by Senator Hess (Ritchie), a bill for an act to amend section four thousand two hundred and thirty-five (4235), Code, 1939, relative to the duty of each subdirector to take the school census.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 184, by committee on conservation, a bill for an act to amend chapter eighty-six (86), Code, 1939, to provide legal method for handling beaver property damage on private and public lands.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senator Cromwell called up the following resolution and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 11

*Be It Resolved by the Senate, the House Concurring, That a joint committee be appointed consisting of three (3) members of the Senate, to be appointed by the President of the Senate, and three (3) members of the House, to be appointed by the Speaker of the House, to arrange for the acceptance of bids for the photographing of members of the 49th General Assembly, to be assembled for the Historical Department and to be used in the publication of the Iowa Official Register.*

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate Concurrent Resolution 11 by striking from line 5 the following "49th" and insert in lieu thereof the following "50th".

The amendment was adopted.

The resolution as amended was adopted.

Senator Byers called up the following committee report and moved its adoption:

#### REPORT OF COMMITTEE ON RULES

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

The rules of the Senate for the Forty-ninth General Assembly shall be adopted as the rules of the Senate for the Fiftieth General Assembly except as hereinafter repealed, altered, amended or substituted.

Rule 22 of the printed rules of the Senate for the Forty-ninth General Assembly is amended by striking the figure "24th" in all places where same appears in said Rule 22, and by inserting in lieu thereof the figure "15th", and said Rule 22 is further amended by striking from lines 9, 10, and 11 the following: "the Congressional Redistricting Committee and the State Political Districts Committee", and by inserting in lieu thereof the following: "and shall not apply to committee bills relating to the proposed codification and revision of the school laws and committee bills relating to court procedure reform", and by striking the word "committee" in line 19 and inserting in lieu thereof the word "committees", and by striking the word "committee" in line 14 and inserting in lieu thereof the word "committees", and by striking from lines 14, 15, 16, and 17 the following: "and redistricting bills may be introduced at any time by a majority vote of the members of either of the said redistricting committees.", and by inserting in lieu thereof the following: "and bills relating to the codification and revision of the school laws may be introduced at any time by a majority vote of the

members of the Committee on Public Schools, and bills relating to court procedure reform may be introduced at any time by a majority vote of the members of the Committee on Court Procedure Reform."

Rule 38 of the printed rules of the Senate for the Forty-ninth General Assembly is amended by striking from lines 2 and 3 the following: "5th legislative day of March" and inserting in lieu thereof: "25th day of February".

The motion prevailed and the report was adopted.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 37, a bill for an act relating to registration of highway routes.

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 providing for notice of election and time of holding election.

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

House File 134, a bill for an act legalizing the proceedings of the board of supervisors of Monona county with respect to the Haitz Drainage District Number 17.

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

House File 135, a bill for an act legalizing the proceedings of the board of supervisors of Monona county with respect to the Farmers and Garretson Drainage District.

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

House File 142, a bill for an act making appropriation to defray the expense of the inaugural ceremonies.

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

House File 186, a bill for an act relating to emergency fund, method of transfer, vote necessary for transfer to any other municipality fund.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 112, a bill for an act granting free hunting and fishing privileges to persons in the military and naval forces of the United States during time of war.

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

Senate Concurrent Resolution 9 memorializing the Congress of the United States to take action to modify and liberalize the federal social security laws, pertaining to recipients of old age assistance and assistance to the blind.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 112

Amend Senate File 112 by adding thereto as section 2, a publication clause as follows:

"Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Lyon County Reporter, a newspaper published in Rock Rapids, Iowa, and in the Denison Review, a newspaper published in Denison, Iowa."

#### HOUSE MESSAGES CONSIDERED

House File 37, a bill for an act to repeal chapter two hundred forty-nine (249), Code, 1939, relating to registration of highway routes.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 57, a bill for an act to amend section six thousand one hundred and forty-five (6145), Code, 1939, providing for notice of election and time of holding election.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 134, a bill for an act to legalize proceedings of the board of supervisors of Monona county, Iowa, for account of Haitz Drainage District Number 17 in said county with respect to the levy of supplemental and additional assessments to pay the cost of improvements in and for said drainage district and with respect to the issuance of bonds for account of said drainage district in anticipation of the collection of the unpaid portion of said assessments.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 135, a bill for an act to legalize proceedings of the board of supervisors of Monona county, Iowa, for account of Farmers and Garretson Drainage District in said county with respect to the levy of assessments to pay the cost of improvements

in and for said drainage district and with respect to the issuance of bonds for account of said drainage district in anticipation of the collection of the unpaid portion of said assessments.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 142, a bill for an act making appropriation to defray the expense of the inaugural ceremonies.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 186, a bill for an act to amend section three hundred seventy-three (373), Code, 1939, relating to the emergency fund, the method of transfer therefrom and the vote necessary for said transfer to any other fund of the municipality for the purpose of meeting deficiencies.

Read first and second times, is ready for commitment and amendment, and passed on file.

### THIRD READING OF BILLS

On motion of Senator Byers, Senate File 128, a bill for an act relating to conveyances of homesteads and legalizing conveyances of homesteads heretofore executed, was taken up and considered.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 128 by adding thereto a new section as follows:

"Sec. 3. This act shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force prior to July 4, 1943."

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, 48:

Augustine	Clem	Findlay	Hattery
Bekman	Cromwell	Foster	Henningsen
Benson	Dykhouse	Fuller	Hess
Berg	Emerson	Goode	Hill
Byers	Evans	Hart	Hunt
Clark	Faul	Harvey	Johnson

Jones	Martin	Reilly	Vittetoe
Keir	Mercer	Schluter	Vrba
Leo	Miller	Shaw	Watson
Long	Mowry	Sjulin	Whitehill
Lundy	Pelzer	Stewart	Zastrow
Lynes	Pine	Turner	Zeigler

Nays, none.

Absent or not voting, 2:

Elthon                      Love

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 Hunt took the chair at 10:28 a. m.

On motion of Senator Byers, Senate File 129, a bill for an act to amend various sections of chapter four hundred sixty-three (463), Code, 1939, relating to legalizing acts affecting titles to real property, was taken up and considered.

Senator Long offered the following amendment and moved its adoption:

Amend Senate File 129 as follows:

1. By striking all of section one (1) and inserting the following:

"Section 1. Section ten thousand three hundred eighty-four (10384), Code, 1939, is amended by striking from line three (3) the word 'heretofore' and inserting after the word, 'executed' in said line the following, 'before July 4, 1943'; also by striking from lines seven (7) and eight (8) the words, 'heretofore passed' and inserting in lieu thereof the following, 'passed before July 4, 1943'."

2. By striking all of section two (2) and inserting the following:

"Sec. 2. Section ten thousand three hundred eighty-five (10385), Code, 1939, is amended by striking from line two (2) the words, 'heretofore executed' and inserting in lieu thereof the following, 'executed before July 4, 1943'."

3. By striking all of section five (5) and inserting the following:

"Sec. 5. Section ten thousand three hundred eighty-seven and one-tenth (10387.1), Code, 1939, is amended by striking from lines two (2) and three (3) the word 'heretofore' and inserting in line three (3) after the word, 'certified' the following, 'before July 4, 1943'."

4. By striking all of section six (6) and inserting the following:

"Sec. 6. Section ten thousand three hundred eighty-eight (10388), Code, 1939, is amended by striking from line two (2) the words, 'heretofore executed' and inserting in lieu thereof the following, 'executed before July 4, 1943'; also by striking from line fourteen (14) the words, 'here-

tofore recorded' and inserting in lieu thereof the following, 'recorded before July 4, 1943'."

5. By striking all of section nine (9) and inserting the following:

"Sec. 9. Section ten thousand three hundred ninety-three (10393), Code, 1939, is amended by striking from line three (3) the word 'heretofore' and inserting in said line after the word, 'made' the following, 'before July 4, 1943'."

6. By striking all of subsection one (1) of section nineteen (19) and inserting the following:

"1. Strike from line two (2) the words 'heretofore conveyed' and insert in said line after the word, 'been' the following, 'conveyed prior to January 1, 1943'."

The amendment was adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 129 by adding thereto a new section as follows:

"Sec. 23. This act shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force prior to July 4, 1943."

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, 47:

Augustine	Findlay	Leo	Schluter
Bekman	Fuller	Long	Shaw
Benson	Goode	Love	Sjulin
Berg	Hart	Lundy	Stewart
Byers	Harvey	Lynes	Turner
Clark	Hattery	Martin	Vittetoe
Clem	Henningsen	Mercer	Vrba
Cromwell	Hess	Miller	Watson
Dykhous	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Evans	Jones	Pine	Zeigler
Faul	Keir	Reilly	

Nays, none.

Absent or not voting, 3:

Elthon	Foster	Johnson
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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 Byers moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Byers, Senate File 130, a bill for an act to amend, revise, and codify chapter four hundred sixty-one (461), Code, 1939, relating to legalization of acts of notaries public, acknowledgments, and instruments executed by attorneys in fact, was taken up and considered.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 130 by adding thereto a new section as follows:

"Sec. 2. This act shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force prior to July 4, 1943."

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, 44:

Augustine	Faul	Jones	Schluter
Bekman	Findlay	Keir	Shaw
Benson	Fuller	Leo	Sjulin
Berg	Goode	Long	Stewart
Byers	Hart	Love	Turner
Clark	Harvey	Lynes	Vittetoe
Clem	Hattery	Martin	Vrba
Cromwell	Henningsen	Mercer	Watson
Dykhouse	Hess	Miller	Whitehill
Elthon	Hill	Pelzer	Zastrow
Evans	Hunt	Pine	Zeigler

Nays, none.

Absent or not voting, 6:

Emerson	Johnson	Mowry	Reilly
Foster	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.

On motion of Senator Byers, Senate File 131, a bill for an act to amend sections ten thousand seventy (10070), ten thousand



seventy-one (10071) and ten thousand seventy-nine (10079), Code, 1939, relating to conveyances of real property, was taken up and considered.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 131 by adding thereto a new section as follows:

"Sec. 4. This act shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force prior to July 4, 1943."

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, 45:

Augustine	Foster	Leo	Schluter
Bekman	Fuller	Long	Shaw
Benson	Goode	Lundy	Sjulin
Berg	Harvey	Lynes	Stewart
Byers	Hattery	Martin	Turner
Clem	Henningsen	Mercer	Vittetoe
Cromwell	Hess	Miller	Vrba
Dykhouse	Hill	Mowry	Watson
Elthon	Hunt	Pelzer	Whitehill
Evans	Jones	Pine	Zastrow
Faul	Keir	Reilly	Zeigler
Findlay			

Nays, none.

Absent or not voting, 5:

Clark	Hart	Johnson	Love
Emerson			

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 Byers, Senate File 132, a bill for an act to amend sections ten thousand four hundred sixteen (10416) and ten thousand four hundred seventeen (10417), Code, 1939, relating to legalizing improperly signed or acknowledged plats, was taken up and considered.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 132 by adding thereto a new section as follows:

"Sec. 3. This act shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force prior to July 4, 1943."

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, 44:

Augustine	Foster	Leo	Schluter
Bekman	Fuller	Long	Shaw
Berg	Goode	Lundy	Sjulin
Byers	Hart	Lynes	Stewart
Clem	Harvey	Martin	Turner
Cromwell	Henningsen	Mercer	Vittetoe
Dykhouse	Hess	Miller	Vrba
Elthon	Hill	Mowry	Watson
Evans	Hunt	Pelzer	Whitehill
Faul	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Benson	Emerson	Johnson	Love
Clark	Hattery		

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.

President Blue took the chair at 10:53 a. m.

On motion of Senator Byers, Senate File 133, a bill for an act to amend various sections of the Code, 1939, relating to special limitations of actions in regard to the recovery of interests in real estate, was taken up and considered.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 133 as follows:

By inserting at the end of section two (2) the following:

"4. Strike the last sentence in said section."

By striking the word "figures" in line two (2) of section four (4) and all of line three (3) and inserting the following:

"word and figures 'July 4, 1919' and inserting in lieu thereof the following, 'prior to July 4, 1943'";

By striking from line six (6) of section five (5) the figures "1944" and inserting the figures "1945";

By adding at the end of said bill a new section as follows:

"Sec. 6. Section eleven thousand twenty-three (11023), Code, 1939, is hereby repealed and the following enacted in lieu thereof:

'Section 11022, Code, 1939, as amended by this act, shall not affect pending litigation, nor shall it operate to revive rights or claims previously barred, nor permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force prior to July 4, 1943.'"

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, 44:

Augustine	Findlay	Long	Schluter
Berg	Foster	Love	Shaw
Byers	Goode	Lundy	Sjulin
Clark	Hart	Lynes	Stewart
Clem	Harvey	Martin	Turner
Cromwell	Hattery	Mercer	Vittetoe
Dykhouse	Henningsen	Miller	Vrba
Elthon	Hess	Mowry	Watson
Emerson	Hill	Pelzer	Whitehill
Evans	Jones	Pine	Zastrow
Faul	Leo	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Bekman	Fuller	Johnson	Keir
Benson	Hunt		

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

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

On motion of Senator Pine, House File 13, a bill for an act to amend, revise, and codify section three thousand two hundred sixty (3260), Code, 1939, relating to license fees for scales and gasoline pumps, with report of committee recommending pas-

sage, was taken up, considered, and the report of the committee adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend House File 13 by inserting as section two (2) the following:

Amend section three thousand two hundred sixty-one (3261) of the Code of 1939 by striking from line 2 the word "metal" and inserting in lieu thereof the word "suitable".

Further amend House File 13 by renumbering the sections.

The amendment was lost.

Senator Pine moved that the bill be read a third 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:

Bekman	Foster	Keir	Reilly
Benson	Fuller	Leo	Schluter
Berg	Goode	Long	Shaw
Byers	Hart	Love	Stewart
Clark	Harvey	Lundy	Turner
Clem	Hattery	Lynes	Vittetoe
Cromwell	Henningsen	Martin	Vrba
Dykhouse	Hess	Mercer	Watson
Elthon	Hill	Miller	Whitehill
Emerson	Hunt	Mowry	Zastrow
Faul	Johnson	Pelzer	Zeigler
Findlay	Jones	Pine	

Nays, none.

Absent or not voting, 3:

Augustine	Evans	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 Pine moved that the 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 Faul asked and received unanimous consent to take up Senate File 78, a bill for an act making appropriation to defray the expense of the inaugural ceremonies.

Senator Faul asked and received unanimous consent to substitute House File 142 for Senate File 78.

Senator Faul moved that the rules be suspended and that the Senate take up the immediate consideration of House File 142, a

bill for an act making appropriation to defray the expense of the inaugural ceremonies.

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	Findlay	Leo	Schluter
Bekman	Fuller	Long	Shaw
Benson	Goode	Love	Sjulin
Berg	Hart	Martin	Stewart
Byers	Harvey	Mercer	Turner
Clark	Hattery	Miller	Vittetoe
Cromwell	Henningesen	Mowry	Watson
Dykhouse	Hess	Pelzer	Whitehill
Emerson	Hunt	Pine	Zastrow
Evans	Jones	Reilly	Zeigler
Faul	Keir		

Nays, none.

Absent or not voting, 8:

Clem	Foster	Johnson	Lynes
Elthon	Hill	Lundy	Vrba

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 Dykhouse called up for consideration Senate File 112, a bill for an act to amend section one thousand seven hundred ninety-four and ninety-eight thousandths (1794.098), chapter eighty-six and one tenth (86.1), Code, 1939, by granting free hunting and fishing privileges to those in the military forces of the United States during time of war, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 112 by adding thereto as section two (2) a publication clause as follows:

"Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Lyon County Reporter, a newspaper published in Rock Rapids, Iowa, and in the Denison Review, a newspaper published in Denison, Iowa."

The motion prevailed and the Senate concurred in and adopted the House amendment.

Senator Dykhouse moved that the bill, as amended by the House and concurred in by the Senate, be read a third 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	Findlay	Keir	Schluter
Bekman	Foster	Leo	Shaw
Benson	Fuller	Long	Sjulin
Berg	Goode	Love	Stewart
Byers	Hart	Lundy	Turner
Clem	Harvey	Lynes	Vittetoe
Cromwell	Henningsen	Martin	Vrba
Dykhouse	Hess	Mercer	Watson
Elthon	Hill	Miller	Whitehill
Emerson	Hunt	Mowry	Zastrow
Evans	Johnson	Pelzer	Zeigler
Faul	Jones	Pine	

Nays, none.

Absent or not voting, 3:

Clark	Hattery	Reilly
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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 Dykhouse moved that the 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 Cromwell asked and received unanimous consent to withdraw the amendment filed by him to Senate File 43 and found on pages 112 and 113 of the Senate Journal.

#### SENATE FILE 70 WITHDRAWN

Senator Berg asked and received unanimous consent to withdraw from the further consideration of the Senate, Senate File 70.

#### EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

## BILLS ASSIGNED TO COMMITTEES

Bill No.	Committee Assignment
S. F. 176	Insurance.
S. F. 177	County and Township Affairs.
S. F. 178	County and Township Affairs.
S. F. 179	Aeronautics.
S. F. 180	Public Schools.
S. F. 181	Insurance.
S. F. 182	Cities and Towns.
S. F. 183	Public Schools.
H. F. 37	Highways.
H. F. 57	Elections.
H. F. 186	County and Township Affairs.

The President announced that he had withdrawn Senate File 159 from the committee on compensation of public officers and referred it to the committee on board of control.

## COMMUNICATION TO SECRETARY OF STATE

February 4, 1943.

Hon. Wayne M. Ropes,  
Secretary of State,  
State House,  
Des Moines, Iowa.

Dear Mr. Secretary:

I am transmitting to you Senate Concurrent Resolution 9, which has been adopted by the Senate and House of the 50th General Assembly of Iowa.

You will note in the last paragraph that you are directed to forward a certified copy of this resolution to the Vice President of the United States, the Speaker of the House of Representatives of the United States, and to each member of the Congress (Senate and House of Representatives) of the United States from the state of Iowa.

Yours very truly,

W. J. SCARBOROUGH,

*Secretary of the Senate.*

WJS/mm

Enc.

Received from W. J. Scarborough, Secretary of the Senate, Senate Concurrent Resolution 9.

WAYNE M. ROPES,

*Secretary of State.*

## REPORTS OF COMMITTEES

Senator Hattery submitted the following report:

MR. PRESIDENT: Your committee on highways, to which was referred

House File 36, a bill for an act relating to the secondary road system, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN R. HATTERY, *Chairman*.

Ordered passed on file.

Senator Hess submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred Senate File 37, a bill for an act to repeal section 5227, Code, 1939, and to enact in lieu thereof, a bill providing that the board of supervisors shall fix the annual salary to be paid deputy sheriffs, begs leave to report it has had the same under consideration and recommends the same do pass.

R. E. HESS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred House File 45, a bill for an act relating to salaries of municipal court officers, begs leave to report it has had the same under consideration and recommends that the same do pass.

R. E. HESS, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 157 by striking the title and substituting in lieu thereof the following:

"An Act to amend section sixty-nine hundred forty-three and forty-four thousandths, (6943.044), and sixty-nine hundred forty-three and forty-five thousandths (6943.045), and sixty-nine hundred forty-three and forty-six thousandths (6943.046), Code, 1939, relative to individual income taxes, increasing the amount of deductions from computed tax and increasing the exemptions on compulsory filing of returns."

Further amend Senate File 157 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section sixty-nine hundred forty-three and forty-four thousandths, (6943.044), Code, 1939, is amended as follows:

1. Strike from line one (1) of sub-paragraph numbered one (1) the word "ten" and insert in lieu thereof the word "twenty".

2. Strike from line two (2) of sub-paragraph numbered two (2) the word "twenty" and insert in lieu thereof the word "forty".

3. Strike from line four (4) of sub-paragraph numbered three (3) the word "five" and insert in lieu thereof the word "ten".

4. Strike from line three (3) of sub-paragraph numbered four (4) the word "five" and insert in lieu thereof the word "ten".

Sec. 2. Section sixty-nine hundred forty-three and forty-five thousandths, (6943.045), is amended as follows:

1. Strike from line three (3) of sub-paragraph numbered one (1) the



words "one thousand" and insert in lieu thereof the words "fifteen hundred".

2. Strike from line six (6) of sub-paragraph numbered one (1) the words "fifteen hundred" and insert in lieu thereof the words "two thousand".

3. Strike from line two (2) of sub-paragraph numbered two (2) the words "fifteen hundred" and insert in lieu thereof the words "two thousand".

4. Strike from line two (2) of sub-paragraph numbered four (4) the words "three thousand" and insert in lieu thereof the words "five thousand".

Sec. 3. Section sixty-nine hundred forty-three and forty-six thousandths (6943.046) is amended by striking from line (6) the words "six hundred" and inserting in lieu thereof the words "fifteen hundred".

Sec. 4. Returns and payment of income taxes affected by this act made in the year 1943 for income received in 1942 and thereafter shall be made in accordance with the provisions of this act.

Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after passage and publication in the Pocahontas Record-Democrat, a newspaper published at Pocahontas, Iowa, and the Storm Lake Register, a newspaper published at Storm Lake, Iowa."

A. J. SHAW.

Senate File 157 is hereby amended by inserting as section four (4), the following:

"Sec. 4. The state tax commission shall have the power to make such regulations as are necessary for the administration of this act and in all cases where payments are, or have been made, of an amount in excess of 50 per cent of the tax properly due and payable in the years 1943 and 1944, the commission shall make refunds to such taxpayers, and no application for such refunds shall be necessary by the taxpayer. For taxes based upon 1943 and payable in 1944, the state tax commission shall provide, in its forms, for the collection of the tax based upon a payment of 50 per cent of the amount which would otherwise be due and payable."

Renumber section four (4) as section five (5).

CLARENCE L. CLARK.

Amend Senate File 157 by striking everything in Section one (1) after the comma in line 7 and substituting in lieu thereof "one-hundred per cent (100%) of the tax imposed shall be credited to the taxpayer."

Further amend Senate File 157 by striking all of section 2 thereof and substituting the following:

"Section 2. All payments heretofore paid, or which may be hereafter paid by any taxpayer, which tax has been suspended by this act, shall be refunded to the taxpayer."

Further amend Senate File 157 by striking all of section 3.

Renumber the publication paragraph.

DEVERE WATSON.

Amend Senate File 167 as follows:

Strike from section two (2), line five (5), the word "may" and insert in lieu thereof the word "shall".

Further amend by adding at the end thereof the following as section three (3):

Section 3. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and the Eddyville Tribune, a newspaper published at Eddyville, Iowa.

E. K. BEKMAN.

Amend Senate File 145 by adding thereto a new section as follows:

"Sec. 3. Section seven thousand ninety-five (7095), Code, 1939, is amended by adding thereto the following:

'Provided that the taxable valuation of lines of rural electrical co-operative associations organized under the Rural Electrification Administration shall not exceed three hundred fifty dollars per pole mile.'"

J. KENDALL LYNES.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 5, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. C. A. Forbes, Pastor of the United Presbyterian church, Allerton.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Whitehill, from residents of Marshall county, including members of the Marshall county Council of Social Agencies, favoring aid to dependent children.

By Senator Shaw, from residents of Fayette and Story counties, favoring aid to dependent children; also from residents of Buena Vista county, favoring repeal of the income tax for the duration of the war.

By Senator Zastrow, from the board of directors of the Rockford Co-operative Dairy Association, favoring the continuation of the Iowa dairy products advertising law.

## LEAVE OF ABSENCE

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

## INTRODUCTION OF BILLS

Senate File 185, by Senator Dykhouse, a bill for an act to permit investment of permanent school funds in United States bonds by counties.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 186, by Senator Hess (Ritchie), a bill for an act to amend section six thousand two hundred and eleven (6211), Code, 1939, to give cities and towns power to levy one mill for city hall maintenance.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 187, by Senators Lundy, Byers and Lynes, a bill for an act to provide for the taxation of municipal public utilities.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 188, by Senator Evans, a bill for an act to permit the sale of stamps, issued by the state, to collectors, and prescribing the conditions of such sale.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 189, by Senator Love, a bill for an act to amend section three thousand two hundred sixty-one (3261), Code, 1939, relating to form of license for public scales and gasoline pumps.

Read first and second times, is ready for commitment and amendment, 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 4, a bill for an act relating to investment of permanent school funds.

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

House File 14, a bill for an act relating to payment of expenses of maintaining persons at county expense in certain state institutions.

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

House File 87, a bill for an act relating to the duties and to aid in promoting the welfare of the sheep industry in Iowa.

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

House File 113, a bill for an act relating to donations to cities and towns for library purposes.

Also: 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 federal acquirements of real estate.

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

House File 214, a bill for an act relating to payment of expenses of the department of banking of the state of Iowa.

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

House File 215, a bill for an act relating to placing savings banks and trust companies on a parity with state and national banks.

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

Senate File 58, a bill for an act authorizing the joint boards of supervisors of Muscatine and Louisa counties to transfer jurisdiction of so much of Muscatine Island Levee District as lies within corporate limits of City of Muscatine, Iowa, to said city.

A. C. GUSTAFSON, *Chief Clerk.*

### THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Hunt, Senate File 157, a bill for an act to provide for a credit on personal income tax imposed under the provisions of division two (II), chapter three hundred twenty-nine and three-tenths (329.3), Code, 1939, for the years nineteen hundred forty-two (1942) and nineteen hundred forty-three (1943) and payable in the years nineteen hundred forty-three (1943) and nineteen hundred forty-four (1944), was taken up and considered.

Senator Watson offered the following amendment and moved its adoption:

Amend Senate File 157 by striking everything in section one (1) after the comma in line 7 and substituting in lieu thereof "one-hundred per cent (100%) of the tax imposed shall be credited to the taxpayer."

Further amend Senate File 157 by striking all of section 2 thereof and substituting the following:

"Section 2. All payments heretofore paid, or which may be hereafter paid by any taxpayer, which tax has been suspended by this act, shall be refunded to the taxpayer."

Further amend Senate File 157 by striking all of section 3.

Renumber the publication paragraph.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 15:

Augustine	Findlay	Henningsen	Reilly
Byers	Fuller	Johnson	Vrba
Dykhouse	Goode	Mercer	Watson
Faul	Hart	Pelzer	

Nays, 34:

Bekman	Harvey	Love	Shaw
Benson	Hattery	Lundy	Sjulin
Berg	Hess	Lynes	Stewart
Clark	Hill	Martin	Turner
Clem	Hunt	Miller	Vittetoe
Cromwell	Jones	Mowry	Whitehill
Elthon	Keir	Pine	Zastrow
Evans	Leo	Schluter	Zeigler
Foster	Long		

Absent or not voting, 1:

Emerson

The amendment was lost.

Senator Lynes offered the following amendment and moved its adoption:

Amend Senate File 157 by striking the title and substituting in lieu thereof, the following:

"An Act to amend section 6943.100, Code of Iowa, 1939, as amended by chapter 237, Acts of the Forty-ninth General Assembly, relating to the allocation and use of revenues collected under the provisions of chapter 329.3, Code of Iowa, 1939, providing for the use of fifty (50%) per cent of the amount collected in years of 1943 and 1944 as a property credit tax and providing penalties for making false claims."

By striking all after the enacting clause and substituting in lieu thereof, the following:

"Section 6943.100, Code of Iowa, 1939, as amended by chapter 237, Acts of the Forty-ninth General Assembly, is amended by adding thereto as temporary emergency sections, the following:

"Section 1. Notwithstanding any provision of the law as it is contained in section 6943.100, Code of Iowa, 1939, as amended by chapter 237, Acts of the Forty-ninth General Assembly, one-half of the revenue collected in the years 1943 and 1944 from the personal net income tax, under the provisions of Division II, chapter 329.3, Code of Iowa, 1939, shall be held by the treasurer of state and shall be designated as the 'property credit fund' and shall be distributed by the treasurer of state on warrants drawn by the comptroller upon the direction of the state tax commission under the provisions of section three (3) of this act.

"Sec. 2. Each owner of property subject to taxation in this state shall receive, on taxes assessed against his property which he owned in the year in which the assessment was made, due and payable in the year 1944 and the year 1945, a credit equal in amount to fifty (50%) per cent of the amount of his personal net income tax due, payable, and paid by

him during the year preceding the year in which he is entitled to said credit.

"Sec. 3. Each county treasurer of this state shall in the years 1944 and 1945, upon the filing with him of a tax receipt by the owner of property subject to taxation in this state issued by the state of Iowa showing payment of said property owner's personal net income tax due and payable in the year preceding that for which credit is to be given as in this act provided, credit on the taxes assessed against said taxpayer's property an amount equal to fifty (50%) per cent of the amount of the net income tax paid as shown by said receipt. In the event the amount of credit which said taxpayer is entitled to receive shall be in excess of the amount of property tax due and payable by said taxpayer in said county, then the county treasurer of said county shall issue to said taxpayer an income tax property credit receipt showing the number of said taxpayer's personal net income tax receipt and the amount of credit said taxpayer is entitled to receive, as herein authorized, in excess of the amount credited to said taxpayer by said county treasurer. Said taxpayer shall, upon the filing of said 'income tax property credit receipt' with any other county treasurer in the state during the year in which said taxpayer is entitled to receive such credit, be entitled to a credit on taxes assessed against property owned by him in said county. Each county treasurer of this state shall, upon the filing with him by a taxpayer who is the owner of property subject to taxation in said county of an 'income tax property credit receipt' issued to said taxpayer, credit against taxes assessed against said taxpayer's property in said county the amount of credit said taxpayer is entitled to as shown by said receipt. If the amount of credit said taxpayer is entitled to is in excess of the taxes due and payable by said taxpayer on his property in said county for said year then the county treasurer shall issue to said taxpayer an 'income tax property credit receipt' showing the number of said taxpayer's personal net income tax receipt and the amount which was not credited to him, which said taxpayer may use as a credit on taxes assessed against property owned by him in any other county of the state.

"Sec. 4. On or after April 1, 1944, and April 1, 1945, each county treasurer shall transmit to the state tax commission a certified list of taxpayers who receive credit as provided for in this act, showing the number of each taxpayer's personal net income tax receipt and income tax property credit receipt issued by a county treasurer, as in this act provided, giving the name of the county treasurer issuing the same and the amount of credit given each such taxpayer on taxes assessed against property owned by him in this state.

"Sec. 5. The state tax commission shall every six months after the first day of January, 1944, during the years of 1944 and 1945, certify to the state comptroller the total amount of money due each county in the state for property credits given as in this act provided, and direct said comptroller to draw warrants therefor payable to the county treasurers of the several counties of the state, and remit the same to said treasurers."

"Sec. 6. The treasurer of state shall, as of January 15, 1945, and

January 15, 1946, transfer and credit any balance of the property credit fund, which has not been distributed during the preceding year in accordance with the terms and provisions of this act, to a fund which shall be held by the treasurer of state and shall be designated as the 'public school state aid fund', and said fund shall be apportioned and distributed by the state comptroller to the several counties of the state on the same basis, in the same manner, for the same purposes, and at the same time as the interest from the permanent school fund now is apportioned and distributed, and apportioned and distributed by each county auditor of the state to the same school corporations on the same basis, in the same manner, and for the same purposes as the interest from the permanent school fund of the state is now apportioned and distributed.

"Sec. 7. The state tax commission shall, for the year 1943 and the year 1944 issue to each person who pays a personal net income tax to the state of Iowa, in accordance with the provisions of Division II, chapter 329.3, Code of Iowa, 1939, serially numbered tax receipts showing the amount of personal net income tax paid by each such taxpayer, in accordance with the provisions of this act, and the commission shall prescribe the form of said tax receipt, of the income tax property credit receipt to be issued by the county treasurers of the state, as in this act provided, and such other forms as may be necessary for the proper administration of this act, and forward to each county auditor sample forms thereof, and the county auditors shall furnish the necessary blank forms prepared in accordance therewith to the county treasurers of the several counties. The state tax commission shall have the power and authority to prescribe rules and regulations not inconsistent with the provisions of this act necessary to carry out and effectuate its purposes.

"Sec. 8. In the event any credit is given to which the taxpayer is not entitled under the provisions of this act, any such credit shall be void and the amount of such credit shall be charged against the property for which income tax credit was allowed, and the state tax commission, the county auditor and the county treasurer are authorized and directed to correct their books and records accordingly. The amount of such erroneous credit, when collected, shall be returned by the county treasurer to the property credit fund.

"Sec. 9. Any person making a false claim for the purpose of securing a property tax credit, as in this act provided, or for the purpose of aiding another to secure such credit, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred (\$500) dollars or by imprisonment in the county jail not more than six (6) months, or by both such fine and imprisonment.

"Sec. 10. Definitions:

(1) Owner—The word 'owner' as used in this act shall mean the person who is the titleholder of the whole interest of either real or personal property, as defined in this act, subject to taxation, and if real property the title shall be established of record and if personal property it shall be established in the name of the one against whom such property is assessed, and in addition shall mean a person who is a contract purchaser where it is shown that not less than one-tenth of the purchase



price named in the contract actually has been paid and said person is required by the terms of said contract to pay the taxes assessed against said property, and which contract has been recorded in the office of the county recorder of the county in which the property is located.

For the purpose of this act, where the husband and wife file a joint personal net income tax return, the personal net income tax receipt issued to either one or the other may be used for the purpose of securing credit under this act by either one or the other.

(2) Property—The word 'property' as used in this act shall mean all real and personal property subject to taxation in this state (not including moneys and credits and other moneyed capital taxed at a flat rate as provided in section sixty-nine hundred eighty-five (6985), Code of Iowa, 1939)."

Senator Byers raised the point of order that the amendment by Senator Lynes was not germane to Senate File 157, and could not be considered at this time.

The Senate stood at ease until the fall of the gavel.

The Senate resumed regular session.

Senator Benson asked and received unanimous consent to be recorded as voting aye on House File 13, which was passed February 4th, and is found on page 278 of the Senate Journal.

Senator Shaw offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION 12

*Whereas*, The supreme court of Iowa has prescribed and reported to the Fiftieth General Assembly of Iowa rules of pleading, practice, procedure and forms of process, returns and notices, for proceedings of a civil nature in courts of this state, and

*Whereas*, The original report of the supreme court of Iowa is on file in the office of the Secretary of the Senate and a copy with the Chief Clerk of the House, and

*Whereas*, Such report consists of about two hundred twenty-five (225) typewritten pages, and

*Whereas*, Each member of the House and Senate of the Fiftieth General Assembly should have accessible a copy of such prescribed rules of civil procedure, and

*Whereas*, All judges of the various courts of this state, and the members of the legal profession of Iowa, and others, are vitally interested in the rules of civil procedure prescribed by the supreme court of Iowa; now therefore,

*Be It Resolved by the Senate of the Fiftieth General Assembly of Iowa, the House of Representatives of the Fiftieth General Assembly Concurring*: That the joint committees of the House and Senate on court procedure reform be and they are hereby authorized and directed

Sec. 2. Any sections or parts of sections in conflict with this act are hereby repealed.

Sec. 3. This act shall be deemed to apply to the income derived in 1942 and payable in 1943 and any tax collection by the state tax commission on 1942 income shall be refunded.

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Oskaloosa Tribune, a newspaper published at Oskaloosa, Iowa, and the Spirit Lake Beacon, a newspaper published at Spirit Lake, Iowa.

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was :

Ayes, 4:

Augustine

Mercer

Reilly

Vrba

Nays, 39:

Bekman

Faul

Hill

Shaw

Benson

Findlay

Hunt

Sjulin

Byers

Foster

Keir

Stewart

Clark

Fuller

Leo

Turner

Clem

Goode

Lundy

Vittetoe

Cromwell

Hart

Martin

Watson

Dykhouse

Harvey

Miller

Whitehill

Elthon

Hattery

Mowry

Zastrow

Emerson

Henningsen

Pelzer

Zeigler

Evans

Hess

Schluter

Absent or not voting, 7:

Berg

Jones

Love

Pine

Johnson

Long

Lynes

The amendment was lost.

Senator Elthon moved the previous question on the main bill and all pending amendments, which motion prevailed.

Senator Clark offered the following amendment and moved its adoption:

Senate File 157 is hereby amended by striking out the period (.) at the end of line six (6) of section two (2) and adding thereto the following:

"but in any case where the entire amount of tax due and payable for the year 1943 or 1944, is \$10.00 or less after the 50 per cent reduction has been made, the tax shall be paid in full in the first installment."

The amendment was adopted.

Senator Hunt moved that the bill be read a third 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	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Sjulin
Byers	Hart	Lundy	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Mercer	Vrba
Dykhouse	Hess	Miller	Watson
Elthon	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Evans	Johnson	Pine	Zeigler
Faul	Jones		

Nays, none.

Absent or not voting, none.

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

Senator Hunt moved that the 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 Hunt asked and received unanimous consent that Senate File 157 be immediately messaged to the House, which request was complied with.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 58, and House Files 13 and 142.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 58, and House Files 13 and 142.

## BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 8th day of February, 1943, sent to the governor for his approval, Senate File 58.

ROBERT C. REILLY, *Chairman.*

Passed on file.

## COMMUNICATION FROM THE SECRETARY OF STATE

Des Moines  
February 6, 1943

Mr. W. J. Scarborough  
Secretary of the Senate  
Building

Dear Mr. Scarborough:

We are in receipt of Senate Concurrent Resolution No. 9 and in conformity with the provisions therein we have forwarded a certified photostatic copy of the resolution to the Vice President of the United States; the Speaker of the House of Representatives of the United States, and to each Senator and Member of the House of Representatives from Iowa.

WMR:IEJ  
Encls.

Very truly yours,  
WAYNE M. ROPES,  
*Secretary of State.*

## BILLS ASSIGNED TO COMMITTEES

President Blue announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 190	Labor.
S. F. 191	Judiciary 1.
S. F. 192	Judiciary 1.
S. F. 193	Building and Loan.
S. F. 194	Judiciary 2.
H. F. 4	County and Township Affairs.
H. F. 14	County and Township Affairs.
H. F. 113	Public Libraries.
H. F. 136	Public Lands and Buildings.
H. F. 214	Banks and Banking.
H. F. 215	Banks and Banking.

## REPORTS OF COMMITTEES

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred

Senate File 104, a bill for an act to authorize minors who shall have attained the age of eighteen years to receive benefit payments of life insurance proceeds and to receipt therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE FAUL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File 33, a bill for an act to amend section 9043, Code, 1939, relating to returns to policyholders of associations transacting hail insurance business, begs leave to report it has had the same under consideration and recommends the same do pass. GEORGE FAUL, *Chairman*.

Ordered passed on file.

Senator Hill submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 98, a bill for an act to amend sections 10161 and 10162, Code, 1939, relating to service of notice to terminate lease by land owner or tenant, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 117, a bill for an act to amend section 11964, Code, 1939, relating to demands not yet due in an estate providing and adding that where the demands are secured by a mortgage on real estate, the claim shall not be allowed unless the claimant proves that the security is inadequate, begs leave to report it has had the same under consideration and recommends that the same do pass.

G. R. HILL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 123, a bill for an act to legalize action of board of supervisors of Woodbury county in making expenditures from court expense fund for purpose of paying salaries and expenses of officers and employees of juvenile court of said county, 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:

Change the period (.) following the word "Iowa" to a comma (,) and add "such publication to be without expense to the state."

G. R. HILL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 137, a bill for an act to amend section 3828.029, Code, 1939, in reference to a child's liability for funeral expenses for a recipient of old age assistance, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 140, a bill for an act to amend chapter 303, Senate File 58, acts and laws of the 49th General Assembly of the state of Iowa, sections 12267 and 12277, Code, 1939, relating to actions of forcible entry and detention of real property, providing for additional jurisdiction in municipal and superior courts, time of trial and the notice to be given, 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.

#### AMENDMENTS FILED

Amend Senate File 165 by striking the period following the word "Iowa" in line thirteen (13) and insert in lieu thereof a semicolon and thereafter the following words: "that part of the Mississippi river known as 'Davenport Harbor of Refuge' covering an area between Credit Island and the Iowa shore, and between the causeway from the Iowa shore to Credit Island and the foot of Credit Island, and legally described as sections three (3), four (4) and nine (9), township seventy-seven (77) north, Range three (3) east of the fifth (5th) P. M., Scott county, Iowa."

FRANK D. MARTIN.

Amend Senate File 1 by striking the word "the" in line three (3), section eight (8) and inserting in the blank space in line three (3), section eight (8) the words "The American Citizen", and by inserting in the first blank space in line four (4), section eight (8) the words "Des Moines" and inserting in the second blank space in line four (4), section eight (8) the words "Davis County Republican", and inserting in the blank space in line five (5), section eight (8) the word "Bloomfield".

GEORGE FAUL.

Amend Senate File 92 by striking the word "the" in line five (5), section two (2), and by inserting in the space in line five (5), section two (2) the words "The American Citizen" and by inserting in the space in line six (6), section two (2) the words "Des Moines".

GEORGE FAUL.

Amend Senate File 95 by striking the word "the" in line three (3), section six (6) and inserting in the space in line three (3), section (6) the words "The American Citizen" and by inserting in the first space in line four (4), section six (6) the words "Des Moines" and by inserting in the second space in line four (4), section six (6) the words "South

Marshall County Record" and by inserting in the space in line five (5), section six (6) the word "Melbourne".

GEORGE FAUL.

Amend Senate File 98 by striking all of said Senate File after the enacting clause and inserting in lieu thereof the following:

To strike the words in lines eleven (11) and twelve (12) in section ten thousand one hundred and sixty-one (10161), Code, 1939, "not later than November 1st."

To repeal section ten thousand one hundred and sixty-two (10162), Code, 1939, and inserting in lieu thereof the following:

Notice—How and when served.

1. Said written notice to be given by delivery of notice in person by one party to the other, with acceptance of service thereon and signed by the person receiving the notice, on or before November 1st.

2. Or served by any other person on behalf of either party as original notices are served, on or before November 1st.

3. Or by either party sending to the other a notice by registered mail with a return receipt demanded to their known address, such registered notice to be given at least five days before November 1st.

4. When a tenant can not be found in the county, the notice herein required may be served upon any sub-tenant or other person in possession of the premises or if the premises be vacant, by affixing the notice to any outside door of the dwelling house thereon, or other building, if there be no dwelling house, or in some conspicuous position on the premises if there be no building, on or before November 1st.

R. E. HESS.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 9, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. J. S. Decker, pastor of the First Methodist church, Danville.

## LEAVE OF ABSENCE

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

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Watson, from the Council Bluffs Presbytery, favoring local option including beer.

By Senator Jones, from members of the Smyrna Friends Congregation, favoring local option.

By Senator Lynes, from residents of Bremer and Butler counties, favoring local option.

By Senator Shaw, from residents of Pocahontas county, favoring local option.

By Senator Pine, from residents of Louisa county, favoring local option.

By Senator Clark, from residents of Wayne county, favoring local option.

By Senator Hart, from residents of Lee county, favoring local option.

By Senator Cromwell, from residents of Des Moines county, favoring local option.

By Senator Mowry, from residents of Jasper county, favoring local option.



## INTRODUCTION OF BILLS

Senate File 195, by Senator Mercer, a bill for an act to amend chapter ninety (90), acts of the Forty-ninth (49th) General Assembly, to make mandatory the pay to state employees, within certain limitations, during incapacity because of sickness or injury.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 196, by Senator Bekman, a bill for an act to provide for retiring of employees of waterworks plants owned by municipalities in certain cities, including cities organized under the commission form of government, cities organized and operating under the manager plan by election, and special charter cities, all having a population of five thousand or more, which own their own waterworks plants and have no bonds outstanding payable from taxation, and which have not made any tax levies for their waterworks plants for a period of at least the last ten years prior to the adoption of such retirement income plan for the employees of any such waterworks plant in such cities.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 197, by Senator Vrba, a bill for an act creating United Nations Scholarships at the University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, and the Iowa State Teachers College, establishing qualifications and appropriating money therefor.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 198, by Senator Vrba, a bill for an act creating scholarships in the State University of Iowa, Iowa State College of Agriculture and Mechanic Arts, and Iowa State Teachers College, for certain students who have graduated from Iowa high schools with high scholastic standing and appropriating money therefor.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 199, by Senators Dykhouse, Clem, Zastrow, and

Henningsen, a bill for an act to amend section two (2) of chapter three hundred eleven (311), Senate File twenty-five (25), acts of the Forty-ninth (49th) General Assembly of the State of Iowa relating to a general system of practice in all courts of this state, and to provide that all rules and forms prescribed by the Supreme Court of Iowa before becoming effective must be approved by enactment by the General Assembly of the State of Iowa.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 200, by Senators Pine, Elthon, Leo, Shaw, and Clem, a bill for an act to repeal section five thousand thirty-five and fourteen hundredths (5035.14) relating to weighing vehicles and removal of excess weight and enacting a substitute in lieu thereof embracing the same subjects and providing for the adjustment of loads.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 201, by Senators Faul, Cromwell, Bekman and Clem, a bill for an act concerning the transfer of shares of stock in corporations, making uniform the law relating thereto.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 202, by Senator Faul, a bill for an act to provide for the creation of benefited districts in areas having a population of less than fifteen hundred (1500) persons and which are not a part of any incorporated city or town to make provisions for establishment of sanitary and safety facilities and regulations governing the same; to provide for submission of the question of creating such benefited districts to the voters thereof; to provide for the appointment by the board of supervisors of a board of trustees to supervise and regulate such benefited districts; to provide for the issuance of bonds to finance the benefits desired and to provide for a levy of a tax to retire said bonds.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senator Johnson asked and received unanimous consent to be recorded as voting "aye" on the final passage of Senate File 157, in the vote found on page 311 of the Senate Journal.

Senator Berg asked and received unanimous consent to be recorded as voting "aye" on the final passage of Senate File 157 in the vote found on page 311 of the Senate Journal.

Senator Jones asked and received unanimous consent to be recorded as voting "aye" on the final passage of Senate File 157 in the vote found on page 311 of the Senate Journal.

Senator Cromwell called up the following concurrent resolution and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 13

*Be It Resolved by the Senate of the Fiftieth Legislature of the State of Iowa, the State House of Representatives Concurring Therein; that,*

*Whereas, There is now pending in the Congress of the United States House Bill No. 997 and Senate Bill No. 216 to create a pharmacy corps in the United States army, and*

*Whereas, There is a definite need in this war emergency for the capable handling of drugs, medicines and pharmaceuticals which are used in the treatment of diseases of our boys and girls in the armed forces, and*

*Whereas, At the present there is no law providing for the creation of such a pharmacy corps;*

*Now, Therefore, Be It Resolved by the Senate of the Fiftieth Iowa Legislature, the House Concurring Therein, That we memorialize the Congress of the United States to put forth every effort to see these two bills be enacted into law; and*

*Be It Further Resolved, That a copy of this resolution be sent to the President of the United States, to the chairman of the Military Affairs Committee of the Senate and House, and to the Congressional delegation of Iowa.*

The motion prevailed and the resolution was adopted.

Senator Cromwell asked and received unanimous consent that Senate Concurrent Resolution 13 be immediately messaged to the House, which request was complied with.

Senator Hunt called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 15

*Whereas, The Legislature is advised of a meeting of the Pioneer Law-makers Association to be held in the historical building on Wednesday, February 24, 1943, and of their custom of formally calling on the General Assembly, therefore*

*Be It Resolved by the House, the Senate Concurring: That the Gen-*

eral Assembly meet in joint session in the House Chamber on Wednesday, February 24, 1943, at 2:00 p. m., and that the Pioneer Lawmakers be invited to attend and present a program on that date.

The motion prevailed and the resolution was adopted.

#### HOUSE AMENDMENTS CONSIDERED

Senator Bekman called up for consideration Senate File 73, a bill for an act to amend section eleven thousand five hundred twenty-seven (11527), Code of Iowa, by striking the word "reference" and substituting in lieu thereof the word "referee", amended by the House, and moved that the Senate concur in the following amendments:

Amend the title to Senate File 73 by striking all after the word "Code" in line two (2) thereof and substituting the following therefor: ", relating to the finding of facts by referees."

The motion prevailed and the Senate concurred in the House amendments to Senate File 73.

Senator Bekman moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Foster	Keir	Schluter
Bekman	Fuller	Leo	Shaw
Benson	Goode	Long	Sjulin
Berg	Hart	Love	Stewart
Byers	Harvey	Lynes	Turner
Clark	Hattery	Martin	Vittetoe
Clem	Hess	Mercer	Vrba
Cromwell	Hill	Miller	Watson
Dykhouse	Hunt	Mowry	Whitehill
Emerson	Johnson	Pelzer	Zastrow
Evans	Jones	Reilly	Zeigler
Findlay			

Nays, none.

Absent or not voting, 5:

Elthon	Henningsen	Lundy	Pine
Faul			

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

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 16 inviting Mr. Roane Waring, national commander of the American Legion, to address a joint convention at 11:30 a. m. Monday, February 22, 1943.

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 publication and distribution of the prescribed rules of civil procedure by the supreme court of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION 16

*Whereas*, Roane Waring, national commander of the American Legion, will be in Des Moines, Monday, February 22nd, therefore

*Be It Resolved by the House, the Senate Concurring:* That an invitation be extended to Mr. Roane Waring to address a joint convention of both houses at 11:30 a. m. Monday, February 22, 1943.

## THIRD READING OF BILLS

On motion of Senator Zeigler, House File 18, a bill for an act to amend subsection eight (8) of section six thousand nine hundred forty-three and thirty-six thousandths (6943.036), Code, 1939, relating to personal net income tax, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 44:

Augustine	Faul	Jones	Schluter
Bekman	Findlay	Keir	Shaw
Benson	Fuller	Leo	Sjulin
Berg	Goode	Love	Stewart
Byers	Hart	Lynes	Turner
Clark	Harvey	Martin	Vittetoe
Clem	Hattery	Mercer	Vrba
Cromwell	Hess	Miller	Watson
Dykhouse	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Evans	Johnson	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Elthon	Henningsen	Lundy	Pine
Foster	Long		

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

On motion of Senator Leo, Senate File 12, a bill for an act to recognize the Iowa state sheep association; to define the duties and objects of the association; and to aid in promoting the welfare of the sheep industry in Iowa, was taken up and considered.

Senator Leo moved that the rules be suspended and that House File 87, a bill for an act to recognize the Iowa state sheep association; to define the duties and objects of the association; and to aid in promoting the welfare of the sheep industry in Iowa, be substituted for Senate File 12, which motion prevailed.

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, 48:

Augustine	Foster	Keir	Reilly
Bekman	Fuller	Leo	Schluter
Benson	Goode	Long	Shaw
Byers	Hart	Love	Sjulin
Clark	Harvey	Lundy	Stewart
Clem	Hattery	Lynes	Turner
Cromwell	Henningsen	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Emerson	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
Faul	Johnson	Pelzer	Zastrow
Findlay	Jones	Pine	Zeigler

Nays, none.

Absent or not voting, 2:

Berg	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 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.

On motion of Senator Faul, Senate File 2, a bill for an act to amend section ten thousand two hundred sixty and four tenths (10260.4) of the Code, 1939, authorizing the sale of real estate

acquired by a county for delinquent taxes, 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, 47:

Augustine	Foster	Leo	Schluter
Bekman	Fuller	Long	Shaw
Benson	Goode	Love	Sjulin
Berg	Hart	Lundy	Stewart
Byers	Harvey	Lynes	Turner
Clark	Hattery	Martin	Vittetoe
Clem	Henningsen	Mercer	Vrba
Cromwell	Hess	Miller	Watson
Dykhouse	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir	Reilly	

Nays, none.

Absent or not voting, 3:

Elthon	Evans	Johnson
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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.

On motion of Senator Keir, Senate File 81, a bill for an act to provide for the clearing at par of checks drawn on any bank or trust company organized under the laws of this state and providing for penalties for violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hunt offered the following amendment and moved its adoption:

Amend Senate File 81 by striking section three (3), the publication clause.

The amendment was adopted.

Senator Lynes offered the following amendment, filed by Senators Lynes and Hunt, and moved its adoption:

Amend Senate File 81 by adding thereto the following:

"Sec. 3. This act shall be in full force and effect from and after January 1, 1944, and not before."

Senator Berg moved the previous question on the amendment, which motion prevailed.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 12:**

Bekman	Clem	Hunt	Martin
Benson	Fuller	Johnson	Shaw
Clark	Harvey	Lynes	Vrba

**Nays, 36:**

Augustine	Goode	Long	Schluter
Berg	Hart	Love	Sjulin
Byers	Hattery	Lundy	Stewart
Cromwell	Henningsen	Mercer	Turner
Emerson	Hess	Miller	Vittetoe
Evans	Hill	Mowry	Watson
Faul	Jones	Pelzer	Whitehill
Findlay	Keir	Pine	Zastrow
Foster	Leo	Reilly	Zeigler

Absent or not voting, 2:

Dykhouse	Elthon
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The amendment was lost.

Senator Keir moved that the bill be read a third 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	Foster	Leo	Reilly
Bekman	Goode	Long	Schluter
Benson	Hart	Love	Shaw
Berg	Harvey	Lundy	Sjulin
Byers	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Cromwell	Hess	Mercer	Vittetoe
Emerson	Hill	Miller	Watson
Evans	Johnson	Mowry	Whitehill
Faul	Jones	Pelzer	Zastrow
Findlay	Keir	Pine	Zeigler

**Nays, 4:**

Clark	Fuller	Hunt	Vrba
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Absent or not voting, 2:

Dykhouse	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 Keir moved that the 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 95, a bill for an act to amend section eleven thousand one hundred eleven (11111), relating to publication of notice of filing petition in commencement of actions in district court, and section eleven thousand four hundred thirty-nine (11439) relating to assignment of cases, motions and demurrers, and to amend section eleven thousand four hundred forty-one (11441), relating to court calendar, and to amend section eleven thousand one hundred six (11106), relating to fees for publication, and to amend section eleven thousand three hundred forty-nine (11349), all of the Code, 1939, relating to proof of publication, and to provide for publication in a daily newspaper of general circulation of the title of cases, motions, demurrers, and assignments, and all related matters, and the compensation therefor, in all counties having a population of one hundred thousand or over, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul moved that House File 225, a bill for an act to amend chapter four hundred ninety (490), relating to publication of notice of filing petition in commencement of actions in district court, and section eleven thousand four hundred thirty-nine (11439), relating to assignment of cases, motions and demurrers, and to amend section eleven thousand four hundred forty-one (11441), relating to court calendar and to amend section ten thousand eight hundred thirty-seven (10837), relating to filing fees, and to amend section eleven thousand three hundred forty-nine (11349), all of the Code, 1939, relating to proof of publication, and to provide for publication in a daily newspaper of general circulation of the title of district court cases and all related matters, and the compensation therefor, in all counties having a population of one hundred thousand or over, be substituted for Senate File 95, which motion prevailed.

Senator Faul asked and received unanimous consent that action on House File 225 be temporarily deferred and that it retain its place on the calendar.

On motion of Senator Schluter, House File 11, a bill for an act

to amend section one thousand five hundred fifty-six and thirty-two hundredths (1556.32), Code, 1939, providing for penalties for violation of the law relating to the licensing of the sale of cigarettes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schluter moved that the bill be read a third 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	Goode	Long	Schluter
Bekman	Hart	Love	Shaw
Benson	Harvey	Lundy	Sjulin
Berg	Hattery	Lynes	Stewart
Byers	Henningsen	Martin	Turner
Clark	Hess	Mercer	Vittetoe
Clem	Hill	Miller	Vrba
Cromwell	Hunt	Mowry	Watson
Dykhhouse	Johnson	Pelzer	Whitehill
Evans	Jones	Pine	Zastrow
Faul	Keir	Reilly	Zeigler
Findlay	Leo		

**Nays, none.**

**Absent or not voting, 4:**

Elthon	Emerson	Foster	Fuller
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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 Schluter moved that the 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 Goode, House File 32, a bill for an act to amend section nine thousand three hundred four (9304), Code, 1939, relating to the cash reserve required by trust companies organized under chapter four hundred sixteen (416) of the Code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Goode moved that the bill be read a third 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	Berg	Dykhhouse	Findlay
Bekman	Clark	Emerson	Foster
Benson	Clem	Faul	Goode

Hart	Keir	Mowry	Turner
Harvey	Leo	Pelzer	Vittetoe
Hattery	Long	Pine	Vrba
Hess	Love	Reilly	Watson
Hill	Lundy	Schluter	Whitehill
Hunt	Martin	Shaw	Zastrow
Johnson	Mercer	Sjulin	Zeigler
Jones	Miller	Stewart	

Nays, none.

Absent or not voting, 7:

Byers	Elthon	Fuller	Lynes
Cromwell	Evans	Henningsen	

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

On motion of Senator Hill, House File 69, a bill for an act to amend section ten thousand two hundred fifteen (10215), Code, 1939, relating to the rights of aliens in real property, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 43:

Augustine	Findlay	Leo	Shaw
Benson	Goode	Long	Sjulin
Berg	Hart	Lundy	Stewart
Byers	Harvey	Martin	Turner
Clark	Hattery	Mercer	Vittetoe
Clem	Henningsen	Miller	Vrba
Cromwell	Hill	Mowry	Watson
Dykhouse	Hunt	Pelzer	Whitehill
Emerson	Johnson	Pine	Zastrow
Evans	Jones	Reilly	Zeigler
Faul	Keir	Schluter	

Nays, none.

Absent or not voting, 7:

Bekman	Foster	Hess	Lynes
Elthon	Fuller	Love	

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

On motion of Senator Berg, House File 162, a bill for an act to provide an emergency appropriation for salaries, support and maintenance for the institutions under the jurisdiction of the board of control, with report of committee recommending pas-

sage, 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, 45:**

Augustine	Goode	Leo	Schluter
Benson	Hart	Long	Shaw
Berg	Harvey	Love	Sjulin
Byers	Hattery	Lundy	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dykhouse	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Whitehill
Evans	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler
Foster			

**Nays, none.**

**Absent or not voting, 5:**

Bekman	Faul	Fuller	Lynes
Elthon			

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

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

On motion of Senator Evans, Senate File 21, a bill for an act to amend sections thirty-nine (39) and forty (40), Code, 1939, relating to the committee on retrenchment and reform, with report of the 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 21 by striking therefrom section two (2) and substituting the following:

Sec. 2. Section forty (40), Code, 1939, is amended by striking all of said section after the word "be" in line five (5) and substituting therefor the following:

"Thirteen (13) members or less of the minority party in the Senate or twenty-eight (28) members or less in the House, representation on said committee in such House shall be one (1) member from the minority party.

The amendment was adopted.

Senator Augustine offered the following amendment and moved its adoption:

Amend Senate File 21 by striking all after the enacting clause and insert the following:

Section 1. Sections thirty-nine (39) to forty-six (46) inclusive are hereby repealed.

Sec. 2. All powers, duties and functions heretofore delegated to the committee on retrenchment and reform shall hereafter be delegated to the executive council, as constituted in section two hundred seventy-six (276), Code, 1939.

Senator Faul raised the point of order on the amendment by Senator Augustine, that the amendment was not germane to the main bill, Senate File 21, in that the amendment sought to repeal a section of the Code instead of amending it.

The Chair held the point well taken, and the amendment was out of order.

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, 37:

Bekman	Findlay	Jones	Pelzer
Benson	Foster	Keir	Schluter
Berg	Goode	Leo	Sjulin
Clark	Hart	Long	Stewart
Clem	Harvey	Love	Turner
Cromwell	Hattery	Lundy	Vittetoe
Dykhous	Henningsen	Martin	Watson
Emerson	Hess	Miller	Whitehill
Evans	Hunt	Mowry	Zastrow
Faul			

Nays, 5:

Augustine	Mercer	Reilly	Vrba
Johnson			

Absent or not voting, 8:

Byers	Fuller	Lynes	Shaw
Elthon	Hill	Pine	Zeigler

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.

Senator Faul offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION 14

*Whereas*, The people of the State of Iowa have steadfastly and sacrificially, in peace and in war, manifested their devotion to the ideals of Democracy; and

*Whereas*, A vigilant citizenry is the best safeguard of the democratic way of life; and

*Whereas*, It is held by the people of Iowa to be a fundamental right of the people to know how their duly elected representatives in the General Assembly vote on the final passage of all measures affecting the people, and to protect this right have impressed the Constitution of Iowa with the following provision:

"Passage of bills. Article 3, Sec. 17. No bill shall be passed unless by the assent of a majority of all the members elected to each branch of the General Assembly, and the question upon the final passage shall be taken immediately upon its last reading, and the yeas and nays entered on the journal." and

*Whereas*, Measures of grave concern to the people of Iowa and of the nation are not infrequently passed by the Congress of the United States without a recorded vote of its members on final passage, thus depriving the people of Iowa of a fair opportunity of knowing how their duly elected members in the national legislature voted thereon; and

*Whereas*, A fair opportunity on the part of the people of Iowa to scrutinize the acts and conduct of the members of Congress is essential to the fulfillment of the ideal of democracy, and

*Whereas*, Men and women on the fighting fronts, on land and sea, and those held in enemy prisons in distant places in the world, are entitled, upon their return to the homeland, to have a record of the votes cast by their representatives in the national legislature, on the final action on all important measures during this critical period of the nation's history;

*Therefore Be It Resolved by the Senate of the Fiftieth General Assembly of Iowa, the House Concurring*: That the Congress of the United States be memorialized to forthwith take such action as may be appropriate to require a recorded vote of all the members of the Congress on the final passage of all bills and all measures of general public interest.

*Be It Further Resolved*: That the secretary of state be and he hereby is directed to forward a certified copy of this resolution to the vice president of the United States and to the speaker of the House of Representatives of the United States, and to each member of the Congress (Senate and House of Representatives) of the United States from the state of Iowa.

Senator Hunt offered the following concurrent resolution:

## SENATE CONCURRENT RESOLUTION 15

*Be It Resolved by the Senate, the House Concurring:* That when adjournment is had on Friday, February 26th, it be to reconvene on Monday, March 8th, at one o'clock p. m.

## PROOF OF PUBLICATION

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

Senate File 122, a proposed bill to legalize the action of the board of supervisors of Woodbury county in making expenditures from the poor fund.

Senate File 123, a proposed bill to legalize the action of the board of supervisors of Woodbury county in making expenditures from the court expense fund.

W. J. SCARBOROUGH.

## BILL SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on February 8th he had approved the following:

Senate File 58 relating to transfer of the jurisdiction of the Muscatine Levee District.

## BILLS ASSIGNED TO COMMITTEES

President Blue announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 195	Compensation of Public Officers.
S. F. 196	Cities and Towns.
S. F. 197	Educational Institutions.
S. F. 198	Educational Institutions.
S. F. 199	Court Procedure Reform.
S. F. 200	Motor Vehicles.
S. F. 201	Private Corporations.
S. F. 202	Public Health.
H. F. 114	Judiciary 2.
H. F. 216	Dairying.
H. F. 217	Manufacturing, Commerce, and Trade.
H. F. 223	Social Security.

## REPORTS OF COMMITTEES

Senator Dykhous submitted the following report:

MR. PRESIDENT: Your committee on conservation, to which was referred House File 50, a bill for an act to amend section 1794.052, Code,

1939, relating to state game laws, begs leave to report it has had the same under consideration and recommends the same do pass.

J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation, to which was referred House File 82, a bill for an act to amend section 1794.029 relating to the angling laws, begs leave to report it has had the same under consideration and recommends the same do pass.

J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation, to which was referred House File 83, a bill for an act to amend section 1794.029 relating to daily catch and possession limits on fish, begs leave to report it has had the same under consideration and recommends the same do pass.

J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Senator Hart submitted the following report:

MR. PRESIDENT: Your committee on banks and banking, to which was referred House File 38, a bill for an act to amend section 9259, Code, 1939, relating to amount of paid capital of loan and trust companies, begs leave to report it has had the same under consideration and recommends the same do pass.

STANLEY L. HART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking, to which was referred House File 48, a bill for an act to amend sections 9259, 9283.43, and 9283.59, Code, 1939, relating to assessment and liability of stockholders of banks and trust companies, begs leave to report it has had the same under consideration and recommends the same do pass.

STANLEY L. HART, *Chairman*.

Ordered passed on file.

Senator Schluter submitted the following report:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File 36, a bill for an act to amend chapter one hundred fifteen (115), Code of Iowa, 1939, to regulate advertising of professional services, eyeglass or spectacle lenses, and spectacle frames or mountings, by persons, firms or corporations, or licensees under title VIII of the 1939 Code of Iowa, who are engaged in prescribing, manufacturing, selling or supplying eyeglass or spectacle lenses or complete eyeglasses or spectacles including lenses, begs leave to report it has had the same under consideration and returns the bill without recommendation.

EDWIN C. SCHLUTER, *Chairman*.



Ordered passed on file.

Senator Keir submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 67, a bill for an act to provide for care of indigent persons in city or town hospitals established pursuant to sections ten thousand one hundred eighty-eight (10188) and ten thousand one hundred eighty-nine (10189) of the Code, 1939, and to provide for the payment of the costs thereof by the board of supervisors, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 83, a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, relating to the powers and duties of the board of supervisors, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 124, a bill for an act to repeal section 3616.1 and to amend section 3616, Code of 1939, both relating to salaries and expenses of officers of juvenile court, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 178, a bill for an act concerning the compensation of probation officers in counties of less than 30,000 population, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred House File 186, a bill for an act to amend section 373, Code, 1939, relating to emergency fund and method of transfer therefrom, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman.*

Ordered passed on file.

Senator Cromwell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 94, a bill for an act relating to general powers of cities and towns, and to regulate and license electricians and electrical contractors and provide for their examination, begs leave to report it has had the same under consideration and recommends that the same do pass.

FRED CROMWELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 88, a bill for an act relating to the incurring of indebtedness and issuance of bonds for public improvements in cities and towns, including cities under special charter, begs leave to report that it has had the same under consideration and recommends that the same do pass.

FRED CROMWELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 93, a bill for an act relating to benefits under retirement systems for policemen and firemen, and to make the same applicable to special charter cities, begs leave to report it has had the same under consideration and recommends that the same do pass.

FRED CROMWELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 167, a bill for an act to amend, revise and codify section five thousand seven hundred eighty-seven (5787), Code, 1939, relating to park commissioners in cities and towns, begs leave to report it has had the same under consideration and recommends that the same do pass.

FRED CROMWELL, *Chairman.*

Ordered passed on file.

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on national defense coordination, to which was referred Senate File 1, a bill for an act to continue in force certain capitol appropriations made by the Forty-ninth General Assembly, to provide for the segregation of funds so appropriated and to provide for investment of said funds so appropriated, and to provide for the executive council to determine the availability of said funds and to amend chapters three (3) and sixteen (16), acts of the Forty-ninth General Assembly, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 1 as provided by the Faul amendment, filed February 8 and found on page 314 of the Senate Journal, by the Goode amendment filed January 19 and found on page 65 of the Senate Journal, and by paragraphs 2 and 3 of the amendment filed by Elthon, Love and Long on January 13 and found on page 39 of the Senate Journal.

J. BERG, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 37 by adding to section 1 the following: "Provided, however, that the minimum salary for deputy sheriffs shall not be less than fourteen hundred dollars (\$1400) per annum."

FRANK C. BYERS.

FRED CROMWELL.

Amend Senate File 80 by striking section one (1) and substituting therefor the following:

"Section 1. Section fifty-seven hundred one (5701), Code, 1939, is amended by striking the period at the end of subsection one (1) immediately following the word "department", and adding thereto the following: ", and for the years 1943 and 1944, such residence in the city shall not be a necessary qualification for appointment as inspectors or technicians in any manner connected with milk or dairy inspection."

GEORGE FAUL.

Amend Senate File 25 as follows:

1. Strike the words "acting under special charter" from line one (1) of the title and insert in lieu thereof the following: ", including cities acting under special charter and those under the commission form of government,".

2. Strike the words "acting under special charter" from line one (1) of section one (1) and insert in lieu thereof the following: ", including cities acting under special charter and those under the commission form of government,".

3. Insert the words "and publication" following the word "recording" in line seventeen (17) of section one (1).

MARTIN and FAUL.

Amend Senate File 117 by adding the following section:

"Sec. 2. The provisions of this act shall not apply to mortgages executed prior to July 4, 1943."

R. E. HESS, GEORGE FAUL.

Amend Senate File 84 as follows:

Amend by striking the period in line seven (7) and by adding the following: "and by striking the words 'fifteen hundred' in line seven (7) of subdivision two (2) and inserting in lieu thereof the words 'eighteen hundred'."

OSCAR E. JOHNSON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 10, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. Alvin Rogness, pastor of the Lutheran church, Mason City.

## LEAVE OF ABSENCE

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

## PETITIONS AND MEMORIALS

The following petition was presented and placed on file:

By Senator Augustine, from residents of Mahaska county, favoring adoption of the Iowa school code revision commission.

## INTRODUCTION OF BILLS

Senate File 203, by Senator Mowry, a bill for an act to amend section one thousand eight hundred forty-one (1841), Code, 1939, relating to fences.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 204, by Senators Shaw and Hill, a bill for an act to amend chapter two hundred thirty-nine (239), Senate File two hundred forty-eight (248), Acts and Laws of the Forty-ninth (49th) General Assembly of the state of Iowa, relating to homestead tax credit for those in military service and to provide homestead tax credit for their spouse.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 205, by Senators Berg, Vrba and Evans, a bill for an act to amend section five thousand eight hundred nineteen (5819), Code, 1939, relating to title and jurisdiction of the bed

of meandered streams in cities and towns having river front commissions; and to amend section five thousand eight hundred twenty (5820) and five thousand eight hundred twenty-two (5822) of said chapter, relating to powers of the commission.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 206, by Senators Berg, Vrba and Evans, a bill for an act to amend section one thousand seven hundred three and four hundredths (1703.04), relating to fees for inspection and licensing of boats; to amend section one thousand seven hundred three and seven hundredths (1703.07), relating to block numbers on boats; to amend section one thousand seven hundred three and eight hundredths (1703.08) by striking said section and substituting provisions for the registration, inspection and licensing of all boats not operated for hire; to amend section one thousand seven hundred three and twelve hundredths (1703.12) by striking paragraphs two (2) and three (3) relative to the lighting of boats, to amend section one thousand seven hundred three and thirteen hundredths (1703.13), to extend the speed laws of boats over all waters of the state; and to add a provision thereto prohibiting operation of a boat by a person while intoxicated, and providing for a penalty for violation thereof; to amend section one thousand seven hundred three and sixteen hundredths (1703.16) and by adding thereto a provision defining "artificial lake" and to amend section one thousand seven hundred three and twenty-five hundredths (1703.25); all the foregoing amendments to chapter eighty-five (85), Code, 1939, relating to water navigation regulations.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 207, by Senator Hess (Ritchie and Avery), a bill for an act to amend sections seven thousand one hundred forty-five (7145), seven thousand one hundred fifty-two (7152), seven thousand one hundred eighty-four (7184), seven thousand one hundred eighty-eight (7188), seven thousand one hundred ninety (7190), seven thousand one hundred ninety-three (7193), seven thousand one hundred ninety-seven (7197), seven thousand three hundred (7300), seven thousand three hundred one (7301), Code, 1939, relating to the books to be kept by the auditor and treasurer showing the tax lists of real property taxes and per-

sonal property taxes by providing for tax lists that may not only be by books but by other records.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 208, by Senators Reilly and Dykhouse, a bill for an act to amend chapter one hundred thirty-one (131), Code, 1939, relating to use and disposal of dead animals and authorizing the department of agriculture to enter into reciprocal agreement, with states adjoining the state of Iowa, permitting transportation of carcasses of dead animals from Iowa into adjoining states and from adjoining states into Iowa by duly constituted licenses.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 209, by Senator Augustine, a bill for an act to vest the powers and duties of the committee on retrenchment and reform in the executive council until July 1, 1945.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 210, by Senator Bekman, a bill for an act to aid the prosecution of the war by providing for the creation of local housing corporations to cooperate with the federal government in making housing available for persons engaged in war industries and activities and by granting certain powers to public bodies, defining the powers thereof. Said act provides that any obligations incurred by any housing corporations shall not be a debt of any city, county or the state of Iowa, nor shall the commissioners become personally liable thereon.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 211, by Senators Lynes, Pine, Elthon, Leo, Shaw, and Clem, a bill for an act to amend section five thousand one hundred five and two one hundredths (5105.02) Code, 1939, relating to powers and duties of the commerce commission in connection with fixing rates of truck operators.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 212, by Senator Fuller, a bill for an act to permit live birds and animals to be used as targets at regularly conducted field meets under official supervision and prescribing rules and regulations for such meets.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 213, by Senators Faul and Whitehill, a bill for an act to provide for the disposition of the excess revenues derived from the tax levies made under the provisions of chapter three hundred thirty-two (332) (House File 401), acts of the thirty-ninth (39th) General Assembly, for the purpose of retiring the bonds issued under said chapter three hundred thirty-two (332), after the bonds issued under said chapter have been fully retired, to extend the time for filing claims under said chapter and the payment of same from said excess revenues, and the disposition of the balance of the excess into the disability fund, and to provide for the state treasurer to draw on the county treasurers for the balance of said revenues; and to amend said chapter three hundred thirty-two (332) (House File 401), acts of the thirty-ninth (39th) General Assembly.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 214, by Senator Faul, a bill for an act to amend sections seven thousand two hundred ten (7210), seven thousand two hundred eleven (7211), and seven thousand two hundred fourteen (7214), Code, 1939, 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, is ready for commitment and amendment, and passed on file.

Senator Foster called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 13

*Whereas*, This nation is now engaged in a worldwide war which has brought about a tremendous demand upon our transportation facilities, and

*Whereas*, It is recognized that a serious problem has arisen relative to

the continuance of our transportation facilities because of the shortage of rubber, and our government has urged as a result of investigations and conclusions reached by the Baruch committee, a development of synthetic rubber to alleviate the shortage, and

*Whereas*, It is a desire of this state to cooperate in every way possible with the federal government and its committees and to make available its surplus commodities which are essential in the manufacture of synthetic rubber, and

*Whereas*, In the state of Iowa raw materials are available for the manufacture of alcohol used in the production of synthetic rubber, and

*Whereas*, It would be economically advantageous to erect factories for the production of synthetic rubber in the area where the necessary raw materials are produced, and where the high protein by-products are urgently needed for animal feeds; therefore

*Be It Resolved by the House, the Senate Concurring*: That Rubber Administrator William M. Jeffers and our two senators, the Honorable George A. Wilson and the Honorable Guy M. Gillette, and our eight congressmen be urged to use their best efforts to help unsnarl the present situation relative to the production of synthetic rubber from agricultural products; and that such plants be located in the surplus crop area including the state of Iowa to the end that our state, nation and humanity be benefited and also to the end that this war be brought to a successful and more rapid conclusion.

*Be It Further Resolved by the House*: That copies of this resolution be mailed to Vice President Henry A. Wallace, Secretary of Agriculture Claude R. Wickard, Rubber Administrator William M. Jeffers, Senator Guy M. Gillette, Senator George A. Wilson, and our eight (8) members of the House of Representatives and that this resolution be spread upon the House and Senate Journals of the Fiftieth General Assembly of the state of Iowa.

The motion prevailed and the resolution was adopted.

Senator Hattery called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 16

*Whereas*, Roane Waring, national commander of the American Legion, will be in Des Moines, Monday, February 22nd, therefore

*Be It Resolved by the House, the Senate Concurring*: That an invitation be extended to Mr. Roane Waring to address a joint convention of both houses at 11:30 a. m. Monday, February 22, 1943.

The motion prevailed and the resolution was adopted.

Senator Hunt called up the following concurrent resolution and moved its adoption:



## SENATE CONCURRENT RESOLUTION 15

*Be It Resolved by the Senate, the House Concurring:* That when adjournment is had on Friday, February 26th, it be to reconvene on Monday, March 8th, at one o'clock p. m.

The motion prevailed and the resolution was adopted.

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 61, a bill for an act authorizing certain cemetery officers to attend meetings of cemetery officials and providing for certain expenses relative thereto.

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

House File 100, a bill for an act relating to the territorial jurisdiction of municipal courts.

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

Senate File 75, a bill for an act relating to secondhand watches.

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

House Concurrent Resolution 17 memorializing Congress for the repeal of the "daylight saving time" act. A. C. GUSTAFSON, *Chief Clerk*.

## HOUSE CONCURRENT RESOLUTION 17

*Whereas*, Daylight working hours are a vital factor in the preparation and harvesting of crops, the feeding of farm animals, and the production of all farm commodities; and,

*Whereas*, The new war time known as daylight saving time since its establishment has proved to be wasteful, rather than time-saving; and,

*Whereas*, In these days of dire need every possible hour on the farm must be used for the production of vital foods; and,

*Whereas*, The factories engaged in war production are largely on a twenty-four hour per day basis and those not thus engaged are largely on a short day basis of work; and,

*Whereas*, Because of these conditions this change in time has not resulted in the saving of electric power and fuel; now therefore,

*Be It Resolved by the House, the Senate Concurring:* That we respectfully petition Congress of the United States to repeal the act known as "daylight saving time", Chapter 7, 2nd Session, Public Law 403, 77th Congress (S. 2160) which was approved by Congress January 20, 1942, and which establishes a standard time for the United

States one hour earlier than mean astronomical time, and by this repeal permit agriculture to operate with a greater degree of efficiency.

*Be It Further Resolved*, That a copy of this resolution be sent to the two Iowa Senators and the eight Iowa Members of the House of Representatives and that they be thus petitioned to use all their influence and best offices that this change in time may be made and put into effect before the heavy farm work season begins.

### THIRD READING OF BILLS

On motion of Senator Martin, Senate File 25, a bill for an act to authorize cities acting under special charter to adopt municipal codes and providing for the manner of adoption and the approval and recording thereof and for the publication in book or pamphlet form of such codes and other ordinances of such cities and the receiving of such books and pamphlets in evidence and for the taking effect of the act on publication, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Martin offered the following amendment and moved its adoption:

Amend Senate File 25 by striking the word "by" in line 14 of section 1, and inserting in lieu thereof the word "but".

The amendment was adopted.

Senator Faul offered the following amendment by Senators Martin and Faul and moved its adoption:

Amend Senate File 25 as follows:

1. Strike the words "acting under special charter" from line one (1) of the title and insert in lieu thereof the following: ", including cities acting under special charter and those under the commission form of government,".

2. Strike the words "acting under special charter" from line one (1) of section one (1) and insert in lieu thereof the following: ", including cities acting under special charter and those under the commission form of government,".

3. Insert the words "and publication" following the word "recording" in line seventeen (17) of section one (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, 41:

Augustine	Hart	Leo	Schluter
Bekman	Harvey	Long	Shaw
Byers	Hattery	Love	Sjulin
Clark	Henningsen	Lundy	Stewart
Cromwell	Hess	Lynes	Turner
Dykhouse	Hill	Martin	Vittetoe
Emerson	Hunt	Mercer	Vrba
Faul	Johnson	Miller	Watson
Findlay	Jones	Mowry	Zastrow
Fuller	Keir	Pine	Zeigler
Goode			

Nays, none.

Absent or not voting, 9:

Benson	Elthon	Foster	Reilly
Berg	Evans	Pelzer	Whitehill
Clem			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended 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 Martin, Senate File 31, a bill for an act to amend chapter eighty-six (86), Code, 1939, relating to fish and game conservation, to prohibit the killing, injuring or interfering with carrier pigeons, and providing for a penalty for violation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Zastrow offered the following amendment and moved its adoption:

Amend Senate File 31 by adding the words "knowing it to be such" after the words "carried pigeon" in line four (4).

The amendment was lost.

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, 37:

Bekman	Findlay	Henningsen	Martin
Benson	Foster	Hess	Mercer
Byers	Fuller	Hill	Miller
Clem	Goode	Jones	Mowry
Dykhouse	Hart	Keir	Pine
Emerson	Harvey	Leo	Reilly
Faul	Hattery	Lynes	Schluter

Shaw  
Sjulin  
Stewart

Turner  
Vittetoe

Vrba  
Watson

Whitehill  
Zeigler

Nays, 5:

Augustine  
Cromwell

Long

Love

Zastrow

Absent or not voting, 8:

Berg  
Clark

Elthon  
Evans

Hunt  
Johnson

Lundy  
Pelzer

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 Harvey, Senate File 71, a bill for an act to legalize proceedings of the board of supervisors of Monona county, Iowa, for account of Haitz Drainage District Number 17 in said county with respect to the levy of supplemental and additional assessments to pay the cost of improvements in and for said drainage district and with respect to the issuance of bonds for account of said drainage district in anticipation of the collection of the unpaid portion of said assessments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Harvey asked and received unanimous consent to substitute House File 134, a bill for an act to legalize proceedings of the board of supervisors of Monona county, Iowa, for account of Haitz Drainage District Number 17 in said county with respect to the levy of supplemental and additional assessments to pay the cost of improvements in and for said drainage district and with respect to the issuance of bonds for account of said drainage district in anticipation of the collection of the unpaid portion of said assessments, for Senate File 71.

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, 45:

Augustine  
Bekman  
Benson  
Berg

Byers  
Clem  
Cromwell  
Dykhous

Evans  
Faul  
Findlay  
Foster

Fuller  
Goode  
Hart  
Harvey

Hattery	Long	Mowry	Stewart
Henningsen	Love	Pelzer	Turner .
Hess	Lundy	Pine	Vittetoe
Hill	Lynes	Reilly	Vrba
Hunt	Martin	Schluter	Watson
Jones	Mercer	Shaw	Zastrow
Keir	Miller	Sjulin	Zeigler
Leo			

Nays, none.

Absent or not voting, 5:

Clark	Emerson	Johnson	Whitehill
Elthon			

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

Senator Harvy moved that the 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, Senate File 72, a bill for an act to legalize proceedings of the board of supervisors of Monona county, Iowa, for account of Farmers and Garretson Drainage District in said county with respect to the levy of assessments to pay the cost of improvements in and for said drainage district and with respect to the issuance of bonds for account of said drainage district in anticipation of the collection of the unpaid portion of said assessments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Harvey asked and received unanimous consent to substitute House File 135, a bill for an act to legalize proceedings of the board of supervisors of Monona county, Iowa, for account of Farmers and Garretson Drainage District in said county with respect to the levy of assessments to pay the cost of improvements in and for said drainage district and with respect to the issuance of bonds for account of said drainage district in anticipation of the collection of the unpaid portion of said assessments, for Senate File 72.

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, 47:

Augustine	Findlay	Leo	Schluter
Bekman	Fuller	Long	Shaw
Benson	Goode	Love	Sjulin
Berg	Hart	Lundy	Stewart
Byers	Harvey	Lynes	Turner
Clark	Hattery	Martin	Vittetoe
Clem	Henningsen	Mercer	Vrba
Cromwell	Hess	Miller	Watson
Dykhouse	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Evans	Jones	Pine	Zeigler
Faul	Keir	Reilly	

## Nays, none.

## Absent or not voting, 3:

Elthon	Foster	Johnson
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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 Harvy moved that the 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 80, a bill for an act to amend the law as it appears in section fifty-seven hundred one (5701), Code, 1939, relating to civil service in certain cities and providing the qualifications of applicants for appointment in any department connected with the inspection of milk or dairies, 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 Senate File 80 by striking section one (1) and substituting therefor the following:

"Section 1. Section fifty-seven hundred one (5701), Code, 1939, is amended by striking the period at the end of subsection one (1) immediately following the word "department", and adding thereto the following: ", and for the years 1943 and 1944, such residence in the city shall not be a necessary qualification for appointment as inspectors or technicians in any manner connected with milk or dairy inspection."

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, 46:**

Augustine	Fuller	Leo	Schluter
Bekman	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Martin	Turner
Clem	Henningsen	Mercer	Vittetoe
Cromwell	Hess	Miller	Vrba
Dykhousé	Hill	Mowry	Watson
Emerson	Hunt	Pelzer	Whitehill
Evans	Johnson	Pine	Zastrow
Faul	Jones	Reilly	Zeigler
Findlay	Keir		

**Nays, none.****Absent or not voting, 4:**

Benson	Elthon	Foster	Lynes
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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.

On motion of Senator Goode, House File 30, a bill for an act to amend section one (1) of chapter one hundred seventy-eight (178), acts of the Forty-ninth General Assembly, relating to the maximum loads on motor trucks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Goode moved that the bill be read a third 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	Fuller	Leo	Schluter
Bekman	Goode	Long	Shaw
Benson	Hart	Love	Sjulin
Berg	Harvey	Lundy	Stewart
Clem	Hattery	Martin	Turner
Cromwell	Henningsen	Mercer	Vittetoe
Dykhousé	Hess	Miller	Vrba
Emerson	Hill	Mowry	Whitehill
Evans	Hunt	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir	Reilly	

**Nays, 2:**

Johnson	Watson
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**Absent or not voting, 5:**

Byers	Elthon	Foster	Lynes
Clark			

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

On motion of Senator Dykhousé, House File 42, a bill for an act to amend chapter eighty-six and one-tenth (86.1), Code, 1939, relating to fish and game licenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhousé moved that the bill be read a third 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	Goode	Long	Schluter
Bekman	Hart	Love	Shaw
Benson	Harvey	Lundy	Sjulin
Berg	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dykhousé	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Whitehill
Evans	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler
Foster	Leo		

Nays, none.

Absent or not voting, 4:

Byers	Elthon	Faul	Fuller
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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 Dykhousé moved that the 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 Dykhousé, House File 46, a bill for an act to repeal section seventeen hundred ninety-four and fifty-seven thousandths (1794.057), Code, 1939, relating to agents of licensed fur dealers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhousé moved that the bill be read a third 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	Foster	Long	Schluter
Bekman	Fuller	Love	Shaw
Berg	Goode	Lundy	Sjulin
Byers	Hart	Lynes	Stewart
Clark	Harvey	Martin	Turner
Clem	Hattery	Mercer	Vittetoe
Cromwell	Henningsen	Miller	Vrba
Dykhouse	Hess	Mowry	Watson
Emerson	Hill	Pelzer	Whitehill
Evans	Hunt	Pine	Zastrow
Faul	Keir	Reilly	Zeigler
Findlay	Leo		

Nays, none.

Absent or not voting, 4:

Benson	Elthon	Johnson	Jones
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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 Dykhouse moved that the 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 Hattery took the chair at 11:16 a. m.

On motion of Senator Bekman, House File 79, a bill for an act to amend sections sixty-three (63), four hundred twenty-nine (429), five thousand one hundred thirteen (5113), five thousand two hundred twenty-eight (5228), five thousand four hundred sixty-six (5466), five thousand six hundred twenty-four (5624), five thousand seven hundred ninety-one (5791), five thousand eight hundred thirteen and one tenth (5813.1), five thousand eight hundred thirteen and two tenths (5813.2), six thousand two hundred seventy-eight and one tenth (6278.1), six thousand three hundred twenty-seven (6327), six thousand four hundred thirty (6430), six thousand four hundred seventy-nine (6479), six thousand four hundred eighty-one (6481), six thousand five hundred seventeen (6517), six thousand five hundred eighty-seven (6587), six thousand six hundred one (6601), six thousand six hundred nine (6609), six thousand six hundred thirty-five (6635), six thousand six hundred ninety-one (6691), six thousand seven hundred eighty-two (6782), six thousand eight hundred nine (6809), six thousand eight hundred eighteen (6818), six thousand eight hundred nineteen (6819), twelve thousand seven hundred seventy-two and one tenth (12772.1), Code, 1939, all relating to a state census, 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, 45:

Augustine	Fuller	Long	Schluter
Bekman	Hart	Love	Shaw
Byers	Harvey	Lundy	Sjulin
Berg	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dykhouse	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Whitehill
Faul	Keir	Pine	Zastrow
Findlay	Leo	Reilly	Zeigler
Foster			

Nays, none.

Absent or not voting, 5:

Benson	Emerson	Goode	Jones
Elthon			

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

On motion of Senator Dykhouse, House File 103, a bill for an act to amend section one thousand seven hundred ninety-four and twenty-nine thousandths (1794.029), Code, 1939, relating to catfish season, size of large-mouth bass, size of wall-eyed pike, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhouse moved that the bill be read a third 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	Fuller	Leo	Schluter
Bekman	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Clark	Harvey	Lundy	Stewart
Clem	Hattery	Lynes	Turner
Cromwell	Henningsen	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Emerson	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
Faul	Johnson	Pelzer	Zastrow
Findlay	Jones	Pine	Zeigler
Foster	Keir	Reilly	

Nays, none.

Absent or not voting, 3:

Benson Byers Elthon

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

Senator Dykhouse moved that the 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 Long, House File 106, a bill for an act to appropriate from the general fund of the state of Iowa for the period beginning March 15, 1943, and ending June 30, 1943, emergency funds for the department of health, of the state of Iowa, for the division of vital statistics, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Long moved that the bill be read a third 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	Goode	Long	Schluter
Bekman	Hart	Love	Shaw
Berg	Harvey	Lundy	Sjulin
Byers	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dykhouse	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Whitehill
Findlay	Jones	Pine	Zastrow
Foster	Keir	Reilly	Zeigler
Fuller	Leo		

Nays, none.

Absent or not voting, 4:

Benson Elthon Emerson Faul

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 Bekman, Senate File 60, a bill for an act to amend section three thousand three hundred ninety-five

(3395), of chapter one hundred sixty-nine (169), Code, 1939; and to repeal sections three thousand three hundred ninety-nine (3399), three thousand four hundred (3400), and three thousand four hundred one (3401), of chapter one hundred sixty-nine (169), Code, 1939, relating to the support of patients committed to the sanatorium, and to substitute in lieu thereof all provisions of chapter one hundred seventy-eight (178), Code, 1939, 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 60 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three thousand three hundred ninety-nine (3399), Code, 1939, is amended by striking all of the first three (3) lines and inserting in lieu thereof the following:

'Each county shall be liable to the state for the support in the state sanatorium of all patients having a legal settlement in that county, and the state shall be liable for such support when such patients have no legal settlement in this state, or when such settlement is unknown'."

Also amend the title by substituting in lieu thereof the following:

"An act to amend section three thousand three hundred ninety-nine (3399), Code, 1939, relating to the liability for support by counties for patients in the state sanatorium."

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, 46:

Augustine	Fuller	Leo	Reilly
Bekman	Goode	Long	Schluter
Berg	Hart	Love	Shaw
Byers	Harvey	Lundy	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Cromwell	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Watson
Faul	Johnson	Pelzer	Zastrow
Findlay	Jones	Pine	Zeigler
Foster	Keir		

Nays, none.

Absent or not voting, 4:

Benson	Elthon	Evans	Whitehill
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The bill having received a constitutional majority was declared to have passed the Senate 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.

On motion of Senator Hart, House File 28, a bill for an act to amend section nine thousand one hundred and eighty-three and one-tenth (9183.1), Code, 1939, relating to investment of funds of state banks, savings banks, and trust companies, 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, 48:

Augustine	Foster	Keir	Reilly
Bekman	Fuller	Leo	Schluter
Berg	Goode	Long	Shaw
Byers	Hart	Love	Sjulin
Clark	Harvey	Lundy	Stewart
Clem	Hattery	Lynes	Turner
Cromwell	Henningsen	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Emerson	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
Faul	Johnson	Pelzer	Zastrow
Findlay	Jones	Pine	Zeigler

Nays, none.

Absent or not voting, 2:

Benson                      Elthon

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

Senator Byers took the chair at 11:52 a. m.

On motion of Senator Hattery, Senate File 37, a bill for an act to repeal section five thousand two hundred twenty-seven (5227) of the Code of Iowa, 1939, and to enact in lieu thereof a bill providing that the board of supervisors shall fix the annual salary to be paid to all deputy sheriffs, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hess offered the following amendment and moved its adoption:

Amend Senate File 37 by adding the words "Le Mars Sentinel" after the word "in" in line 4, section two (2), and the word "Le Mars" after the word "at" in line 5, section two (2).

Senator Hess asked and received unanimous consent to correct the amendment to read "section three (3)" in both instances, instead of "section two (2)".

The amendment was adopted.

Senator Hart took the chair at 11:54 a. m.

Senator Byers offered the following amendment by Senators Byers and Cromwell and moved its adoption:

Amend Senate File 37 by adding to section 1 the following: "Provided, however, that the minimum salary for deputy sheriffs shall not be less than fourteen hundred dollars (\$1400) per annum."

President Blue took the chair at 12:00 o'clock noon.

Senator Byers offered the following amendment to the amendment by Senators Byers and Cromwell and moved its adoption:

Amend line two by inserting after the word "for" the following: "full time".

The amendment to the amendment was adopted.

Roll call was demanded on the amendment as amended.

On the question "Shall the amendment as amended be adopted?" the vote was:

Ayes, 10:

Berg	Foster	Hattery	Martin
Byers	Hart	Leo	Pine
Cromwell	Harvey		

Nays, 36:

Bekman	Goode	Love	Sjulin
Clark	Henningsen	Lundy	Stewart
Clem	Hess	Lynes	Turner
Dykhouse	Hill	Miller	Vittetoe
Emerson	Hunt	Mowry	Vrba
Evans	Johnson	Pelzer	Watson
Faul	Jones	Reilly	Whitehill
Findlay	Keir	Schluter	Zastrow
Fuller	Long	Shaw	Zeigler

Absent or not voting, 4:

Augustine	Benson	Elthon	Mercer
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The amendment was lost.

Senator Hattery moved that the bill be read a third 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	Findlay	Johnson	Reilly
Bekman	Foster	Keir	Schluter
Berg	Fuller	Leo	Shaw
Byers	Goode	Long	Sjulin
Clark	Hart	Love	Stewart
Clem	Harvey	Martin	Turner
Cromwell	Hattery	Mercer	Vittetoe
Dykhousé	Henningsen	Miller	Vrba
Emerson	Hess	Mowry	Whitehill
Evans	Hill	Pelzer	Zastrow
Faul	Hunt	Pine	Zeigler

Nays, 1:

Watson

Absent or not voting, 5:

Benson	Jones	Lundy	Lynes
Elthon			

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

Senator Hattery moved that the 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 61, a bill for an act authorizing certain cemetery officers to attend meetings of cemetery officials and subscribe to periodicals devoted exclusively to cemetery management, and providing for certain expenses relative thereto.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 100, a bill for an act to amend section ten thousand six hundred fifty-seven (10657), Code, 1939, relating to the territorial jurisdiction of municipal courts.

Read first and second times, is ready for commitment and amendment, and passed on file.

### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 10, 13, 35, 56, and 73.

ROBERT C. REILLY, *Chairman Senate Committee.*  
E. L. EDWARDS, *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 10, 13, 35, 56, and 73.

#### BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 10th day of February, 1943, sent to the governor for his approval: Senate Files 10, 13, 35, 56, and 73.

ROBERT C. REILLY, *Chairman.*

Passed on file.

#### BILLS ASSIGNED TO COMMITTEES

President Blue announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 203	Agriculture 2.
S. F. 204	Ways and Means.
S. F. 205	Cities and Towns.
S. F. 206	Conservation.
S. F. 207	County and Township Affairs.
S. F. 208	Agriculture 1.
S. F. 209	Judiciary 2.
S. F. 210	National Defense Coordination.
S. F. 211	Motor Vehicles.
S. F. 212	Conservation.
S. F. 213	Military Affairs.
S. F. 214	Ways and Means.
H. F. 61	Cities and Towns.
H. F. 100	Judiciary 2.

#### REPORTS OF COMMITTEES

Senator Clark submitted the following report:

MR. PRESIDENT: Your committee on income tax reduction, to which



was referred Senate File 22, a bill for an act relating to sections 6943.057, 6943.045, 6943.046, 6943.068, income tax returns, individual fiduciary and corporations, begs leave to report it has had the same under consideration and recommends the same do pass.

C. L. CLARK, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on income tax reduction, to which was referred Senate File 82, a bill for an act to amend sections 6943.041 and 6943.042, Code, 1939, relating to allowable deductions on gross income and computing that income for taxation purposes by adding deduction provisions for medical care, begs leave to report it has had the same under consideration and recommends the same do pass.

C. L. CLARK, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on income tax reduction, to which was referred House File 7, a bill for an act relating to the computation of income tax returns, begs leave to report it has had the same under consideration and recommends the same do pass.

C. L. CLARK, *Chairman*.

Ordered passed on file.

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 43, a bill for an act fixing the period of limitations within which actions may be begun with respect to certain claims arising out of federal statutes, when no period of limitation is prescribed therein, 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 43 as found on page 263 of the Senate Journal of Wednesday, February 3, 1943.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 122, a bill for an act to legalize action of board of supervisors of Woodbury county in making expenditures from poor fund for repairs and remodeling of office building used by poor relief offices, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 136, a bill for an act to legalize the action of the board of supervisors of Worth county, Iowa, in making expenditures from the Worth County Maintenance and Construction funds for the purpose of paying workmen's compensation insurance, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 154, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and adoption of the amended and substituted articles of incorporation of the Continental Amusement Company and to provide for the renewal of the charter of said Continental Amusement Company, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 53, a bill for an act to amend section 3786 relating to powers of state board of parole to parole persons after commitment to state penal institutions, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 169 by striking all of section three (3) and inserting in lieu thereof:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Police Gazette, a magazine published at New York, New York, and College Humor, a magazine published at New York, New York, and Esquire, a magazine published at New York, New York.

GEORGE FAUL.

DEVERE WATSON.

Amend Senate File 186 by adding a new paragraph as follows:

"This act shall apply to cities acting under special charter."

FRANK D. MARTIN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 11, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Father A. Poekes, pastor of the St. Lawrence Catholic church, Carroll.

## LEAVE OF ABSENCE

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

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hess, from the county officers of Plymouth county, favoring an increase in salary for county officers.

By Senator Martin, from residents of Scott county, in opposition to certain labor legislation.

By Senator Reilly, from residents of Dubuque county, in opposition to certain labor legislation.

By Senator Whitehill, from residents of Marshall county, favoring aid to dependent children; also favoring local option.

By Senator Vrba, from members of the American Legion of Decorah, favoring aid to dependent children.

By Senator Watson, from residents of Pottawattamie county, in opposition to certain labor legislation.

By Senator Hattery, from residents of Story county, favoring local option.

## INTRODUCTION OF BILLS

Senate File 215, by Senator Hess (Ritchie), a bill for an act to amend section seven hundred thirt-eight (738), Code, 1939, as to the compensation of members of election boards.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 216, by Senator Mowry, a bill for an act to amend chapter one hundred forty-eight (148), Code, 1939, relating to adulteration of foods; to provide for the sale of milk as a beverage in bottles and providing a penalty for violation.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 217, by Senator Hattery, a bill for an act to amend chapter two hundred fifty-one and one-tenth (251.1), Code, 1939, section five thousand one and eighteen hundredths (5001.18) of said chapter, Code, 1939, and section five thousand twelve and five hundredths (5012.05) of said chapter, Code, 1939, relating to the re-assignment of registration plates, the issuance of distinctive emblems in place of new registration plates and providing for the display of said emblems, and approving such emblems heretofore issued.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 218, by Senator Hattery, a bill for an act to amend chapter two hundred fifty-one and one tenth (251.1), Code, 1939, and to amend section five thousand thirteen and sixteen hundredths (5013.16), in said chapter, Code, 1939; to repeal section five thousand thirteen and twenty-one hundredths (5013.21), in said chapter, Code, 1939, and enact a substitute therefor relating to fees for licenses for operation of motor vehicles, extending the expiration date of such licenses and providing for issuance of licenses without examination.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 219, by Senator Hattery, a bill for an act to amend chapter two hundred fifty-one and one-tenth (251.1), Code, 1939, by providing for the taking of samples of blood or urine of one arrested for or charged with operating a motor vehicle while intoxicated and for the admissibility of evidence with reference thereto.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 220, by Senator Johnson, a bill for an act to amend section eight thousand five hundred ninety-three (8593), Code, 1939, relating to the amendment of articles of incorporation of corporations not for pecuniary profit.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 221, by committee on conservation, a bill for an act to amend section one thousand seven hundred three and fifty hundredths (1703.50), Code, 1939, by adding a sub-section pertaining to the specific powers of the state conservation commission.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 222, by committee on judiciary 2, a bill for an act to co-ordinate certain statutes relating to departments under the control of the state board of library trustees.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 223, by Senators Byers, Martin, Clem and Faul, a bill for an act to provide an increase in compensation of members of the board of supervisors in counties having a population of more than eighty thousand (80,000).

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 224, by Senator Evans, a bill for an act to amend section five thousand ninety-three and twenty-nine hundredths (5093.29), Code, 1939, relating to motor vehicle fuel tax refunds, to permit claimants to substitute verified copies of invoices in place of lost original invoices when making claim for refund.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 225, by committee on child welfare, a bill for an act to create a new chapter to follow immediately after chapter one hundred eighty-one and five-tenths (181.5), Code, 1939, to be known as Children's Day Nurseries, relating to day nurseries; relating to definition of person and agency, as contained in said chapter; relating to definition of day nurseries; relating to the

location of day nurseries; relating to the power of the state department of social welfare to license day nurseries; relating to the conditions governing the granting of such licenses; relating to a license being required; relating to form of license; relating to record of license; relating to tenure of license; relating to revocation of license; relating to charges, findings and notice in connection with the revocation of license; relating to appeal, pleadings on appeal, hearing on appeal and trial on appeal; relating to rules and regulations by the state department of social welfare; relating to registration and records; relating to the duty of a licensee; relating to inspection of day nurseries; relating to record of inspections and time of inspections of day nurseries; relating to inspection by the state department of health and local boards of health; relating to duty of licensee to aid in such inspection; relating to prohibition of assumption of care and custody of a child in day nurseries; relating to burden of proof of licensee with reference to relationship between child and licensee; relating to penalty for violation of any of the provisions of the chapter.

Read first and second times, is ready for commitment and amendment, and placed on calendar.

Senate File 226, by committee on child welfare, a bill for an act to amend and revise section three thousand four hundred twenty-four (3424), 1939 Code of Iowa, relating to the examination of alleged feeble-minded persons by a commission.

Read first and second times, is ready for commitment and amendment, and placed on calendar.

Senate File 227, by Senators Shaw and Evans, a bill for an act to amend chapter fifteen (15) and chapter thirteen (13), Code, 1939, relating to the preparation of the laws, acts and joint resolutions passed at each session of the General Assembly, transferring the preparation and indexing of the laws, acts and joint resolutions passed at each session of the General Assembly from the superintendent of printing to the reporter of the supreme court and code editor.

Read first and second times, is ready for commitment and amendment, and passed on file:

Senate File 228, by Senator Hill, a bill for an act to amend chapter five hundred five (505), Code, 1939, relating to the dis-

position of property by will by persons in the military or naval service of the United States.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 229, by Senator Bekman, a bill for an act to control the disease of trichinosis in hogs fed upon garbage collected from homes and public places.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 230, by Senators Sjulín, Emerson, Evans, Harvey, Miller, Pelzer, Love, Turner and Watson, a bill for an act to encourage the development of the undeveloped mineral resources of the state of Iowa, and to make an appropriation to the person, firm, or group for the first producing oil well in Iowa.

Read first and second times, is ready for commitment and amendment, 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 157, a bill for an act relating to income tax.

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

Senate Concurrent Resolution 13 memorializing Congress to create a pharmacy corps in the United States army.

A. C. GUSTAFSON, *Chief Clerk*.

Senator Faul asked and received unanimous consent to withdraw the amendment filed by him to Senate File 169 and found on page 358 of the Senate Journal.

#### THIRD READING OF BILLS

On motion of Senator Faul, House File 225, a bill for an act to amend chapter four hundred ninety (490), relating to publication of notice of filing petition in commencement of actions in district court, and section eleven thousand four hundred thirty-nine (11439), relating to assignment of cases, motions and demurrers, and to amend section eleven thousand four hundred

forty-one (11441), relating to court calendar, and to amend section ten thousand eight hundred thirty-seven (10837), relating to filing fees, and to amend section eleven thousand three hundred forty-nine (11349), all of the Code, 1939, relating to proof of publication, and to provide for publication in a daily newspaper of general circulation of the title of district court cases and all related matters, and the compensation therefor, in all counties having a population of one hundred thousand or over, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend House File 225 as follows:

Amend section one (1) by inserting after the word "hundred" in line five (5) the word "sixty".

Amend section two (2) by inserting after the word "hundred" in line five (5) the word "sixty".

Amend section four (4) by inserting after the word "hundred" in line three (3) the word "sixty".

Amend the title by inserting after the word "hundred" in the last line thereof the word "sixty".

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, 42:

Augustine	Findlay	Jones	Reilly
Bekman	Fuller	Keir	Schluter
Benson	Goode	Leo	Shaw
Byers	Hart	Long	Sjulin
Clark	Harvey	Love	Stewart
Clem	Hattery	Lynes	Vittetoe
Cromwell	Henningsen	Martin	Vrba
Dykhouse	Hess	Mowry	Watson
Emerson	Hill	Pelzer	Zastrow
Evans	Hunt	Pine	Zeigler
Faul	Johnson		

Nays, none.

Absent or not voting, 8:

Berg	Foster	Mercer	Turner
Elthon	Lundy	Miller	Whitehill

The bill having received a constitutional majority was declared to have passed the Senate 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 Lynes, Senate File 175, a bill for an act to amend the law as it appears in paragraphs 33, 34, and 35, section 3058 of the Code of Iowa, 1939, relating to the standard by weight of milk fat in ice cream, was taken up and considered.

Senator Lynes asked and received unanimous consent to substitute House File 216, a bill for an act to amend the law as it appears in paragraphs 33, 34 and 35, section three thousand fifty-eight (3058) of the Code of Iowa, 1939, relating to the standard by weight of milk fat in ice cream, for Senate File 175.

Senator Lynes moved that the bill be read a third 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	Findlay	Leo	Schluter
Bekman	Fuller	Long	Shaw
Benson	Hart	Love	Sjulin
Berg	Harvey	Lynes	Stewart
Byers	Hattery	Martin	Turner
Clark	Henningsen	Mercer	Vittetoe
Clem	Hess	Miller	Vrba
Cromwell	Hill	Mowry	Watson
Dykhous	Johnson	Pelzer	Whitehill
Emerson	Jones	Pine	Zastrow
Faul	Keir	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Elthon	Foster	Hunt	Lundy
Evans	Goode		

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

Senator Lynes moved that the 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 Dykhous, Senate File 184, a bill for an act to amend chapter eighty-six (86), Code, 1939, to provide legal method for handling beaver property damage on private and public lands, was taken up and considered.

Senator Dykhous moved that the bill be read a third 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	Hart	Long	Shaw
Benson	Harvey	Love	Sjulin
Byers	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dykhouse	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Whitehill
Findlay	Jones	Pine	Zastrow
Fuller	Keir	Reilly	Zeigler
Goode	Leo	Schluter	

Nays, none.

## Absent or not voting, 7:

Bekman	Elthon	Faul	Lundy
Berg	Evans	Foster	

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

Senator Dykhouse moved that the 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 36, a bill for an act to amend section four thousand six hundred forty-four and two hundredths (4644.02), Code, 1939, relating to the secondary road system, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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, 39:

Benson	Hattery	Love	Sjulin
Byers	Henningsen	Lynes	Stewart
Clark	Hess	Martin	Turner
Clem	Hill	Mercer	Vittetoe
Cromwell	Hunt	Miller	Vrba
Dykhouse	Johnson	Mowry	Watson
Emerson	Jones	Pelzer	Whitehill
Evans	Keir	Reilly	Zastrow
Findlay	Leo	Schluter	Zeigler
Harvey	Long	Shaw	

Nays, none.

## Absent or not voting, 11:

Augustine	Elthon	Fuller	Lundy
Bekman	Faul	Goode	Pine
Berg	Foster	Hart	

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 Hess, House File 45, a bill for an act to amend section ten thousand six hundred eighty-eight (10688), Code, 1939, in the statute relating to salaries of municipal court officers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hess moved that the bill be read a third 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:

Benson	Goode	Leo	Schluter
Berg	Hart	Long	Shaw
Byers	Harvey	Love	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Cromwell	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Whitehill
Faul	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler
Fuller			

Nays, none.

Absent or not voting, 5:

Augustine	Elthon	Foster	Lundy
Bekman			

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

On motion of Senator Turner, House File 52, a bill for an act to amend sections six thousand forty-four (6044), six thousand forty-five (6045), six thousand forty-seven (6047), six thousand forty-eight (6048), and four thousand seven hundred fifty-five and twenty-five hundredths (4755.25), and to repeal sections six thousand forty-six (6046) and six thousand forty-nine (6049), Code, 1939, all relating to the payment for improvements of extensions of primary roads in cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend House File 52 by striking the word "the" from line six (6) of section four (4).

The amendment was adopted.

Senator Turner moved that the bill be read a third 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	Findlay	Jones	Schluter
Benson	Fuller	Keir	Shaw
Berg	Goode	Leo	Sjulin
Clark	Hart	Long	Stewart
Clem	Harvey	Lynes	Turner
Cromwell	Hattery	Martin	Vittetoe
Dykhouse	Hess	Mercer	Watson
Emerson	Hill	Miller	Whitehill
Evans	Hunt	Mowry	Zastrow
Faul	Johnson	Pelzer	Zeigler

Nays, none.

Absent or not voting, 10:

Bekman	Foster	Lundy	Reilly
Byers	Henningsen	Pine	Vrba
Elthon	Love		

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

Senator Hattery moved that the 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 Pelzer, House File 144, a bill for an act to amend chapter one hundred fifty-eight (158), laws of the Forty-ninth General Assembly, relating to provisions for publication or posting of quarterly summaries of proceedings and expenditures of school districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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, 36:**

Augustine	Goode	Jones	Pelzer
Byers	Hart	Keir	Pine
Clark	Harvey	Long	Schluter
Clem	Hattery	Love	Shaw
Cromwell	Henningsen	Lynes	Sjulin
Dykhous	Hess	Martin	Vittetoe
Emerson	Hill	Mercer	Watson
Evans	Hunt	Miller	Zastrow
Faul	Johnson	Mowry	Zeigler

**Nays, 3:**

Findlay	Leo	Stewart
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**Absent or not voting, 11:**

Bekman	Elthon	Lundy	Vrba
Benson	Foster	Reilly	Whitehill
Berg	Fuller	Turner	

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 Love, Senate File 33, a bill for an act to amend section nine thousand forty-three (9043), Code, 1939, relating to returns to policyholders of associations transacting hail insurance business, 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, 43:**

Augustine	Faul	Keir	Schluter
Bekman	Goode	Leo	Shaw
Benson	Hart	Long	Sjulin
Berg	Harvey	Love	Stewart
Byers	Hattery	Lynes	Turner
Clark	Henningsen	Martin	Vittetoe
Clem	Hess	Mercer	Vrba
Cromwell	Hill	Mowry	Watson
Dykhous	Hunt	Pelzer	Whitehill
Emerson	Johnson	Pine	Zeigler
Evans	Jones	Reilly	

**Nays, none.**

Absent or not voting, 7:

Elthon  
Findlay

Foster  
Fuller

Lundy  
Miller

Zastrow

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 Hill took the chair at 11:18 a. m.

On motion of Senator Hess, Senate File 98, a bill for an act to amend sections ten thousand one hundred and sixty-one (10161) and ten thousand one hundred and sixty-two (10162), Code, 1939, relating to service of notice to terminate lease by land owner or tenant, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hess offered the following amendment and moved its adoption:

Amend Senate File 98 by striking all of said Senate File after the enacting clause and inserting in lieu thereof the following:

To strike the words in lines eleven (11) and twelve (12) in section ten thousand one hundred and sixty-one (10161), Code, 1939, "not later than November 1st."

To repeal section ten thousand one hundred and sixty-two (10162), Code, 1939, and inserting in lieu thereof the following:

Notice—How and when served.

1. Said written notice to be given by delivery of notice in person by one party to the other, with acceptance of service thereon and signed by the person receiving the notice, on or before November 1st.

2. Or served by any other person on behalf of either party as original notices are served, on or before November 1st.

3. Or by either party sending to the other a notice by registered mail with a return receipt demanded to their known address, such registered notice to be given at least five days before November 1st.

4. When a tenant can not be found in the county, the notice herein required may be served upon any sub-tenant or other person in possession of the premises or if the premises be vacant, by affixing the notice to any outside door of the dwelling house thereon, or other building, if there be no dwelling house, or in some conspicuous position on the premises if there be no building, on or before November 1st.

Senator Cromwell offered the following amendment to the amendment by Senator Hess and moved its adoption:

Amend the amendment by Senator Hess by striking the word "given" in the next to the last line of subsection 3 and inserting in lieu thereof the word "mailed".

The amendment to the amendment was adopted.

Senator Watson offered the following amendment to the amendment by Senator Hess and moved its adoption:

Amend the amendment by Senator Hess by striking from subsection 4 the word "any" in line four (4) thereof and by substituting the word "the" therefor. Also by striking the word "door" in line five of subsection 4.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Hess moved that the bill be read a third 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	Findlay	Keir	Shaw
Bekman	Fuller	Lynes	Stewart
Benson	Harvey	Martin	Turner
Byers	Henningesen	Mercer	Vrba
Clark	Hess	Miller	Watson
Cromwell	Hill	Reilly	Zastrow
Dykhouse	Jones	Schluter	Zeigler
Faul			

Nays, 11:

Clem	Hunt	Long	Pine
Goode	Johnson	Love	Whitehill
Hart	Leo	Mowry	

Absent or not voting, 10:

Berg	Evans	Lundy	Sjulin
Elthon	Foster	Pelzer	Vittetoe
Emerson	Hattery		

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

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

Senators Benson, Johnson and Pine offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION 16

*Whereas*, The Congress of the United States has before it for consideration, House Bill H. R. 1012 and Senate Bill 246 affecting air commerce; and,

*Whereas*, Air commerce (air lines) represents a minor part of civil

aviation and private flying and fixed base operations represent a major part of civil aviation whose operations are not interstate in character and therefore are of no concern of the federal government, the pending legislation would deny to the states their inherent rights to govern within their own state and would seriously jeopardize private flying and fixed base operations; and,

*Whereas*, By applying the intent of this legislation to other forms of transportation our national economy would be seriously affected; and,

*Whereas*, There is no immediate need for this legislation as the President of the United States is vested with full power under the defense act to regulate all aircraft, civilian or otherwise if necessary; and,

*Whereas*, Those men who are serving their country in the various branches of service are unable to voice their sentiments or opinions on this proposed legislation at this time, and they are the persons who have contributed more to the development of aviation and are entitled to their place in aeronautics when and if they return from active duty; and,

*Whereas*, There is ample time for such legislation to be considered in the future since consideration has not been given future developments and improvements which will change methods now used in the regulation of aircraft; now, therefore,

*Be It Resolved*, That the State Legislature of Iowa respectfully requests that no action be taken on the above mentioned bills or any similar bill or bills by Congress until the present war is over and peace is established.

*Be It Further Resolved*, That a copy of this resolution be forwarded to the Clerk of the United States Senate, the Clerk of the United States House of Representatives, the Clerk of the Interstate and Foreign Commerce Committee of Congress and to each of the Iowa Senators and Representatives in Congress.

Senators Hattery and Henningsen offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION 17

*Be It Resolved by the Senate, the House of Representatives Concurring:*

*Whereas*, The federal government in the levying of a tax on gasoline and upon automotive units has invaded a field of taxation heretofore exclusively reserved to the states, and

*Whereas*, There has never been any direct relationship between such federal taxes and federal aid to the states for highway purposes, and

*Whereas*, It appears that normal federal aid for highways may not be continued beyond the end of the present fiscal year, and

*Whereas*, Gasoline rationing has drastically and seriously reduced state revenues for highway purposes, and

*Whereas*, The federal government has sources of revenue not available to the state, therefore

*Be It Resolved That the Senate of the State of Iowa, the House of Representatives Concurring*, Do memorialize the Congress of the United States to take action necessary to effect the retirement of the federal



government from the field of automotive taxation, with special reference to the tax on gasoline and the use tax on automotive units, and that a copy of this resolution be sent to each United States Senator and Congressman from Iowa.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 75 and 157 and House Files 11, 18, 32, 69, 87, and 162.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 75 and 157, and House Files 11, 18, 32, 69, 87, and 162.

#### BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 11th day of February, 1943, sent to the governor for his approval, Senate Files 75 and 157. ROBERT C. REILLY, *Chairman.*

Passed on file.

#### COMMUNICATION FROM THE STATE APPEAL BOARD

Des Moines, Iowa.

February 11, 1943.

MR. W. J. SCARBOROUGH,  
Secretary of the Senate,  
Building.

Dear Mr. Scarborough:

We are submitting to you for transmittal to the chairman of the claims committee the following claims, which have been investigated by the attorney general's office and upon which the appeal board has made certain recommendations in each case:

W. O. Carson, burial of old age recipient, \$100.00, approved.

Foster Funeral Home, Webster City, Iowa, burial of old age recipient, \$75.00, approved.

Adelbert Vogl, Des Moines, Iowa, rebate on beer license, \$125.00, approved.

City of Newton, Newton, Iowa, return from sinking fund of money deposited beyond legal limit in closed bank, \$4,526.41, not approved.

Roberts & Evans, Knoxville, Iowa, burial of old age recipient, \$100.00, approved.

Leland Rouse, injury at Ft. Madison, \$1,000.00, not approved.

George W. Newcom, Denison, Iowa, rental of building for WPA work, \$18.00, not approved.

Blanche Gillum, Des Moines, Iowa, fall at office of Iowa unemployment compensation commission, \$1,618.85, not approved.

Very truly yours,

STATE APPEAL BOARD.

C. FRED PORTER, *Chairman.*

W. G. C. BAGLEY,

CHET B. AKERS, *Members.*

### ADDITIONAL COPIES

Senator Bekman asked and received unanimous consent to have 200 additional copies of Senate File 229 printed.

President Blue took the chair at 11:58 a. m.

### EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate, in executive session, confirmed the following appointments:

P. F. Hopkins, of Cerro Gordo county, as a member of the board of control, for the term ending June 30, 1949.

Frank W. Mattes, of Sac county, as a member of the conservation commission, for the unexpired term ending June 30, 1943.

Frank W. Mattes, of Sac county, as a member of the conservation commission, for the term ending June 30, 1949.

Mrs. Addison Parker, of Polk county, as a member of the conservation commission, for the term ending June 30, 1949.

Richard H. Plock, of Des Moines county, as a member of the board of education, for the term ending June 30, 1949.

W. Earl Hall, of Cerro Gordo county, as a member of the board of education, for the term ending June 30, 1949.

Lester S. Gillette, of Dickinson county, as a member of the board of education, for the term ending June 30, 1949.

Carl B. Stiger, of Tama county, as a member of the employment security commission, for the term ending June 30, 1949.

The Senate arose from executive session and resumed regular session.

#### SECRETARY'S COMMUNICATION TO GOVERNOR

The Secretary of the Senate reports that he has advised the governor of the confirmation by the Senate in executive session of the foregoing appointments.

#### BILLS ASSIGNED TO COMMITTEES

President Blue announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 215	Compensation of Public Officers.
S. F. 216	Public Health.
S. F. 217	Motor Vehicles.
S. F. 218	Motor Vehicles.
S. F. 219	Judiciary 2.
S. F. 220	Private Corporations.
S. F. 223	County and Township Affairs.
S. F. 224	Motor Vehicles.
S. F. 227	Judiciary 1.
S. F. 228	Judiciary 2.
S. F. 229	Agriculture 1.
S. F. 230	Appropriations 1.

#### REPORT OF JOINT COMMITTEE ON RULES

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

The committee on rules of the Senate and House of the Fiftieth General Assembly, having met jointly, beg leave to report that they have had the joint rules of the Senate and House under consideration and recommend that the joint rules of the Senate and House of the Forty-ninth General Assembly be adopted as the joint rules of the Senate and House of the Fiftieth General Assembly.

Respectfully submitted

FRANK C. BYERS, *Chairman.*  
*On the part of the Senate.*

A. H. AVERY, *Chairman.*  
*On the part of the House.*

## REPORTS OF COMMITTEES

Senator Miller submitted the following report:

**MR. PRESIDENT:** Your committee on departmental affairs, to which was referred House File 56, a bill for an act to amend section eighty-seven (87), Code, 1939, relating to the record of commissions filed with the secretary of state, begs leave to report it has had the same under consideration and recommends the same do pass.

*AI MILLER, Chairman.*

Ordered passed on file.

Senator Faul submitted the following report:

**MR. PRESIDENT:** Your committee on insurance, to which was referred Senate File 160, a bill for an act to amend section 8941, Code, 1939, relating to insurance and requirement of insurance companies, begs leave to report it has had the same under consideration and recommends the same do pass.

*GEORGE FAUL, Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on insurance, to which was referred Senate File 161, a bill for an act to amend chapter 408, title XX, Code, 1939, relating to bonds executed by reciprocal or inter-insurance exchanges and providing for the acceptance thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

*GEORGE FAUL, Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on insurance, to which was referred Senate File 176, a bill for an act to amend section 8940, Code, 1939, to authorize the writing of insurance against loss from additional hazards, begs leave to report it has had the same under consideration and recommends the same do pass.

*GEORGE FAUL, Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on insurance, to which was referred Senate File 181, a bill for an act to amend section 9029 and section 9046, Code, 1939, relating to insurance and policies of insurance on aircraft, begs leave to report it has had the same under consideration and recommends the same do pass.

*GEORGE FAUL, Chairman.*

Ordered passed on file.

Senator Zastrow submitted the following report:

**MR. PRESIDENT:** Your committee on railroads, to which was referred

Senate File 149, a bill for an act to amend section five thousand six hundred seventy-four (5674) relating to the acceptance by officers of cities and towns of free passes issued by railroad companies, begs leave to report it has had the same under consideration and recommends that the same do pass.

R. W. ZASTROW, *Chairman*.

Ordered passed on file.

Senator Hart submitted the following report:

MR. PRESIDENT: Your committee on banks and banking, to which was referred House File 214, a bill for an act to amend section nine thousand one hundred forty-four (9144), Code, 1939, relating to the payment of expenses of the department of banking of the state of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

STANLEY L. HART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking, to which was referred House File 215, a bill for an act to repeal section nine thousand one hundred seventy-six (9176), Code, 1939, and to amend section nine thousand one hundred seventy-seven (9177), Code, 1939, to place savings banks and trust companies on a parity with state banks and national banks with respect to receiving deposits, begs leave to report it has had the same under consideration and recommends the same do pass.

STANLEY L. HART, *Chairman*.

Ordered passed on file.

Senator Love submitted the following report:

MR. PRESIDENT: Your committee on election reform, to which was referred Senate File 23, a bill for an act to amend sections five hundred thirty-three (533), five hundred forty (540), five hundred forty-four (544), five hundred fifty-three (553), five hundred seventy-seven (577), five hundred ninety-one (591), six hundred sixteen (616), and six hundred thirty-four (634), Code, 1939, relating to the time of holding the primary election, changing the date from the first Monday in June to the first Tuesday in September and changing the time of the canvass of the votes and the holding of the county and state political conventions, begs leave to report it has had the same under consideration and returns the bill without recommendation.

H. S. LOVE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on election reform, to which was referred Senate File 63, a bill for an act to amend title IV, chapter 35, Code, 1939, relating to elections and officers, time of election and term of office limiting the number of supervisors that may be elected from terri-

tories of the county, begs leave to report it has had the same under consideration and recommends the same do pass. H. S. LOVE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on election reform, to which was referred House File 49, a bill for an act to amend sections nine hundred sixty-eight (968), nine hundred sixty-nine (969), and one thousand four (1004), Code, 1939, all relating to presidential electors, begs leave to report it has had the same under consideration and recommends the same do pass.

H. S. LOVE, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 204 by striking from line four (4) of section one (1) the word and figure "ten (10)" and by inserting in lieu thereof the word and figure "eleven (11)".

Further amend Senate File 204 by adding thereto a new section as follows:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Storm Lake Pilot Tribune, a newspaper published at Storm Lake, Iowa, and in the Eagle Grove Eagle, a newspaper published at Eagle Grove, Iowa."

G. R. HILL.

A. J. SHAW.

Amend Senate File 221 by adding thereto a new section as follows:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Buffalo Center Tribune, a newspaper published at Buffalo Center, Iowa, and the Wright County Monitor, a newspaper published at Clarion, Iowa." G. R. HILL.

Amend Senate File 104 by inserting after the word "agreement" and before the comma (,) in line nine (9) the following: "wherein he is named beneficiary".

GEORGE FAUL.

Amend Senate File 1 by striking the word "and" in line five (5) of section one (1) and by inserting before the word "or" in line six (6) of section one (1) the following:

"and for the board of education for repairs, replacements or alterations for the Iowa State College of Agriculture and Mechanic Arts by chapter 4 (H. F. 288) acts of the Forty-ninth General Assembly."

JOHN HATTERY.

Amend Senate File 156 as follows:

Amend the title to Senate File 156 by striking in line two (2) the words "by striking therefrom" and by inserting in lieu thereof the following: "relating to".

Further amend Senate File 156 by striking in section one 1 in line

two (2) commencing after the word "by" all of the rest of the section and by inserting in lieu thereof the following: "inserting after the word 'government' in line eight (8) of subparagraph numbered twelve (12) the following: 'except if the total payment to the individual for salary, traveling and subsistence expense is less than one thousand dollars the individual's name, residence, official title, salary, traveling and subsistence expense shall not be printed in the pamphlet'" J. BERG.

Amend Senate File 182 by adding thereto the following:

"Sec. 3. This act shall apply to cities acting under special charter."

FRANK D. MARTIN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 12, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. E. J. Carlson, pastor of the First Lutheran church, Ft. Dodge, and Past Chaplain of the Iowa Department of the American Legion.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Sjulín for the day on request of Senator Benson.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Watson, from residents of Pottawattamie county, favoring aid to dependent children.

By Senator Benson, from residents of Carroll county, favoring aid to dependent children.

By Senator Zastrow, from the county officers of Keokuk county, favoring an increase in salary for county officers.

By Senator Clem, from residents of Woodbury county, favoring a minimum of forty dollars per month for old age pensioners.

## INTRODUCTION OF BILLS

Senate File 231, by Senators Faul, Shaw, Bekman and Reilly, a bill for an act to amend section forty-one hundred seventy-nine (4179), Code, 1939, relating to transportation of school children in consolidated school corporations and to provide that an emergency exists and that during said emergency children enrolled in private schools shall also be furnished transportation, provided that no additional mileage shall be required to transport such children.

Read first and second times, is ready for commitment and amendment, and passed on file.



Senate File 232, by Senator Long, a bill for an act to amend section six thousand one hundred forty-seven (6147) of the Code, relating to trustees for public utility plants.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 233, by committee on agriculture 1, a bill for an act to amend section six thousand nine hundred forty-three and one hundred twenty-eight thousandths (6943.128), Code, 1939, relating to exemptions from chain store taxation by adding thereto agricultural seeds, fertilizer and twine.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 234, by Senator Goode, a bill for an act to amend section four thousand six hundred eighty-six and thirty-three hundredths (4686.33), Code, 1939, relating to funds for secondary road construction.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 235, by committee on banks and banking, a bill for an act to amend section nine thousand one hundred thirty-seven (9137), Code, 1939, relating to the method of determining salaries in the department of banking of the state of Iowa.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 236, by committee on public lands and buildings, a bill for an act to provide for the better preservation and usefulness of the archives of the state.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 237, by committee on child welfare, a bill for an act to amend section three thousand six hundred sixty-one and seventy-three thousandths (3661.073), 1939, Code of Iowa, relating to definition of a child-placing agency; to amend section three thousand six hundred sixty-one and seventy-four thousandths (3661.074), 1939 Code of Iowa, relating to the power of the state department of social welfare to license a child-placing agency; to amend and revise section three thousand six hun-

dred sixty-one and seventy-five thousandths (3661.075), 1939 Code of Iowa, relating to conditions attending such licensing and providing that no child-placing agency shall operate as a maternity home; to amend and revise section three thousand six hundred sixty-one and seventy-six thousandths (3661.076), 1939 Code of Iowa, relating to a license being required; to amend and revise section three thousand six hundred sixty-one and eighty-one thousandths (3661.081), 1939 Code of Iowa, relating to revocation of such license; to amend section three thousand six hundred sixty-one and eighty-two thousandths (3661.082), 1939 Code of Iowa, relating to written charges in connection with such revocation; to amend and revise section three thousand six hundred sixty-one and eighty-three thousandths (3661.083), 1939 Code of Iowa, relating to appeal from such revocation of license; to repeal section three thousand six hundred sixty-one and eighty-six thousandths (3661.086), 1939 Code of Iowa, relating to trial on appeal, to amend section three thousand six hundred sixty-one and eighty-seven thousandths (3661.087), 1939 Code of Iowa, relating to rules and regulations of the state department of social welfare; to amend section three thousand six hundred sixty-one and ninety thousandths (3661.090), 1939 Code of Iowa, relating to inspection of child-placing agencies; to amend section three thousand six hundred sixty-one and ninety-one thousandths (3661.091), 1939 Code of Iowa, relating to time of inspection; to amend and revise section three thousand six hundred sixty-one and ninety-two thousandths (3661.092), 1939 Code of Iowa, relating to inspection by other agencies than the state department of social welfare; to amend and revise section three thousand six hundred sixty-one and ninety-four thousandths (3661.094), 1939 Code of Iowa, relating to annual reports of child-placing agencies; to amend section three thousand six hundred sixty-one and ninety-six thousandths (3661.096), 1939 Code of Iowa, relating to care and custody of children; to amend and revise section three thousand six hundred sixty-one and one hundred thousandths (3661.100), 1939 Code of Iowa, relating to recovery by any person after child has been transferred to a child-placing agency; to amend and revise section three thousand six hundred sixty-one and one hundred three thousandths (3661.103), 1939 Code of Iowa, relating to authority of institutions to receive children; to amend and revise section three thousand six hundred sixty-one and one hundred four thousandths (3661.104), 1939 Code of Iowa, relating to the importation of children; to

amend and revise section three thousand six hundred sixty-one and one hundred five thousandths (3661.105), 1939 Code of Iowa, relating to a bond and conditions in regard to the importation of children; to amend section three thousand six hundred sixty-one and one hundred ten thousandths (3661.110), 1939 Code of Iowa, relating to exportation of children from the state; to create a new section to follow immediately after section three thousand six hundred sixty-one and one hundred twelve thousandths (3661.112), 1939 Code of Iowa, relating to supervision of, importation and exportation of children by the state department of social welfare.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 238, by Senators Shaw and Bekman, a bill for an act to amend section ten thousand two hundred eighty-six (10286), of the Code of Iowa, 1939, relating to priority of mechanic's liens by the mechanic.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 239, by Senators Faul, Berg, Watson, Hill, Bekman, Hart, Hattery, Lundy, Pine, Jones, Fuller and Zastrow, a bill for an act to provide for a system of aid to dependent children in the several counties of the state, together with state aid therefor; to prescribe the powers and duties of the state board of social welfare, the county board of social welfare, and of counties and their boards of supervisors with regard to such system of aid; to repeal sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one and one-tenth (3641.1), thirty-six hundred forty-two (3642), and thirty-six hundred forty-three (3643), Code of 1939, and any other acts or parts of acts in conflict with this act, and to make an appropriation to carry out the provisions of this act.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 240, by committee on national defense coordination, a bill for an act to provide for the protection of the lives and property of the people of the state of Iowa and to contribute to the national defense; to repeal chapter 75 of the acts of the 49th General Assembly; to provide for the creation of the legislative

committee on national defense coordination; to provide for the creation of the Iowa industrial and defense commission and defining its powers and duties; to provide for the creation of the office of coordinator of civilian defense; to provide for the creation of county and local defense councils and defining their powers and duties; to authorize county boards of supervisors and cities and towns, including special charter cities and cities under the commission form of government to appropriate money for civilian defense and to carry out the purposes of this act; to provide for limitation of liability of the state, cities, towns and counties and officials thereof; to legalize acts and expenditures of the Iowa industrial and defense commission and cities, towns, counties and school districts; to provide emergency war powers for the governor, to empower governing bodies of cities and towns, including special charter cities and cities under the commission form of government to enact ordinances pertaining to defense and the war effort; to provide for penalties for the unlawful display of lights and use of streets and alleys and highways without permission of the governor, state coordinator of defense or local defense corps ordering or proclaiming a blackout or practice blackout; to provide for increasing penalties for crimes committed during blackouts or practice blackouts and for larceny of property subject to rationing; to provide for coordination with regulations of the armed forces of the United States and providing for the appropriation of funds and the disbursement thereof to carry out the purposes of this act.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 241, by Senator Fuller, a bill for an act relating to the issuance and payment of county secondary road bonds; and to amend sections four thousand six hundred forty-four and ten hundredths (4644.10), four thousand six hundred forty-four and nine hundredths (4644.09), four thousand six hundred forty-four and twenty-three hundredths (4644.23), four thousand six hundred forty-four and thirty-one hundredths (4644.31), four thousand six hundred forty-four and thirty-two hundredths (4644.32), four thousand seven hundred fifty-three and seventeen hundredths (4753.17), four thousand seven hundred sixty-three (4763), and four thousand seven hundred sixty-five (4765), and to repeal sections four thousand seven hundred sixty-seven

(4767) and four thousand seven hundred seventy-three (4773), Code, 1939.

Read first and second times, is ready for commitment and amendment, and 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 has adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 15 providing for the March first recess.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Benson called up the following concurrent resolution and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 16

*Whereas*, The Congress of the United States has before it for consideration, House Bill H. R. 1012 and Senate Bill 246 affecting air commerce; and,

*Whereas*, Air commerce (air lines) represent a minor part of civil aviation and private flying and fixed base operations represent a major part of civil aviation whose operations are not interstate in character and therefore are no concern of the federal government, the pending legislation would deny to the states their inherent rights to govern within their own state and would seriously jeopardize private flying and fixed base operations; and,

*Whereas*, By applying the intent of this legislation to other forms of transportation our national economy would be seriously affected; and,

*Whereas*, There is no immediate need for this legislation as the President of the United States is vested with full power under the defense act to regulate all aircraft, civilian or otherwise if necessary; and,

*Whereas*, Those men who are serving their country in the various branches of service are unable to voice their sentiments or opinions on this proposed legislation at this time, and they are the persons who have contributed more to the development of aviation and are entitled to their place in aeronautics when and if they return from active duty; and,

*Whereas*, There is ample time for such legislation to be considered in the future since consideration has not been given future developments and improvements which will change methods now used in the regulation of aircraft; now, therefore,

*Be It Resolved*, That the State Legislature of Iowa respectfully requests that no action be taken on the above mentioned bills or any similar bill or bills by Congress, until the present war is over and peace is established.

*Be It Further Resolved*, That a copy of this resolution be forwarded to the Clerk of the United States Senate, the Clerk of the United States

House of Representatives, the Clerk of the Interstate and Foreign Commerce Committee of Congress and to each of the Iowa Senators and Representatives in Congress.

The motion prevailed and the resolution was adopted.

Senator Hattery called up the following concurrent resolution and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 17

*Be It Resolved by the Senate, the House of Representatives Concurring:*

*Whereas, The federal government in the levying of a tax on gasoline and upon automotive units has invaded a field of taxation heretofore exclusively reserved to the states, and*

*Whereas, There has never been any direct relationship between such federal taxes and federal aid to the states for highway purposes, and*

*Whereas, It appears that normal federal aid for highways may not be continued beyond the end of the present fiscal year, and*

*Whereas, Gasoline rationing has drastically and seriously reduced state revenues for highway purposes, and*

*Whereas, The federal government has sources of revenue not available to the state, therefore*

*Be It Resolved That the Senate of the State of Iowa, the House of Representatives Concurring, Do memorialize the Congress of the United States to take action necessary to effect the retirement of the federal government from the field of automotive taxation, with special reference to the tax on gasoline and the use tax on automotive units, and that a copy of this resolution be sent to each United States Senator and Congressman from Iowa.*

The motion prevailed and the resolution was adopted.

Senator Shaw called up the following concurrent resolution and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 8

*Whereas, Stock feeders in Iowa are finding it difficult and in many cases impossible to obtain oil meal, cotton seed meal, soy bean meal, tankage and similar feeds so necessary in the feeding and finishing live-stock for market; and,*

*Whereas, Where available these must generally be purchased if at all at increasingly exorbitant prices in mixtures and compounds generally known as commercial stock foods; and,*

*Whereas, The difficulty in obtaining these necessary feed substances, at reasonable prices in the usual forms, is seriously slowing down and discouraging the production of meat so necessary to the war effort; and*

*Whereas, It is being commonly asserted and believed that this situation does not arise from an actual shortage of these products so much as by manipulation and references which might be prevented and removed by national authority.*

*Be It Therefore Resolved by the Senate of the State of Iowa, the House of Representatives Concurring:* That we call upon the Congress of the United States to institute such investigation of this subject as may be necessary to determine the fact and fix blame, if any, and pass legislation, if any is required, to correct the situation complained of.

*Be It Further Resolved,* That copies of this resolution be transmitted to the Secretary of Agriculture and to each member of the Iowa Delegation in Congress.

The motion prevailed and the resolution was adopted.

Senator Leo called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 17

*Whereas,* Daylight working hours are a vital factor in the preparation and harvesting of crops, the feeding of farm animals, and the production of all farm commodities; and,

*Whereas,* The new war time known as daylight saving time since its establishment has proved to be wasteful, rather than time-saving; and,

*Whereas,* In these days of dire need every possible hour on the farm must be used for the production of vital foods; and,

*Whereas,* The factories engaged in war production are largely on a twenty-four hour per day basis and those not thus engaged are largely on a short day basis of work; and,

*Wheres,* Because of these conditions this change in time has not resulted in the saving of electric power and fuel; now therefore,

*Be It Resolved by the House, the Senate Concurring:* That we respectfully petition Congress of the United States to repeal the act known as "daylight saving time", Chapter 7, 2nd Session, Public Law 403, 77th Congress (S. 2160) which was approved by Congress January 20, 1942, and which establishes a standard time for the United States one hour earlier than mean astronomical time, and by this repeal permit agriculture to operate with a greater degree of efficiency.

*Be It Further Resolved,* That a copy of this resolution be sent to the two Iowa senators and the eight Iowa Members of the House of Representatives and that they be thus petitioned to use all their influence and best offices that this change in time may be made and put into effect before the heavy farm work season begins.

The motion prevailed and the resolution was adopted.

Senator Byers called up the following report and moved its adoption:

#### REPORT OF JOINT COMMITTEE ON RULES

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

The committee on rules of the Senate and House of the Fiftieth General Assembly, having met jointly, beg leave to report that they have

had the joint rules of the Senate and House under consideration and recommend that the joint rules of the Senate and House of the Forty-ninth General Assembly be adopted as the joint rules of the Senate and House of the Fiftieth General Assembly.

FRANK C. BYERS, *Chairman.*

A. H. AVERY, *Chairman.*

*On the part of the Senate.*

*On the part of the House.*

The motion prevailed and the resolution was adopted.

### THIRD READING OF BILLS

On motion of Senator Faul, Senate File 104, a bill for an act to authorize minors, who shall have attained the age of eighteen (18) years, to receive benefit payments of life insurance proceeds and to receipt therefor, 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 Senate File 104 by inserting after the word "agreement" and before the comma (,) in line nine (9) the following: "wherein he is named beneficiary".

Senator Faul offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Senator Faul by inserting after the word "agreement" and before the "," the words "or is otherwise entitled to the proceeds".

The amendment to the amendment was adopted.

The amendment as amended 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, 29:

Augustine	Hattery	Long	Shaw
Bekman	Henningsen	Love	Turner
Benson	Hess	Martin	Vittetoe
Clem	Hill	Mercer	Vrba
Cromwell	Johnson	Miller	Watson
Emerson	Jones	Reilly	Zastrow
Faul	Leo	Schluter	Zeigler
Harvey			

Nays, 15:

Byers	Findlay	Hunt	Pine
Clark	Fuller	Lynes	Stewart
Elthon	Goode	Mowry	Whitehill
Evans	Hart	Pelzer	



Absent or not voting, 6:

Berg	Foster	Lundy	Sjulin
Dykhouse	Keir		

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 Shaw, Senate File 117, a bill for an act to amend section eleven thousand nine hundred and sixty-four (11964), Code, 1939, relating to demands not yet due in an estate providing and adding that where the demands are secured by mortgage on real estate, the claim shall not be allowed unless the claimant proves that the security is inadequate, 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 Senate File 117 by striking all after the enacting clause and by substituting therefor the following:

"Section 1. Section eleven thousand nine hundred and sixty-four, Code, 1939, is amended by adding the following thereto: 'If a claim is filed on a demand not yet due, it may be paid by the estate at the same time it could have been paid if it had been due when filed.'"

Amend the title by striking the title and substituting therefor the following: "An act to amend section eleven thousand nine hundred and sixty-four (11964), Code, 1939, relating to demands not yet due in an estate and providing a time and method of payment thereof."

Senator Clark moved that action be deferred on Senate File 117 and that it retain its place on the calendar, which motion prevailed.

On motion of Senator Clem, Senate File 123, a bill for an act to legalize action of the board of supervisors of Woodbury county, in making expenditures from the court expense fund for the purpose of paying the salaries and expenses of officers and employees of the juvenile court of Woodbury county, 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:

Change the period (.) following the word "Iowa" in line six (6) of section five (5) to a comma (,) and add "such publication to be without expense to the state."

The amendment was adopted.

Senator Clem moved that the bill be read a third 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	Findlay	Jones	Schluter
Bekman	Foster	Leo	Shaw
Berg	Fuller	Long	Stewart
Byers	Goode	Love	Turner
Clark	Hart	Lynes	Vittetoe
Clem	Harvey	Martin	Vrba
Cromwell	Hattery	Mercer	Watson
Elthon	Henningsen	Miller	Whitehill
Emerson	Hill	Mowry	Zastrow
Evans	Hunt	Pine	Zeigler
Faul	Johnson	Reilly	

Nays, none.

Absent or not voting, 7:

Benson	Hess	Lundy	Sjulin
Dykhouse	Keir	Pelzer	

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

Senator Clem moved that the 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 Goode, Senate File 137, a bill for an act to amend section three thousand eight hundred twenty-eight and twenty-nine thousandths (3828.029), Code, 1939, in reference to a child's liability for funeral expenses for a recipient of old age assistance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Goode moved that the bill be read a third 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	Foster	Leo	Shaw
Bekman	Fuller	Long	Stewart
Benson	Goode	Lynes	Turner
Byers	Hart	Martin	Vittetoe
Clark	Harvey	Mercer	Vrba
Clem	Hattery	Mowry	Watson
Cromwell	Henningsen	Pine	Whitehill
Elthon	Hill	Reilly	Zastrow
Faul	Hunt	Schluter	Zeigler
Findlay	Johnson		

Nays, 1:

Emerson

Absent or not voting, 11:

Berg	Hess	Love	Pelzer
Dykhhouse	Jones	Lundy	Sjulin
Evans	Keir	Miller	

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

Senator Goode moved that the 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 took the chair at 11:15 a. m.

On motion of Senator Shaw, Senate File 140, a bill for an act to amend chapter three hundred three (303), Senate file fifty-eight (58), acts and laws of the Forty-ninth (49th) General Assembly of the state of Iowa, section twelve thousand two hundred and sixty-seven (12267) and twelve thousand two hundred and seventy-seven (12277), Code, 1939, relating to actions of forcible entry and detention of real property, providing for additional jurisdiction in municipal and superior court, time of trial and the notice to be given, 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, 33:

Bekman	Faul	Jones	Reilly
Benson	Findlay	Leo	Schluter
Byers	Fuller	Long	Shaw
Clark	Harvey	Lynes	Turner
Clem	Henningsen	Martin	Vrba
Cromwell	Hill	Miller	Watson
Elthon	Hunt	Mowry	Whitehill
Emerson	Johnson	Pine	Zastrow
Evans			

Nays, 2:

Augustine                      Vittetoe

Absent or not voting, 15:

Berg	Hart	Love	Sjulin
Dykhhouse	Hattery	Lundy	Stewart
Foster	Hess	Mercer	Zeigler
Goode	Keir	Pelzer	

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 Faul, Senate File 1, a bill for an act to continue in force certain capitol appropriations made by the Forty-ninth General Assembly, to provide for the segregation of funds so appropriated and to provide for investment of said funds so appropriated, and to provide for the executive council to determine the availability of said funds and to amend chapters three (3) and sixteen (16), acts of the Forty-ninth General Assembly, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Elthon offered the following amendment by Senators Elthon, Love and Long, and moved its adoption:

Amend Senate File 1 by striking from line 1 of section three (3) the words "Executive Council" and inserting in lieu thereof the word "Treasurer".

The amendment was adopted.

Senator Elthon offered the following amendment by Senators Elthon, Love and Long and moved its adoption:

Amend Senate File 1 by striking all of section three (3) following the word "Government" in line five (5) and inserting in lieu thereof a period (.).

The amendment was adopted.

Senator Evans took the chair at 11:50 a. m.

Senator Elthon offered the following amendment by Senators Elthon, Love and Long and moved its adoption:

Amend Senate File 1 by striking section four (4) thereof.

#### PRESENTATION OF VISITORS

Senator Hattery asked and received unanimous consent to present to the Senate former Senator Doran of Boone county and his brother, Ben Doran, Superintendent of Schools of Beaver, Iowa, and a class from the Beaver High School, present in the Senate.

## PROOF OF PUBLICATION

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

Senate File 120, a proposed bill to legalize the action of board of supervisors of Woodbury county in setting salaries of the deputy sheriffs in excess of the maximum of 1942.

Senate File 121, a proposed bill to legalize the action of board of supervisors of Woodbury county relating to adjustments by the county auditor.

W. J. SCARBOROUGH.

## REPORTS OF COMMITTEES

Senator Hess submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred Senate File 54, a bill for an act to amend section 5496, Code, 1939, relating to the office of county surveyor, begs leave to report it has had the same under consideration and recommends that the same do pass.

R. E. HESS, *Chairman*.

Ordered passed on file.

Senator Keir submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 102, a bill for an act to amend section three thousand eight hundred twenty-eight and twenty-three thousandths (3828.023), Code, 1939, as amended by section one (1), chapter one hundred forty-seven (147) acts of the Forty-ninth General Assembly, relating to property upon which there is an old age assistance lien, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Ranking Member*.

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 repeal section three thousand eight hundred twenty-eight and nine thousandths (3828.009), Code, 1939, and to enact a substitute therefor relating to old age assistance, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Ranking Member*.

Ordered passed on file.

## AMENDMENTS FILED

Amend the Goode amendment to Senate File 1 by striking in lines one (1) and two (2), the words "Chapter 16, Acts of the".

DEWEY E. GOODE.

Amend Senate File 67 by striking the word "shall" in line four (4) in section one (1) and inserting in lieu thereof the word "may".

K. A. EVANS.

Amend Senate File 88 by adding the word "surfacing" after comma (,) which follows the word "reconstruction" in line four (4) of section two (2).

Further amend said Senate File 88 by adding the words "by grading or" following the word "improved" in line five (5) of section two (2).

Further amend by inserting the word "repaving" in lieu of the word "repairing" where it appears in line nine (9) of section two (2).

Further amend by adding the word "surfacing" after the comma (,) which follows the word "reconstruction" in line nine (9) of section two (2).

And further amend by adding the words "by grading or" following the word "improved" in line ten (10) of section two (2). J. BERG.

Amend Senate File 1 by striking section five (5) thereof and inserting in lieu thereof and as section five (5) the following:

"Chapter sixteen (16) (Senate File 419), acts of the 49th General Assembly, is amended by striking the sentence appearing in lines six (6) and seven (7) of section four (4) of said chapter, and further by striking the words and figures '50th General Assembly' and inserting in lieu thereof the following: 'General Assembly convening subsequent to the performance of said duties or any part of same'."

O. H. HENNINGSEN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 15, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. George M. Richter, pastor of the Congregational church, Elkader.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hart, from the county officers of Lee county, favoring an increase in salary for county officers.

By Senator Evans, from the county officers of Mills county, favoring an increase in salary for county officers.

By Senator Foster, from residents of Henry county, favoring a tax levy for road maintenance by cities and towns.

By Senator Pelzer, from the county officers of Shelby county, favoring an increase in salary for county officers.

By Senator Zastrow, from members of the United Farm Equipment Workers of America, Local 115 of Charles City, favoring aid to dependent children.

By Senator Lynes, from residents of Bremer county, favoring local option.

## INTRODUCTION OF BILLS

Senate File 242, by Senators Schluter and Long, a bill for an act to amend chapters one hundred seven (107) and one hundred seven and one tenth (107.1), and section five thousand five hundred forty-three (5543), all in the Code, 1939, relating to local boards of health by striking therefrom all the provisions contained in said chapters and said section respecting a township local board of health and substituting therefor provisions for a county board of health.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 243, by Senators Byers, Emerson, Reilly and Bekman, a bill for an act relating to wages on public works, and the payment of the general prevailing rate to laborers, workmen and mechanics employed by contractors or subcontractors under contracts on public works; relating to records of wages paid on public works and the inspection thereof; and providing penalties for violation of the provisions of this act.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 244, by Senators Byers, Mercer and Clem (Carlson and Farmer), a bill for an act to amend section five thousand six hundred sixty-nine (5669), Code, 1939, relating to the salaries of city assessors, deputy assessors, and additional deputies in cities of the first and second class and cities under the commission form of government and cities acting under a special charter.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 245, by Senator Lundy (Johnson of Marion), a bill for an act to amend section seven thousand one hundred seventy-one (7171), Code, 1939, relating to annual levies by county boards of supervisors for ordinary county revenue.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 246, by Senator Shaw, a bill for an act to amend section thirteen thousand seven hundred seventy-three (13773), Code, 1939, to provide for the appointment of counsel for any minor accused of any indictable offense, unrepresented by counsel whether or not he shall request counsel.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 247, by Senator Berg, a bill for an act to amend sections three thousand nine hundred forty-six (3946), four thousand thirty-two (4032), four thousand sixty-three (4063), and four thousand sixty-four (4064), all of the Code, 1939, and all relating to the branches of study at state educational institutions.

Read first and second times, is ready for commitment and amendment, and passed on file.



Senate File 248, by Senators Emerson, Berg and Hattery, a bill for an act to amend chapter two hundred fifty-one and one-tenth (251.1), Code, 1939, relating to motor vehicles and law of road and to provide for proof of financial ability in damages resulting from the operation of motor vehicles, automobiles, motorcycles, motor trucks, truck tractors, trailers, and semi-trailers as a prerequisite to registration or transferring, to provide the definition of the proof and the terms thereof.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 249, by Senator Lynes, a bill for an act relating to the levying, under certain conditions, of a schoolhouse tax by school districts and the issuing of certificates or bonds in anticipation of the collection of such tax and providing for a special schoolhouse fund.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 250, by Senator Faul, a bill for an act relating to entrance requirements for honorably discharged members of the armed forces to the college of agriculture at the State College of Agriculture and Mechanic Arts, and providing for the establishment of short courses in agriculture for such honorably discharged residents of Iowa who have had actual farm experience prior to their entrance into the armed forces, and providing for exemption from payment of all entrance and tuition fees.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 251, by Senator Byers, a bill for an act to amend sections ten thousand seven hundred six (10706) and ten thousand five hundred eighty-two (10582), Code, 1939, and chapter two hundred ninety-five (295), laws of the 49th General Assembly, relating to certain superior courts and the jurisdiction of same.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 252, by Senator Augustine, a bill for an act to suspend the collection of the retail sales tax for the biennium beginning July 1, 1943.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 253, by Senator Bekman, 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 renewed articles of incorporation of the Saul-Edmund Furniture Company and to provide for the renewal of the charter of said company.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 254, by Senators Berg and Zastrow, a bill for an act to provide for free tuition for the education in any educational institution under the control of the state board of education of persons who have served during wartime in any branch of the military service or military auxiliary service of the United States and who have been honorably discharged from such service; and to provide an appropriation therefor.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 255, by Senators Cromwell and Clark (Poston, Martin, Dodds, Moyle, Wilson of Monroe and Fimmen), a bill for an act to amend section fifty-four hundred thirteen (5413), Code of Iowa, 1939, relating to bounty on wolves and foxes.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 256, by Senator Jones, a bill for an act to amend chapter twenty-four (24), Code, 1939, relating to the local budget law.

Read first and second times, is ready for commitment and amendment, and 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 has passed the following bill in which the concurrence of the House was asked:

Senate File 81, a bill for an act providing for the clearing at par of checks drawn on banks or trust companies.

A. C. GUSTAFSON, *Chief Clerk.*

## UNFINISHED BUSINESS

On motion of Senator Faul, the Senate resumed consideration of Senate File 1, a bill for an act to continue in force certain capitol appropriations made by the Forty-ninth General Assembly, to provide for the segregation of funds so appropriated and to provide for investment of said funds so appropriated, and to provide for the executive council to determine the availability of said funds and to amend chapters three (3) and sixteen (16), acts of the Forty-ninth General Assembly.

The Senate resumed consideration of the following amendment by Senator Elthon:

Amend Senate File 1 by striking section four (4) thereof.

The amendment was adopted.

Senator Goode offered the following amendment and moved its adoption:

Amend section 3 of Senate File 1 by adding thereto the following:

"The interest received from the funds appropriated by chapter 16, acts of the Forty-ninth General Assembly, shall be placed in a separate fund to be used, or as much as needed, to build and furnish a home on the state capitol grounds for the governor of the state of Iowa."

Senator Goode offered the following amendment to the amendment by him and moved its adoption:

Amend the Goode amendment to Senate File 1 by striking in lines one (1) and two (2), the words "Chapter 16, Acts of the".

The amendment to the amendment was adopted.

The amendment as amended was lost.

Senator Berg asked and received unanimous consent to withdraw the amendment filed by him to the amendment by Senator Goode to Senate File 1 and found on page 158 of the Senate Journal.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 1 by striking the word "the" in line three (3), section eight (8) and inserting in the blank space in line three (3), section eight (8) the words "The American Citizen", and by inserting in the first blank space in line four (4), section eight (8) the words "Des Moines" and inserting in the second blank space in line four (4), section eight (8) the words "Davis County Republican", and inserting in the blank space in line five (5), section eight (8) the word "Bloomfield".

The amendment was adopted.

Senator Hattery offered the following amendment and moved its adoption:

Amend Senate File 1 by striking the word "and" in line five (5) of section one (1) and by inserting before the word "or" in line six (6) of section one (1) the following:

"and for the board of education for repairs, replacements or alterations for the Iowa State College of Agriculture and Mechanic Arts by chapter 4 (H. F. 288) acts of the Forty-ninth General Assembly.

The amendment was adopted.

Senator Henningsen offered the following amendment and moved its adoption:

Amend Senate File 1 by striking section five (5) thereof and inserting in lieu thereof and as section five (5) the following:

"Chapter sixteen (16) (Senate File 419), acts of the 49th General Assembly, is amended by striking the sentence appearing in lines six (6) and seven (7) of section four (4) of said chapter, and further by striking the words and figures '50th General Assembly' and inserting in lieu thereof the following: 'General Assembly convening subsequent to the performance of said duties or any part of same'."

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 1, section 1, line 19, by inserting after the word "council" the following: "and the joint legislative committee on retrenchment and reform".

Further amend Senate File 1, section 2, line 1, by inserting after the word "council" the words "and the joint legislative committee on retrenchment and reform".

Further amend section 2 by striking the period in line 7 and adding the words "and the joint legislative committee on retrenchment and reform".

The amendment was adopted.

Senator Elthon offered the following amendments and moved their adoption:

Amend Senate File 1, section 2, line 1, by striking the word "is" and inserting in lieu thereof the word "are".

Also amend the title to Senate File 1 by changing the spelling of the word "capitol" to "capital".

Further amend the title to Senate File 1 by inserting in line 6 after the words "executive council" the words "and the joint legislative committee on retrenchment and reform."

The amendments were adopted.

Senator Emerson moved that the bill be read a third 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	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Berg	Fuller	Long	Shaw
Byers	Hart	Love	Sjulin
Clark	Harvey	Lynes	Stewart
Clem	Hattery	Martin	Turner
Cromwell	Henningsen	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Elthon	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Whitehill
Evans	Jones	Pine	Zeigler
Faul			

Nays, none.

Absent or not voting, 5:

Benson	Hess	Lundy	Zastrow
Goode			

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

Senator Emerson moved that the 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 REREFERRED TO COMMITTEE

Senator Sjulin asked and received unanimous consent that Senate Files 102 and 103 be rereferred to the committee on social security.

#### BILL REFERRED TO COMMITTEE

Senator Berg asked and received unanimous consent that Senate File 240 be withdrawn from the calendar and referred to the committee on appropriations 1.

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

#### AFTERNOON SESSION

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

Senator Cromwell took the chair at 4:35 p. m.

## INTRODUCTION OF BILLS

Senate File 257, by Senator Goode, a bill for an act to make transfer of funds from the state general fund to the state commissioner of labor for the purpose of making refunds.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 258, by committee on 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 butterfat produced in this state during the period from June 1 to June 15, inclusive, of each year and to provide for the collection thereof by the producer or dealer, 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 the violation of this act.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 259, by Senators Keir, Sjulín and Hess, a bill for an act to amend the law as it appears in section seventy-five hundred and fifty-eight (7558), Code, 1939, relating to drainage districts; excluding new and additional improvements in such district from the definition of repairs as defined in sections seventy-five hundred and fifty-six (7556) and seventy-five hundred and sixty-one (7561), Code, 1939; specifying the nature of notice to be given of a proposal for any such additional improvement, preserving the right of appeal to affected property owners, and fixing the method for levying assessments therefor.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 260, by Senators Faul, Shaw and Elthon, a bill for an act to amend sections seven thousand five hundred fifty-eight

(7558) and seven thousand five hundred fifty-nine (7559), Code, 1939, relating to the making of repairs on improvements in levee and drainage districts, and the giving of notice of the assessment for the cost of such repairs in certain instances.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 261, by Senator Faul, a bill for an act to amend chapter two hundred ninety-two (292), Code, 1939, relating to the general powers of cities and towns, and to provide for the power to establish and collect rates and charges for the collection and disposal of garbage and other such waste material as may become dangerous to the public health, or detrimental to the best interests of the community.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 262, by Senator Faul, a bill for an act to amend section nine thousand three hundred forty and one hundredth (9340.01), Code, 1939, relating to investment of funds by savings and loan associations.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 263, by Senator Faul, a bill for an act to amend section six thousand four hundred thirty-one (6431), Code, 1939, relating to occupancy of and collection of rent for dwellings for which certificates of compliance with state housing law have not been issued.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 264, by Senator Faul, a bill for an act to amend section three thousand eight hundred twenty-eight and eighty-eight thousandths (3828.088), Code, 1939, relating to the legal settlement of a poor person.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 265, by Senator Faul, a bill for an act to amend sections three thousand eight hundred twenty-eight and eighty-eight thousandths (3828.088) and three thousand eight hundred

twenty-eight and ninety-two thousandths (3828.092), Code, 1939, all as amended by chapter 148 of the laws of the Forty-ninth (49th) General Assembly, relating to the settlement of a poor person.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 266, by Senators Lundy and Bekman, a bill for an act to create a legislative council, to define the duties thereof, and to provide for the appointment of the members thereto, and to provide for the appropriation of funds and disbursement thereof to carry out the purposes of this act.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 267, by Senator Clem, a bill for an act to amend section seven thousand five hundred sixty-three (7563), Code, 1939, to repeal sections seven thousand five hundred sixty-four (7564), seven thousand five hundred sixty-five (7565), seven thousand five hundred sixty-six (7566), seven thousand five hundred sixty-seven (7567), and seven thousand five hundred sixty-eight (7568), Code, 1939, and to enact in lieu of said repealed sections other sections, relating to the clean-out of an outlet drainage district ditch and to the assessment of drainage districts outletting into said outlet ditch, and providing for notice and hearing of said clean-out and of said assessment.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 268, by Senator Johnson, a bill for an act to amend the law as it appears in section fifty-six hundred sixty-four (5664), Code, 1939, relating to compensation of councilmen, and providing the maximum fee per diem and per annum for all services rendered.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 269 by Senator Lundy (Johnson of Marion), a bill for an act to amend section four thousand six hundred forty-four and nine-hundredths (4644.09), Code, 1939, relating to the pledge to local roads of a portion of the secondary road construction fund and to provide for the use of such portion for main-



tenance purposes at the option of the board of supervisors during 1943 and 1944.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 270, by Senator Stewart, a bill for an act to amend section five thousand eight hundred sixty-seven (5867), and section five thousand eight hundred seventy-one (5871), and section five thousand eight hundred seventy-three (5873), Code, 1939, relating to municipal hospitals.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 271, by Senators Shaw, Elthon and Zastrow, a bill for an act 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 state department of social welfare, the county boards of social welfare, and of counties and their boards of supervisors with regard to the foregoing matters, and to repeal sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one and one-tenth (3641.1), thirty-six hundred forty-two (3642), and thirty-six hundred forty-three (3643), Code of 1939, relating to widows' pensions, to repeal all other acts or parts of acts in conflict herewith, and to make an appropriation to carry out the provisions of this act.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 272, by Senators Leo, Pine and Faul, a bill for an act to amend section 6943.040 relating to "gross income" in the personal income tax law.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 273, by Senators Sjulín, Leo, Miller, Pelzer, Lynes and Turner, a bill for an act to amend chapter two hundred fifty-three (253), Code, 1939, by repealing sections five thousand one hundred twenty-five (5125), five thousand one hundred twenty-six (5126) and five thousand one hundred twenty-seven (5127), and to substitute in lieu thereof provisions for compen-

sating members of county boards of supervisors at the rate of eighteen hundred dollars (\$1800.00) per annum.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 274, by Senators Dykhouse, Pine, Leo, Reilly, Shaw and Clem, a bill for an act to amend section five thousand thirty-five and five hundredths (5035.05), Code, 1939, relating to height of vehicles, to amend section five thousand thirty-five and six hundredths (5035.06), Code, 1939, relating to length of vehicles and to repeal section five thousand thirty-five and twelve hundredths (5035.12), Code, 1939, as amended by chapter 178 of the acts of the Forty-ninth General Assembly relating to wheel weights and axle weights and total weights of vehicles and combinations of vehicles, and enacting in lieu thereof provisions controlling wheel and axle weights of vehicles with their loads and total maximum weight of vehicles and combinations of vehicles and their loads and defining wheel and axle.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 275, by Senator Augustine, a bill for an act to amend section five (5), chapter one hundred thirty (130), laws of the 49th General Assembly, relating to hybrid seed corn.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 276, by committee on private corporations, a bill for an act to amend the law as it appears in section six thousand nine hundred and forty-four (6944), subsection twenty (20), Code, 1939, relating to the exemptions from taxation of specific properties, and providing that the shares of capital stock of certain corporations shall not be taxed.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 277, by Senator Lynes, a bill for an act to regulate the practice of butter-making in the state of Iowa and to provide for a board to regulate the practice of butter-making and the licensing of butter-makers and to provide for the qualifications of those by licensing and for penalties for the violation of this act.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 278, by Senator Mowry, a bill for an act to amend section four thousand two hundred sixty-seven and one tenth (4267.1), Code, 1939, relating to education in junior colleges and their establishment and to provide that when a junior college is temporarily discontinued due to the emergencies of the present war that the board of directors of the school district may again start the junior college within one year after hostilities of the present war cease.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 279, by Senator Watson, a bill for an act to authorize and empower power commissions organized under the laws of an adjoining foreign state to acquire, own and operate electric utility properties within the state of Iowa; to define "power commission" for the purpose of this act; to define the nature, powers, rights, duties and activities of such power commission; to subject such power commission and its property within the state to state and local taxes; to authorize the granting of franchises and authority to such power commission; to grant to such power commission certain rights and powers, including certain rights of eminent domain; to provide for continuation of regulatory jurisdiction by cities and towns, including the regulation of rates; to provide for continuation of regulatory jurisdiction by other municipalities and by the Iowa state commerce commission; to repeal all acts or parts of acts in conflict therewith and to declare an emergency.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 280, by committee on judiciary 1, a bill for an act to repeal subparagraph 1 of section eleven thousand seven (11007), Code, 1939, and substituting therefor a new subparagraph relating to limitations of actions against counties and municipal corporations founded on personal injury or damage to property arising on account of defective roads, bridges, streets or sidewalks.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 281, by committee on judiciary 1, a bill for an act to amend section three hundred eight and five tenths (308.5), Code, 1939, by increasing the mileage allowance for state officers and employees and to provide for reimbursement for storage of motor vehicles when used for state business.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 282, by Senators Lundy, Martin, Augustine and Reilly, a bill for an act to repeal subparagraph four (4) of subsection B and subsection C of section one thousand five hundred fifty-one and thirteen hundredths (1551.13), chapter seventy-seven and two-tenths (77.2), Code, 1939, and chapter one hundred one (101), Senate File four hundred seventy-five (475), an act of the Forty-ninth (49th) General Assembly amendatory thereto, relating to the rate of contributions required of employers and the determination of future rates based on benefit experience; to provide for a standard and uniform contribution rate from all employers; and to repeal all acts, or parts of acts, insofar as they are inconsistent with this act.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 283, by Senator Byers, a bill for an act to amend chapter three hundred ninety-four (394), Code, 1939, relating to corporations not for pecuniary profit.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 284, by Senators Keir, Fuller, Elthon, Leo, Reilly and Pine, a bill for an act enunciating the policy of the state of Iowa with reference to reciprocal motor vehicle relations between the several states and this state, creating a state reciprocity board and naming the members thereof, vesting certain power and authority in said board and conferring upon it certain duties providing for the payment of expenses incurred by the board from the general funds of the state, authorizing said board to employ and discharge assistants, providing for trip registration permits for nonresident owners of motor vehicles operating said vehicles in Iowa in lieu of annual registration fees provided for in chapter two hundred fifty-one and one tenth (251.1), Code, 1939,

and providing that the Iowa state commerce commission shall collect fees and otherwise administer the issuance of trip registration permits, and providing for the accounting and distribution of moneys by said commission.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 285, by Senator Lundy, a bill for an act to amend chapter one hundred fourteen (114) (House File 415), acts of the Forty-ninth (49th) General Assembly relating to beer and malt liquors.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 286, by Senator Clem, a bill for an act to amend section five thousand thirty-four and fifty-six hundredths (5034.56), Code, 1939, and section five thousand thirty-four and fifty-seven hundredths (5034.57), Code, 1939, relating to the use of flares by motor trucks and other vehicles.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 287, by Senator Faul, a bill for an act to authorize the establishment of pension and annuity retirement systems for employees other than policemen and firemen in cities and towns having a population of one thousand (1,000) or more.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 288, by Senator Hunt, a bill for an act to provide for the education of handicapped children, to create an administrative authority, and to establish controls for state aid in the cost of special instruction and for expenditures incurred in the administration of this act.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 289, by Senators Lynes, Goode, Pine, Faul, Zeigler, Mercer, Dykhouse and Stewart, a bill for an act to amend section five thousand ninety-five and two hundredths (5095.02), Code, 1939, relating to motor vehicle fuel specifications.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senate File 290, by Senators Augustine, Johnson and Reilly, a bill for an act to amend subsection A of section one thousand five hundred fifty-one and eleven hundredths (1551.11), chapter seventy-seven and two tenths (77.2), Code, 1939, relating to the disqualification for benefits of an individual who voluntarily quits a job; to provide that individuals who voluntarily quit their jobs without good cause shall be disqualified for benefits for a specified number of weeks; and to repeal all acts, or parts of acts, insofar as they are inconsistent with this act.

Read first and second times, is ready for commitment and amendment and passed on file.

Senate File 291, by Senators Bekman and Faul, a bill for an act to define and provide for workmen's compensation benefits for disability due to disease contracted by the employee in connection with the work under the employment, and defining methods of procedure to obtain said benefits. To this end to amend section one thousand four hundred twenty-one (1421), one thousand three hundred eighty-three (1383) and one thousand three hundred eighty-six (1386) of the Code, 1939.

Read first and second times, is ready for commitment and amendment, and passed on file.

#### RESIGNATION OF EMPLOYEE

I hereby tender my resignation as committee clerk for Senator Berg, effective February 14, 1943.

DARLENE WARNER.

Senator Evans moved that the resignation be accepted, the motion prevailed and the resignation was accepted.

#### REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. PRESIDENT: Your committee appointed to determine the qualifications of committee clerks finds Sylvia Lory, Polk county, qualified as a committee clerk, and has been assigned to Senator Berg.

K. A. EVANS.

Senator Evans moved the adoption of the report.

The motion prevailed and the report was adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 28, 30, 42, 46, 79, 103, 106, 134, and 135.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 28, 30, 42, 46, 79, 103, 106, 134 and 135.

#### REPORTS OF COMMITTEES

Senator Pine submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred Senate File 189, a bill for an act to amend section three thousand two hundred sixty-one (3261), Code, 1939, relating to form of license for public scales and gasoline pumps, begs leave to report it has had the same under consideration and recommends that the same do pass.

F. J. PINE, *Chairman.*

Ordered passed on file.

Senator Hill submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 80, a bill for an act to amend section 6567, Code, 1939, relating to government of cities by commission and involving injury or damage, begs leave to report it has had the same under consideration and returns the bill without recommendation.

G. R. HILL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 121, a bill for an act to legalize action of board of supervisors of Woodbury county, instructing county auditor to make necessary adjustments as of January 1, 1942, that tax sales certificates and real estate acquired by county under tax sales of January 23 and March 8, 1935, be placed in same status as contained in section 7255-B1 of 1935 Code, 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 121 by striking the period (.) after the word "Iowa" in the last line of section three (3) thereof, and by adding the following: "without expense to the state."

G. R. HILL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 19, a bill for an act relating to inheritance tax, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend House File 19 as amended by the Mowry amendment filed February 2 and found on page 248 of the Senate Journal.

G. R. HILL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 30, a bill for an act providing for the acknowledgment of instruments by persons serving in or with the armed forces of the United States before any commissioned officer and providing a form of certification of such acknowledgment, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 191, a bill for an act to permit persons between the ages of 14 and 16 to work in bowling alleys where beer is not dispensed or a pool or billiard room is not operated in connection therewith, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 95, a bill for an act to provide that chapter 460, Code, 1939, shall not apply to any bill legalizing the proceedings of or expenditure by the state or any political subdivision thereof in connection with any war emergency, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1,, to which was referred Senate File 170, a bill for an act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and make uniform the law with reference thereto, begs leave to report it has had the same under consideration and recommends the same do pass.

G. H. HILL, *Chairman*.

Ordered passed on file.



Senator Keir submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 118, a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, providing for power of board of supervisors to purchase and pay for liability and property against individual personal liability of county employees while in the performance of their duties, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 177, a bill for an act relative to compensation of inheritance tax appraisers, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman*.

Ordered passed on file.

Senator Cromwell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 115, a bill for an act relating to disabled and retired firemen and policemen, including those in special charter cities, to clarify and reconcile the provisions of said sections with those of chapter 322 of the Code, 1939, as a whole, 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 115 by striking section one (1) and renumbering the following sections.

FRED CROMWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 147, a bill for an act relating to trustees for public utilities, 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 one hundred forty-seven (147), by striking all after the enacting clause, and by substituting in lieu thereof the following:

Section 1. Section six thousand one hundred forty-seven (6147), Code, 1939, is hereby amended by striking from line five (5) thereof the words "a board of", and by inserting after the period following the word "years" in line eleven (11) thereof the following: "In addition to the three (3) trustees so appointed, the mayor and one (1) councilman elected by a majority vote of the council, shall be trustees, and the mayor and said councilman, together with the three (3) trustees appointed by the mayor shall constitute the board of trustees.

Section six thousand one hundred forty-seven (6147) is further amended by striking therefrom all that part of said section, following the period following the word "made" in line thirteen (13) thereof and by inserting in lieu thereof the following: "Each trustee shall receive as compensation not more than one hundred dollars per year and the said mayor and councilman as members of the board, shall receive said compensation in addition to such compensation as they may receive as mayor and councilman of said city or town. Each member of the board of trustees shall execute and furnish to the city or town, as the case may be, an official bond in the sum of twenty-five hundred dollars, to be approved by the city or town council and filed with the city or town clerk.

FRED CROMWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 182, a bill for an act relating to the appropriation of levy in cities and towns, begs leave to report it has had the same under consideration and recommends that the same do pass.

FRED CROMWELL, *Chairman*.

Ordered passed on file.

Senator Zeigler submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 166, a bill for an act to amend section one thousand nine hundred twenty-one and one hundred twenty-eight thousandths (1921.128), Code, 1939, in reference to allocation of license fees and taxes collected upon beer, begs leave to report it has had the same under consideration and recommends the same do pass.

SANFORD ZEIGLER, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 168, a bill for an act to amend section seven thousand one hundred seventy-one (7171), Code, 1939, relative to annual levies, begs leave to report it has had the same under consideration and recommends the same do pass.

SANFORD ZEIGLER, JR., *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 207 by striking the comma in line three (3) after the word "book" and by inserting after the word "book" in line three (3) the following: "in line four (4)".

Also by striking the word and figures "thirteen (13)" and by substituting in lieu thereof the word and figures "fourteen (14)".

R. E. HESS.

Amend Senate File 186 by striking all of the last paragraph thereof commencing with the quotation marks in front of the figures "33" and ending with the quotation marks after the word "hall" and insert in lieu thereof the following:

"33. City hall improvement, operation and maintenance fund: In cities and towns having a population of five thousand (5,000) or less in which a city hall has been established or built, the city council or town council may levy not to exceed one mill and the money derived therefrom shall be used only to improve, operate and maintain such city or town hall."

R. E. HESS.

Amend Senate File 168 by striking all of section 1 following the word "approval" in line 15 and inserting in lieu thereof a period.

C. L. CLARK.

Amend section one (1) of Senate File 82 by inserting after the word "care" in line six (6) the following: "or treatment or nursing as prescribed by a well-recognized church or religious denomination in any hospital or at home or in a sanatorium conducted and operated by such church or denomination".

Amend section two (2) by inserting after the word "except" in line four (4) the word "as".

Further amend section two (2) by striking from lines four (4) and five (5) the words "extraordinary medical expenses".

Further amend section two (2) by changing the word and figure "three (3)" in line four (4) and substituting the word and figure "four (4)".

A. J. SHAW.

Amend House File 14 as follows:

1. By inserting in line twelve (12) of section one (1) after the word "Oakdale" the following, "or any similar tuberculosis institution established and maintained by any county under the provisions of chapter 189.6, Code, 1931,";

2. By adding thereto a new section as follows:

"Sec. 10. Section three thousand eight hundred twenty-eight and one hundred twenty-eight thousandths (3828.128), Code, 1939, is hereby amended by striking the word 'poor' in line two (2) and inserting in lieu thereof the words 'state institution'."

E. K. BEKMAN.

President Blue took the chair at 4:50 p. m.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 16, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. Fred A. Smith, pastor of the Methodist church, Rockford.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Lundy, from the county officers of Marion county, favoring an increase in salary for county officers.

By Senator Hill, from residents of Hardin county, in opposition to proposed legislation relative to inspection and licensing of theatres, etc.

By Senator Johnson, from the county officers of Hancock county, favoring an increase in salary for county officers.

By Senator Whitehill, from residents of Marshall county, favoring aid to dependent children.

By Senator Augustine, from the county officers of Mahaska county, favoring an increase in salary for county officers.

By Senator Shaw, from residents of Buena Vista county, favoring repeal of daylight saving; also the continuation of the Iowa dairy products advertising law.

By Senator Cromwell, from 2,000 residents of Des Moines county, favoring local option.

By Senator Harvey, from residents of Monona county, favoring legislation relating to the supervision and regulation of the practice of embalming.

## 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 65, a bill for an act relating to compensation of officers, employees and chaplains of the General Assembly.

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

Senate Concurrent Resolution 8 memorializing Congress to investigate the shortage of certain livestock feeds.

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

Senate Concurrent Resolution 16 memorializing Congress to defeat House Roll 1012 and Senate Bill 246 and all other similar measures relating to commerce by air.

Also: That the House has concurred in Senate amendments to and passed House File 52, a bill for an act relating to the improvements of extensions of primary roads in cities and towns.

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

Senate File 17, a bill for an act relating to the duty of city and town officers in municipal primary election.

Also: That the House has adopted the report of the joint committee on rules.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 65, a bill for an act to amend section nineteen (19), Code, 1939, relating to compensation of officers, employees and chaplains of the General Assembly.

Read first and second times, is ready for commitment and amendment, and passed on file.

Senator Hunt asked and received unanimous consent that the Senate take up the calendar beginning with House File 38 and consider only noncontroversial matters during the absence from the Senate of the committee on state accounting system.

#### THIRD READING OF BILLS

On motion of Senator Hart, House File 38, a bill for an act to amend section nine thousand two hundred fifty-nine (9259), Code, 1939, relating to the amount of paid capital of loan and trust companies, 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	Hart	Leo	Schluter
Bekman	Harvey	Long	Shaw
Cromwell	Hattery	Love	Sjulin
Dykhhouse	Henningsen	Lynes	Stewart
Elthon	Hess	Martin	Turner
Evans	Hill	Miller	Vittetoe
Faul	Hunt	Mowry	Watson
Findlay	Johnson	Pelzer	Whitehill
Foster	Jones	Pine	Zastrow
Goode	Keir	Reilly	Zeigler

Nays, none.

Absent or not voting, 10:

Benson	Clark	Fuller	Mercer
Berg	Clem	Lundy	Vrba
Byers	Emerson		

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

On motion of Senator Hart, House File 48, a bill for an act to amend sections nine thousand two hundred fifty-nine (9259), nine thousand two hundred eighty-three and forty-three hundredths (9283.43), and nine thousand two hundred eighty-three and fifty-nine hundredths (9283.59), Code, 1939, relating to the assessment and liability of stockholders of banks and trust companies, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 38:

Augustine	Hart	Long	Shaw
Bekman	Harvey	Lynes	Sjulin
Cromwell	Hattery	Martin	Stewart
Dykhhouse	Henningsen	Mercer	Turner
Elthon	Hill	Miller	Vittetoe
Evans	Hunt	Mowry	Watson
Faul	Johnson	Pelzer	Whitehill
Findlay	Jones	Pine	Zastrow
Foster	Keir	Schluter	Zeigler
Goode	Leo		

Nays, none.

Absent or not voting, 12:

Benson	Clark	Fuller	Lundy
Berg	Clem	Hess	Reilly
Byers	Emerson	Love	Vrba

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

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

On motion of Senator Dykhouse, House File 50, a bill for an act to amend section one thousand seven hundred ninety-four and fifty-two thousandths (1794.052), Code, 1939, relating to the state game laws, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Goode asked and received unanimous consent that action on House File 50 be temporarily deferred.

On motion of Senator Dykhouse, House File 82, a bill for an act to amend section seventeen hundred ninety-four and twenty-nine thousandths (1794.029), Code, 1939, relating to the angling laws, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhouse moved that the bill be read a third 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	Hart	Long	Schluter
Bekman	Harvey	Love	Shaw
Cromwell	Henningesen	Lynes	Sjulin
Dykhouse	Hill	Martin	Stewart
Elthon	Hunt	Mercer	Turner
Evans	Johnson	Miller	Vittetoe
Findlay	Jones	Mowry	Watson
Foster	Keir	Pelzer	Zastrow
Goode	Leo	Reilly	Zeigler

Nays, none.

Absent or not voting, 14:

Benson	Clem	Hattery	Pine
Berg	Emerson	Hess	Vrba
Byers	Faul	Lundy	Whitehill
Clark	Fuller		

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

Senator Dykhouse moved that the 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 Dykhouse, House File 83, a bill for an act to amend table A of section one thousand seven hundred ninety-four and twenty-nine thousandths (1794.029), Code, 1939, relating to the daily catch and possession limits on fish, to correct conflict in the law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhouse moved that the bill be read a third 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	Hart	Leo	Schluter
Bekman	Harvey	Lynes	Shaw
Cromwell	Hattery	Martin	Sjulin
Dykhouse	Henningsen	Mercer	Vittetoe
Elthon	Hess	Miller	Vrba
Evans	Hill	Mowry	Watson
Faul	Johnson	Pelzer	Whitehill
Findlay	Jones	Pine	Zastrow
Foster	Keir	Reilly	Zeigler
Goode			

Nays, none.

Absent or not voting, 13:

Benson	Clem	Hunt	Lundy
Berg	Emerson	Long	Stewart
Byers	Fuller	Love	Turner
Clark			

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

Senator Dykhouse moved that the 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 Goode, the Senate resumed consideration of House File 50.

Senator Goode offered the following amendment and moved its adoption:



Amend House File 50 by adding:

"Sec. 2. Amend section one thousand seven hundred ninety-four and fifty-two thousandths (1794.052), Code, 1939, by adding to said section the following: 'provided however, that nothing in this section shall prohibit the owner thereof to destroy any such den to protect his own property.'"

The amendment was adopted.

Senator Dykhous moved that the bill be read a third 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	Goode	Long	Schluter
Bekman	Hart	Love	Shaw
Cromwell	Harvey	Lynes	Sjulin
Dykhous	Hattery	Martin	Stewart
Elthon	Henningsen	Mercer	Turner
Evans	Hill	Miller	Vittetoe
Faul	Johnson	Mowry	Vrba
Findlay	Jones	Pelzer	Watson
Foster	Leo	Reilly	Zeigler

Nays, none.

Absent or not voting, 14:

Benson	Clem	Hunt	Pine
Berg	Emerson	Keir	Whitehill
Byers	Fuller	Lundy	Zastrow
Clark	Hess		

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

Senator Dykhous moved that the 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 asked and received unanimous consent to take up Senate File 167, a bill for an act to amend, revise and codify section five thousand seven hundred eighty-seven (5787), Code, 1939, relating to park commissioners in cities and towns, 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 Senate File 167 as follows:

Strike from section two (2), line five (5), the word "may" and insert in lieu thereof the word "shall".

Further amend by adding at the end thereof the following as section three (3):

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and the Eddyville Tribune, a newspaper published at Eddyville, Iowa.

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 167 as follows:

In line five, section one, after the word "population" insert the following: "operating under a commission form of government and having no superintendent of parks and public property".

In line eight of section one after the word "any" insert the word "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, 39:

Augustine	Hattery	Love	Shaw
Bekman	Henningsen	Lundy	Sjulin
Cromwell	Hess	Lynes	Stewart
Dykhouse	Hill	Martin	Turner
Elthon	Hunt	Miller	Vittetoe
Faul	Johnson	Mowry	Vrba
Findlay	Jones	Pelzer	Watson
Goode	Keir	Pine	Whitehill
Hart	Leo	Reilly	Zeigler
Harvey	Long	Schluter	

Nays, none.

Absent or not voting, 11:

Benson	Clark	Evans	Mercer
Berg	Clem	Foster	Zastrow
Byers	Emerson	Fuller	

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 Keir, House File 186, a bill for an act to amend section three hundred seventy-three (373), Code, 1939,

relating to the emergency fund, the transfer therefrom and the vote necessary for said transfer to any other fund of the municipality for the purpose of meeting deficiencies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Keir moved that the bill be read a third 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	Hattery	Lundy	Shaw
Bekman	Hess	Lynes	Sjulin
Cromwell	Hill	Martin	Stewart
Dykhouse	Hunt	Mercer	Turner
Elthon	Johnson	Miller	Vittetoe
Findlay	Jones	Mowry	Vrba
Fuller	Keir	Pelzer	Watson
Goode	Leo	Pine	Whitehill
Hart	Long	Reilly	Zastrow
Harvey	Love	Schluter	Zeigler

Nays, none.

Absent or not voting, 10:

Benson	Clark	Evans	Foster
Berg	Clem	Faul	Henningsen
Byers	Emerson		

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

Senator Keir moved that the 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 22, a bill for an act to amend section six thousand nine hundred forty-three and fifty-seven thousandths (6943.057), Code, 1939, by striking therefrom paragraph eight (8) referring to false or fraudulent returns of income, corporation, and sales tax, and providing for a substitute therefor pertaining to the penalty for making such false return and to amend section six thousand nine hundred forty-three and forty-five thousandths (6943.045), Code, 1939, pertaining to the making of an income tax return by every individual, to amend section six thousand nine hundred forty-three and forty-six thousandths (6943.046), Code, 1939, pertaining to the making of an income tax return by every fiduciary and to amend section six thousand nine hundred forty-three and sixty-eight

thousandths (6943.068), Code, 1939, pertaining to the making of a corporation tax return by every corporation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry offered the following amendment and moved its adoption:

Amend Senate File 22 by striking section four and inserting in lieu thereof the following:

"Sec. 4. That paragraph eight (8) of section six thousand nine hundred forty-three and fifty-seven thousandths (6943.057), Code, 1939, be and the same hereby is repealed and the following enacted in lieu thereof:

"8. Any person required to make, render, or sign any return or supplemental return, who willfully makes any false or fraudulent return, with intent to defeat or evade the assessment required by law to be made, shall upon conviction for each such offense be punished by imprisonment in the county jail for a term not exceeding one year or in the state penitentiary for a term not exceeding five years, or by a fine not exceeding five thousand dollars, or both."

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 22 by inserting the following as section three:

"Sec. 3. Section six thousand nine hundred forty-three and fifty-three thousandths (6943.053), Code, 1939, is amended by striking from lines eight (8) and nine (9) the sentence which is in the following words: "The return shall be made under oath."

Further amend by renumbering the succeeding sections.

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend the title to Senate File 22 by striking the period (.) at the end of the title and substituting therefor the following: "and to amend section six thousand nine hundred forty-three and fifty-three thousandths (6943.053) relating to the manner of making income tax returns."

Senator Mowry offered the following amendment to the amendment by Senator Faul and moved its adoption:

Amend the amendment of Senator Faul to Senate File 22 by inserting after the word "returns" the following: "; and providing a penalty for making any false or fraudulent return."

The amendment to the amendment was adopted.

The amendment as amended 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, 43:

Augustine	Foster	Keir	Schluter
Bekman	Fuller	Leo	Shaw
Byers	Goode	Long	Sjulin
Clark	Hart	Lundy	Stewart
Clem	Harvey	Lynes	Turner
Cromwell	Hattery	Martin	Vittetoe
Dykhouse	Hess	Mercer	Urba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Zastrow
Faul	Johnson	Pine	Zeigler
Findlay	Jones	Reilly	

Nays, none.

Absent or not voting, 7:

Benson	Evans	Love	Whitehill
Berg	Henningsen	Pelzer	

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

On motion of Senator Dykhouse, Senate File 174, a bill for an act to amend section seventeen hundred three and fifty hundredths (1703.50), chapter eighty-five and one tenth (85.1), Code, 1939, relating to the powers and duties of the state conservation commission, was taken up and considered.

Senator Dykhouse asked and received unanimous consent that Senate File 221, a bill for an act to amend section one thousand seven hundred three and fifty hundredths (1703.50) Code, 1939, by adding a subsection pertaining to the specific powers of the state conservation commission, be substituted for Senate File 174.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 221 by adding thereto a new section as follows:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Buffalo Center Tribune, a newspaper published at Buffalo Center, Iowa, and the Wright County Monitor, a newspaper published at Clarion, 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, 47:

Augustine	Faul	Jones	Reilly
Bekman	Findlay	Keir	Schluter
Benson	Foster	Leo	Shaw
Berg	Goode	Long	Sjulin
Byers	Hart	Love	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Mercer	Vrba
Dykhouse	Hess	Miller	Watson
Elthon	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zeigler
Evans	Johnson	Pine	

Nays, none.

Absent or not voting, 3:

Fuller	Lundy	Zastrow
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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 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.

#### SENATE FILE 174 WITHDRAWN

Senator Dykhouse asked and received unanimous consent to withdraw Senate File 174 from the further consideration of the Senate.

Senator Faul asked and received unanimous consent to read the following poem by Senator Emerson:

#### THE BATTLE OF THE TAXES

The folks back home began to cry

"For Pete's sake help, we're taxed too high!"

And Governor Hick said the thing to do

Was to cut the 'gol dern' thing in two.

A committee was named from the Senate and House

Who determined to crack that hard-shelled louse,

They conferred and they worked far into the night

And thought they'd solved the case all right.

But they failed to reckon with old Chief De Vere

And five Democrat allies right at his rear,

They claimed from all the figures they'd seen  
Showed the tax should be cut out slick and clean.

And that Buster said that he'd crusade  
If the boys would give him a little aid,  
The boys with property and a farm or two  
Were in desperate straits and mighty blue.

Zastrow, his maiden song he sung  
With ringing voice and leathery lung,  
For some of us 'twas hard to "foller"  
The question is to tax *what* dollar?

Then up rose dapper pro tem Frank  
In section two his false teeth sank,  
"With constitutional law we dare not fool  
I demand that the Pres. hand down the rule."

Then he and Bekman and Cromwell, too,  
Huddled and whispered on what to do,  
Old Buster sensing a danger warning  
Moved we adjourn till next Monday morning.

"The Lion" as always with daring bold  
Took up the dice and snake eyes rolled,  
The chairman ruled that section two  
Was not germane and just wouldn't do.

Then sly old Augustine tried to run  
A whizzer on all the boys for fun,  
And just to see where the chips might fall  
He demanded to have that old "roll call".

And now all amendments their courses had run  
We found ourselves back where we had begun,  
So now, with dispatch and with little ado  
We cut the state income tax right square in two.

"THE BARD OF UNION."

Senator Shaw took the chair at 11:50 a. m.

On motion of Senator Bekman, Senate File 36, a bill for an act to amend chapter one hundred fifteen (115), Code of Iowa, 1939, to regulate advertising of professional services, eyeglass or spectacle lenses, and spectacle frames or mountings, by persons, firms or corporations, or licensees under title VIII of the 1939 Code of Iowa, who are engaged in prescribing, manufacturing, selling or supplying eyeglass or spectacle lenses or complete eyeglasses or spectacles including lenses, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Lundy moved that action on Senate File 36 be deferred and that it retain its place on the calendar.

Senator Faul moved the previous question on the bill as a substitute for the motion by Senator Lundy.

Senator Lundy moved, as a substitute for the substitute motion by Senator Faul, that the Senate adjourn until 10:00 a. m. Wednesday.

The substitute for the substitute motion by Senator Lundy was lost.

The substitute motion by Senator Faul was adopted.

Senator Faul raised the point of order that Senator Lundy was out of order in speaking on the bill as the motion for the previous question had been adopted.

The Chair held the point not well taken since Senator Lundy had filed a request to speak.

Senator Faul raised the point of order that Senator Lundy's time for argument had expired.

Senator Lundy asked unanimous consent to be permitted to close his remarks.

Objection was made.

Senator Lundy moved that the Senate adjourn until 10:00 a. m. Wednesday.

Senator Faul raised the point of order that the motion on the previous question had been adopted.

The Chair held the point not well taken since a motion to adjourn was in order at any time.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files 36, 45, 144, and 216.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *Chairman House Committee.*

Report adopted.



## BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 36, 45, 144, and 216.

Senator Hattery offered the following concurrent resolution:

## SENATE CONCURRENT RESOLUTION 18

*Whereas*, On the morning of February 22, 1943, at 11:45 o'clock a. m. at the Navy Yard, New York, the United States battleship Iowa will be commissioned, and

*Whereas*, The United States battleship Iowa is one of the largest and most powerful battleships ever to be built in the world and will be used against our Axis foes, and

*Whereas*, The prospective commanding officer and officers have requested Governor Bourke B. Hickenlooper and Mrs. Bourke B. Hickenlooper, Lieutenant Governor Robert D. Blue and Mrs. Robert D. Blue, Senator B. C. Whitehill of Marshall county, the chairman of the military affairs committee of the Senate and the Hon. John R. Gardner of Linn county, chairman of the military affairs committee of the House of Representatives, and the Adjutant General of the state of Iowa to attend the commissioning ceremonies of the United States battleship Iowa, and

*Whereas*, It is important that the great state of Iowa participate in and be represented at the commissioning ceremonies of the battleship Iowa in view of the honor bestowed upon our state in the naming of this battleship, now, therefore,

*Be It Resolved by the Senate, the House Concurring*: That Governor Bourke B. Hickenlooper and Mrs. Bourke B. Hickenlooper, Lieutenant Governor Robert D. Blue and Mrs. Robert D. Blue, the Senator B. C. Whitehill of Marshall county, chairman of the military affairs committee of the Senate, and the Hon. John R. Gardner of Linn county, chairman of the military affairs committee of the House of Representatives, and the Adjutant General of the state of Iowa be appointed and designated as delegates to attend and represent the state of Iowa at the commissioning ceremonies of the United States battleship Iowa on the morning of February 22, 1943, at 11:45 o'clock a. m. at the Navy Yard, New York, and that each delegate be reimbursed as to his or her actual expenses, and that said amounts be allowed and paid from general funds not otherwise appropriated.

## REPORTS OF COMMITTEES

Senator Hattery submitted the following report:

MR. PRESIDENT: Your committee on highways, to which was referred House File 37, a bill for an act relating to registration of highway

routes, begs leave to report it has had the same under consideration and recommends the same do pass. JOHN R. HATTERY, *Chairman*.

Ordered passed on file.

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 114, a bill for an act to amend section eleven thousand eight hundred ninety (11890), Code, 1939, relating to the notice of the appointment of executors and administrators, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

### AMENDMENTS FILED

Amend Senate File 279, section eleven (11), line five (5) by inserting after the word "the" the words "Greenfield Free Press" and in line six (6) by inserting after the word "at" the word "Greenfield". H. S. LOVE.

Amend Senate File 258 of the Fiftieth (50th) General Assembly as follows:

Strike from lines numbered four (4), five (5) and six (6) of page seven (7) the following words: "June 1st and terminating June 15th inclusive, 1943, and annually thereafter during the same period", and substitute in lieu thereof the following words: "June 1st and terminating June 7th inclusive, 1943, and beginning January 1st and terminating January 7th inclusive, 1944, and annually thereafter during the same period".

Strike from lines numbered thirty-eight (38), thirty-nine (39) and forty (40) of page eight (8) the following words: "15th day of July for the use by the commission for the purpose of this act", and substitute in lieu thereof the following words: "15th day of June on the collections made in June of same year, and on or before the 15th day of February on collections made in January of the same year for the use by the commission for the purpose of this act". ED VRBA.

Amend Senate File 117 by striking all after the enacting clause and by substituting therefor the following:

"Section 1. Section eleven thousand nine hundred and sixty-four (11964), Code, 1939, is amended by adding the following thereto: 'Notwithstanding the provisions of section eleven thousand nine hundred seventy-five (11975), Code, 1939, if a claim is filed on a demand not yet due, which demand is secured by a mortgage on real estate, it may be paid by the estate at the same time it could have been paid if it had been due when filed.'"

Amend the title by striking the title and substituting therefor the following: "An Act to amend section eleven thousand nine hundred and sixty-four (11964), Code, 1939, relating to demands not yet due in an estate and providing a time and method of payment thereof, provided the demand is secured by mortgage on real estate." GEORGE FAUL.

Amend Senate File 181 by inserting in line two (2) thereof after the figure three (3) the following: "of subparagraph c". GEORGE FAUL.

Amend Senate File 263 by striking line three (3) thereof and inserting in lieu thereof the following: "in lines three (3), four (4), and five (5), the following". GEORGE FAUL.

Amend Senate File 36 by adding the word "falsely" after the word "to" in line 8 of section 1 thereof.

Further amend Senate File 36 by adding the word "falsely" after the word "to" in line 9 of section 1 thereof.

Further amend Senate File 36 by adding the word "falsely" after the word "to" in line 14 of section 1 thereof. HUGH W. LUNDY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 17, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. Michael Millen, pastor of the Methodist church, St. Charles.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Benson, from the county officers of Carroll county, favoring an increase in salary for county officers.

By Senator Pine, from the county officers of Louisa county, favoring an increase in salary for county officers.

By Senator Shaw, from residents of Pocahontas county, favoring aid to dependent children.

By Senator Findlay, from the Pomeroy Cooperative Creamery Company, favoring the continuation of the Iowa dairy products advertising law.

By Senator Zeigler, from residents of Jefferson county, favoring certain truck legislation.

By Senator Martin, from residents of Scott county, in opposition to an increase in salary for supervisors in counties having a population of more than 80,000.

## INTRODUCTION OF BILLS

Senate File 292, by committee on social security, a bill for an act to amend section one thousand five hundred and fifty-one and twenty-five one-hundredths (1551.25-G (7) (d)), of the 1939 Code of Iowa, defining the meaning of the words "agricultural labor".

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 293, 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, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 294, by committee on claims, a bill for an act to make appropriations to M. D. Synhorst, Orange City, Iowa; James Babcock, Drakesville, Iowa; Esther Deahl, Centerville, Iowa; Ben Brasser, Cherokee, Iowa; Dr. James McKenzie, Baxter, Iowa; M. W. Ellis, receiver of the American Trust and Savings Bank, LeMars, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 295, by committee on county and township affairs, a bill for an act to provide for the management of county, city and town hospitals established or maintained pursuant to sections ten thousand one hundred eighty-eight (10188) and ten thousand one hundred eighty-nine (10189) of the 1939 Code of Iowa.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 296, by committee on judiciary 2, a bill for an act to provide for the release of powers of appointment and the manner in which such powers may be released.

Read first and second times, is ready for commitment and amendment, 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 88, a bill for an act relating to state fair board convention.

Also: 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 cold storage locker plants.

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

House File 237, a bill for an act relating to milk and cream regulations.

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

Senate File 111, a bill for an act relating to general duties of the state conservation commission.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 184, a bill for an act providing legal method for handling beaver property damage.

Also: That the House has concurred in Senate amendments to and passed House File 225, a bill for an act relating to the publication of the titles of district court cases.

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

Senate Concurrent Resolution 11, providing for the appointment of a joint committee to arrange for acceptance of bids for legislative photographs for the historical department, and the Speaker has appointed as such committee on the part of the House, Representatives Dodd, Robb and Anderson.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 184

1. Amend section 1 by changing the comma (,) in line eight (8) thereof to a period (.) ; and by striking the remainder of subsection 1.

2. Amend by adding thereto as section 2 the following:

"This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Spirit Lake Beacon, a newspaper published at Spirit Lake, Iowa, and in the Denison Review, a newspaper published at Denison, Iowa."

#### HOUSE MESSAGES CONSIDERED

House File 88, a bill for an act to amend section two thousand eight hundred seventy-four (2874), Code, 1939, relating to state fair board convention.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 235, a bill for an act to amend chapter one hundred thirty-four and one tenth (134.1), Code, 1939, relating to cold storage locker plants.

Read first and second times, is ready for commitment and amendment, and passed on file.

House File 237, a bill for an act to amend chapter one hundred

fifty and three-tenths (150.3), Code, 1939, relating to milk and cream regulations.

Read first and second times, is ready for commitment and amendment, and passed on file.

President pro tempore Frank C. Byers took the chair at 10:22 a. m.

Senator Hattery called up the following concurrent resolution and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 18

*Whereas*, On the morning of February 22, 1943, at 11:45 o'clock a. m. at the Navy Yard, New York, the United States battleship Iowa will be commissioned, and

*Whereas*, The United States battleship Iowa is one of the largest and most powerful battleships ever to be built in the world and will be used against our Axis foes, and

*Whereas*, The prospective commanding officer and officers have requested Governor Bourke B. Hickenlooper and Mrs. Bourke B. Hickenlooper, Lieutenant Governor Robert D. Blue and Mrs. Robert D. Blue, Senator B. C. Whitehill of Marshall county, the chairman of the military affairs committee of the Senate, and Hon. John R. Gardner of Linn county, chairman of the military affairs committee of the House of Representatives, and the Adjutant General of the state of Iowa to attend the commissioning ceremonies of the United States battleship Iowa, and

*Whereas*, It is important that the great state of Iowa participate in and be represented at the commissioning ceremonies of the battleship Iowa, in view of the honor bestowed upon our state in the naming of this battleship, now, therefore,

*Be It Resolved by the Senate, the House Concurring:* That Governor Bourke B. Hickenlooper and Mrs. Bourke B. Hickenlooper, Lieutenant Governor Robert D. Blue and Mrs. Robert D. Blue, the Senator B. C. Whitehill of Marshall county, chairman of the military affairs committee of the Senate, and Hon. John R. Gardner of Linn county, chairman of the military affairs committee of the House of Representatives, and the Adjutant General of the state of Iowa be appointed and designated as delegates to attend and represent the state of Iowa at the commissioning ceremonies of the United States battleship Iowa on the morning of February 22, 1943, at 11:45 o'clock a. m. at the Navy Yard, New York, and that each delegate be reimbursed as to his or her actual expenses, and that said amounts be allowed and paid from general funds not otherwise appropriated.

Senator Faul raised the point of order that inasmuch as Senate Concurrent Resolution 18 provided for an appropriation of money it would have to be in the form of a joint resolution.

The Chair held the point well taken.

Senator Hattery asked and received unanimous consent that action be temporarily deferred on Senate Concurrent Resolution 18.

### THIRD READING OF BILLS

Senator Hattery asked and received unanimous consent that Senate Rule 22, which limits the time for introduction of bills, be suspended.

Senator Hattery offered the following joint resolution:

### SENATE JOINT RESOLUTION 2

Providing for the attendance of certain state officials at the commissioning of the battleship Iowa and for the payment of expenses therefor.

*Whereas*, On the morning of February 22, 1943, at 11:45 a. m. at the Navy Yard, New York, the United States battleship Iowa will be commissioned, and

*Whereas*, The United States battleship Iowa is one of the largest and most powerful battleships ever to be built in the world and will be used against our Axis foes, and

*Whereas*, The prospective commanding officer and officers have requested Governor Bourke B. Hickenlooper and Mrs. Bourke B. Hickenlooper, Lieutenant Governor Robert D. Blue and Mrs. Robert D. Blue, Senator B. C. Whitehill of Marshall County, the chairman of the military affairs committee of the Senate, and the Hon. John R. Gardner of Linn county, chairman of the military affairs committee of the House of Representatives, and the Adjutant General of the State of Iowa to attend the commissioning ceremonies of the United States battleship Iowa, and

*Whereas*, It is important that the great state of Iowa participate in and be represented at the commissioning ceremonies of the battleship Iowa in view of the honor bestowed upon our state in the naming of this battleship, now, therefore,

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That Governor Bourke B. Hickenlooper and Mrs. Bourke B. Hickenlooper, Lieutenant Governor Robert D. Blue and Mrs. Robert D. Blue, the Senator B. C. Whitehill of Marshall county, chairman of the military affairs committee of the Senate, and the Hon. John R. Gardner of Linn county, chairman of the military affairs committee of the House of Representatives, and the Adjutant General of the State of Iowa be appointed and designated as delegates to attend and represent the state of Iowa at the commissioning ceremonies of the United States battleship Iowa on the morning of February 22, 1943, at 11:45 o'clock a. m. at the Navy Yard, New York, and that each delegate be reimbursed as to his or her actual expenses, and that said amounts be allowed and paid from general funds not otherwise appropriated.

Sec. 2. This joint resolution being deemed of immediate importance shall be in full force and effect from and after its publication in Daily



Iowegian and Citizen, a newspaper published at Centerville, Iowa, and the Red Oak Express, a newspaper published at Red Oak, Iowa.

Senator Hattery asked and received unanimous consent that Joint Rule 12, which requires the printing of bills and joint resolutions, be suspended.

Senator Hattery asked and received unanimous consent that Senate Rules 21 and 23, which are the rules requiring any bill or joint resolution carrying an appropriation to be referred to the committee on appropriations, be suspended.

Senate Joint Resolution 2 was read the first and second times.

Senator Hattery asked and received unanimous consent that Senate Rules 17 and 23, which are the rules of the Senate providing that a bill shall not go to its third reading on the same day without suspension of the rules, be suspended.

Senator Hattery 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 pass?" the vote was:

Ayes, 47:

Augustine	Findlay	Jones	Reilly
Bekman	Foster	Keir	Schluter
Benson	Fuller	Leo	Shaw
Berg	Goode	Long	Sjulin
Byers	Hart	Love	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Mercer	Vrba
Elthon	Hess	Miller	Watson
Emerson	Hill	Mowry	Zastrow
Evans	Hunt	Pelzer	Zeigler
Faul	Johnson	Pine	

Nays, none.

Present, 1:

Whitehill

Absent or not voting, 2:

Dykhouse                  Lundy

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

Senator Hattery 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.

President Blue took the chair at 10:41 a. m.

## UNFINISHED BUSINESS

On motion of Senator Bekman, the Senate resumed consideration of Senate File 36, a bill for an act to amend chapter one hundred fifteen (115), Code of Iowa, 1939, to regulate advertising of professional services, eyeglass or spectacle lenses, and spectacle frames or mountings, by persons, firms or corporations, or licensees under title VIII of the 1939 Code of Iowa, who are engaged in prescribing, manufacturing, selling or supplying eyeglass or spectacle lenses or complete eyeglasses or spectacles including lenses.

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate File 36 by adding the word "falsely" after the word "to" in line 8 of section 1 thereof.

Further amend Senate File 36 by adding the word "falsely" after the word "to" in line 9 of section 1 thereof.

Further amend Senate File 36 by adding the word "falsely" after the word "to" in line 14 of section 1 thereof.

Senator Faul raised the point of order that the motion for the third reading had been adopted and therefore the amendment by Senator Lundy was out of order.

The Chair held the point well taken and the amendment was out of order.

Senator Hess moved that the Senate reconsider the vote by which the previous question on Senate File 36 was ordered.

The motion was lost.

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:

Bekman	Fuller	Johnson	Shaw
Clark	Hart	Long	Turner
Clem	Harvey	Lynes	Vittetoe
Cromwell	Hattery	Martin	Vrba
Emerson	Henningsen	Mercer	Watson
Faul	Hess	Miller	Zastrow
Findlay	Hill	Schluter	Zeigler

## Nays, 16:

Augustine	Evans	Jones	Mowry
Berg	Foster	Keir	Pine
Byers	Goode	Love	Reilly
Elthon	Hunt	Lundy	Whitehill

Absent or not voting, 6:

Benson  
Dykhouse

Leo  
Pelzer

Sjulin

Stewart

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.

### THIRD READING OF BILLS

On motion of Senator Shaw, the Senate resumed consideration of Senate File 117, a bill for an act to amend section eleven thousand nine hundred and sixty-four (11964), Code, 1939, relating to demands not yet due in an estate providing and adding that where the demands are secured by mortgage on real estate, the claim shall not be allowed unless the claimant proves that the security is inadequate.

Senator Faul asked and received unanimous consent to withdraw the amendment filed by him to Senate File 117 on February 12 and found on page 389 of the Senate Journal.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 117 by striking all after the enacting clause and by substituting therefor the following:

"Section 1. Section eleven thousand nine hundred and sixty-four (11964), Code, 1939, is amended by adding the following thereto: 'Notwithstanding the provisions of section eleven thousand nine hundred seventy-five (11975), Code, 1939, if a claim is filed on a demand not yet due, which demand is secured by a mortgage on real estate, it may be paid by the estate at the same time it could have been paid if it had been due when filed.'"

Amend the title by striking the title and substituting therefor the following: "An act to amend section eleven thousand nine hundred and sixty-four (11964), Code, 1939, relating to demands not yet due in an estate and providing a time and method of payment thereof, provided the demand is secured by mortgage on real estate."

The amendment was adopted.

Senator Hess offered the following amendment by Senators Hess and Faul and moved its adoption:

Amend Senate File 117 by adding the following section:

"Sec. 2. The provisions of this act shall not apply to mortgages executed prior to July 4, 1943."

Senator Faul asked unanimous consent to withdraw the amendment.

Objection was made.

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, 40:

Bekman	Evans	Keir	Schluter
Benson	Faul	Leo	Shaw
Berg	Findlay	Long	Sjulin
Byers	Hart	Lynes	Stewart
Clark	Harvey	Martin	Turner
Clem	Hattery	Miller	Vittetoe
Cromwell	Henningsen	Mowry	Vrba
Dykhouse	Hess	Pelzer	Whitehill
Elthon	Hunt	Pine	Zastrow
Emerson	Jones	Reilly	Zeigler

Nays, 3:

Hill	Love	Watson
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Absent or not voting, 7:

Augustine	Fuller	Johnson	Mercer
Foster	Goode	Lundy	

The bill having received a constitutional majority was declared to have passed the Senate 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 Evans, Senate File 67, a bill for an act to provide for care of indigent persons in city or town hospitals established pursuant to sections ten thousand one hundred eighty-eight (10188) and ten thousand one hundred eighty-nine (10189) of the Code, 1939, and to provide for the payment of the costs thereof by the board of supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Evans offered the following amendment and moved its adoption:

Amend senate File 67 by striking the word "shall" in line four (4) in section one (1) and inserting in lieu thereof the word "may".

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	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Sjulin
Byers	Hart	Lynes	Stewart
Clark	Harvey	Martin	Turner
Clem	Hattery	Mercer	Vittetoe
Cromwell	Henningsen	Miller	Vrba
Dykhhouse	Hess	Mowry	Watson
Elthon	Hill	Pelzer	Zastrow
Emerson	Hunt	Pine	Zeigler
Evans	Jones		

Nays, none.

Absent or not voting, 4:

Faul	Johnson	Lundy	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.

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

On motion of Senator Byers, Senate File 83, a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, relating to the powers and duties of the board of supervisors, 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, 37:

Augustine	Fuller	Love	Sjulin
Benson	Hart	Lynes	Stewart
Berg	Harvey	Miller	Turner
Byers	Hattery	Mowry	Vittetoe
Clark	Hunt	Pelzer	Vrba
Clem	Jones	Pine	Watson
Cromwell	Keir	Reilly	Whitehill
Dykhhouse	Leo	Schluter	Zastrow
Elthon	Long	Shaw	Zeigler
Evans			

Nays, 2:

Faul	Findlay
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Absent or not voting, 11:

Bekman	Goode	Hill	Martin
Emerson	Henningsen	Johnson	Mercer
Foster	Hess	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.

#### 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 joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 2, providing for the attendance of certain state officials at the commissioning of the battleship "Iowa".

A. C. GUSTAFSON, *Chief Clerk.*

#### SENATE CONCURRENT RESOLUTION 18 WITHDRAWN

Senator Hattery asked and received unanimous consent to withdraw from the further consideration of the Senate, Senate Concurrent Resolution 18.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 17 and 81, and House Files 38, 48, 52, 82, 83, 186, and 225.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 17 and 81, and House Files 38, 48, 52, 82, 83, 186 and 225.

Passed on file.

#### BILLS SENT TO THE GOVERNOR

Senator Reilly, 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, 1943, sent to the governor for his approval Senate Files 17 and 81.      ROBERT C. REILLY, *Chairman.*

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on February 11th he had approved the following:

Senate File 10 relating to amendments to articles of incorporation of certain corporations and the renewal thereof.

Senate File 13 relating to the collection of fees for the renewal of licenses of registered professional engineers.

Senate File 35 relating to embezzlement by public officers.

Senate File 56 relating to mechanic's liens.

Senate File 73 relating to referees.

Senate File 75 relating to secondhand watches.

Senate File 157 providing for a credit on personal income taxes.

## REPORT FROM THE COMMISSION ON UNIFORM LAWS

February 16, 1943

MR. WM. SCARBOROUGH  
Secretary of the Senate  
Building

Dear Mr. Scarborough:

Please find attached copy of a report from the Iowa commission on uniform state Iowa laws for the consideration of the Senate.

Sincerely yours,

B. B. HICKENLOOPER,  
*Governor.*

BBH:LW  
Enc.

December 29, 1942

HONORABLE GEORGE A. WILSON  
Governor of Iowa  
Des Moines, Iowa

HONORABLE BOURKE B. HICKENLOOPER  
Governor-elect of Iowa  
Des Moines, Iowa  
Gentlemen:

Section 68 of the Code requires that the state uniform law commission shall report to the Legislature an account of its transactions and its advice and recommendations for legislation.

There have been two meetings of the national conference of commissioners on uniform state laws since the adjournment of the last General Assembly. All three of the Iowa commissioners attended the meeting at Indianapolis in September, 1941. The writer was the only

member of the commission attending the meeting of the national conference held at Detroit in August, 1942. Both of these sessions were engaged to a large extent in consideration of a revision of the uniform sales act, which is among the uniform acts in force in Iowa. The present work of revision is being done in collaboration with the American Law Institute and will be a part of a new uniform commercial code, comprising revisions of the uniform negotiable instruments act, the sales act, bills of lading act, warehouse receipts act, and possibly some others. Obviously the purpose of the revision is to bring these important uniform acts, which have been generally adopted by the states, up to date and make them more effective in respect to modern trade and commerce.

Among the more recent uniform acts adopted by the national conference is one known as the uniform simultaneous death act. Although it was not promulgated by the national conference until 1940, it has already been adopted as the law in 18 states. It deals with the situation wherein two or more persons die in a common disaster. The question of establishing survivorship, the rights to property and insurance proceeds incident thereto, has given the courts considerable difficulty. For instance, our own supreme court has refused to apply in these cases the ancient presumptions as to survivorship and has simply put upon the person claiming a certain survivorship the burden of proof with respect thereto (see *Graybill v. Brown*, 94 Iowa 290; *In re Estate of Evans*, 228 Iowa 908).

The uniform act provides a simple but logical solution for the problem. We think it should receive favorable consideration and action by the General Assembly.

At the 1942 meeting of the national conference four uniform acts were finally adopted. They consisted of amendments to the uniform guardianship act, amendments to the narcotic drug act, amendments to the acknowledgments act, and a new act called the uniform vital statistics act. The amendments to the uniform veterans guardianship act which is found as chapter 542.1 of the Code of Iowa, were drafted at the request of the United States veterans bureau and largely for the purpose of meeting, and providing a solution for, certain problems that had arisen during the years of the administration of the original uniform act.

The amendments to the narcotic drug act were prepared at the suggestion of the narcotic bureau, and they would amend the provisions of the uniform narcotic drug act which is found as chapter 155.1 of the Code of Iowa.

The amendments to the uniform acknowledgments act consist in the addition of a certain section providing for acknowledgment of instruments by persons in or with the armed forces of the United States before a commissioned officer of those forces and without the certificate of acknowledgment divulging the place of acknowledgment. This amendment is very urgently needed and has the approval of the Judge Advocate of the army and the Judge Advocate of the navy. While we do not have the uniform acknowledgments act in Iowa and we do



not urge its adoption, we do think that this amendment in behalf of the men in the armed forces of our country should have immediate and favorable action.

It is our opinion that the present provisions of the Iowa law with respect to vital statistics are sufficient, and we do not recommend that the uniform vital statistics act, as just adopted by the national conference, be considered for passage by the General Assembly.

Iowa has adopted and enacted into law 19 of the uniform acts promulgated by the national conference. Many of the states have gone much further than this. Our neighbor South Dakota has adopted 39; Illinois, 26; New York, 26; Pennsylvania, 35; Utah, 36; Wisconsin, 38; Wyoming, 22.

We do not take the position that Iowa should adopt all of the uniform acts, but we do believe that great benefit would be derived not only by our state, but by the nation, if Iowa would give careful and favorable consideration to most of these acts. Uniformity in respect to matters which readily lend themselves to such treatment tends to obviate unpleasant disputes and facilitate business transactions. We would like to recommend that, as has been done in a number of other states, a special committee on uniform legislation be appointed in the Senate and in the House, to which committees the consideration of the uniform acts would be referred.

Among uniform acts which have received general acceptance by the states and which would go far to improve the administration of justice in Iowa are certain acts relating to the introduction and admission of evidence in the trial of cases. These acts were prepared by the eminent legal writer and authority upon the law of evidence, Dean John H. Wigmore, who has for many years been a member of the national conference. The acts referred to are known as the business records as evidence act, composite reports as evidence act, judicial notice of foreign law act, and official reports as evidence act. These were all promulgated by the national conference in 1936. Somewhat related to the same subject, we recommend for consideration by the Legislature the uniform expert testimony act.

Respectfully submitted,

IOWA COMMISSION ON UNIFORM STATE LAWS  
J. D. PRYOR, *Chairman.*

REPORT FROM THE IOWA STATEHOOD CENTENNIAL  
COMMITTEE

February 16, 1943.

MR. WM. SCARBOROUGH,  
Secretary of the Senate,  
Building.

DEAR MR. SCARBOROUGH:

Please file the attached copy of a report from the Iowa Statehood Centennial Committee.

Sincerely yours,

B. B. HICKENLOOPER, *Governor.*

BBH:LW

IOWA  
STATE DEPARTMENT OF HISTORY  
AND ARCHIVES  
Des Moines  
Ora Williams, Curator

February 4, 1943.

HON. BOURKE B. HICKENLOOPER,  
Governor of Iowa,  
Des Moines, Iowa.

Dear Mr. Governor:

The Forty-ninth General Assembly of the State of Iowa adopted House Concurrent Resolution 23 providing for the appointment by the governor of Iowa of a committee of nine persons for the purpose of considering preliminary plans for the proper celebration of the Centennial of Iowa statehood during the year 1946. Under said resolution, the governor appointed the committee making this report to you, and whose names are signed hereto. The last paragraph of said resolution provided that said committee prepare plans and submit the same to the Fiftieth General Assembly for such action as it may deem proper.

Said committee has had two meetings, and as a result of careful consideration of the provisions of said resolution, and in accordance with the instructions contained therein, we hereby respectfully submit to you, and to the Fiftieth General Assembly through you, our report as follows:

There is no thought of diverting any particle of the thought or energy of the people of Iowa from the great main purpose of helping to win the war.

The celebration of the Centennial anniversary of the State of Iowa is, however, an important and worthy object in itself.

Hope is entertained that victory in the war may come at a date considerably in advance of the time for the actual celebration of the Centennial. In such case, the celebration should be planned to combine with the anniversary theme the additional theme of honor to the fighting men who have helped to win the victory.

It is entirely possible that the end of the war, releasing the energy of our people for a Centennial celebration, might come midway between sessions of the Legislature. In such case, it would be advisable to have the machinery for the purpose set up in advance, so that a commission could start to function at once, instead of having to wait for a half year or even a year for the activity to be authorized.

It is for this last reason that we offer at this time a general outline of tentative plans for the celebration of the Iowa statehood Centennial in 1946.

The actual date of the admission of the State of Iowa into the Union was December 28, 1846. The date is most inconvenient, for three reasons: Business activities are congested then, at the close of the calendar year; everyone is busy with holiday festivities and observances; and the weather is likely to be anything but favorable, certainly prohibitive for any outdoor program. Therefore, it is suggested that the entire Centennial year of 1946 be devoted to widespread local observances

of the anniversary, in which every community of the state can join, and emphasize its own particular part in the progress of Iowa for the 100 years; with perhaps an official recognition of the exact anniversary date, at the state capitol. We assume that the Iowa State Fair will signalize the anniversary at its annual exhibition in its own way.

To this end we suggest that every county, every city, every town, every church, lodge, club, association, or other group of any kind, plan to observe, in a manner fitting to its own line of activity, its own anniversary, whether that be for the exact 100-year period or for a greater or less period of time. Many such observances will be held before the year 1946, but when that year comes, then all celebrations should have special reference to the Centennial year.

It also is suggested that, in addition to the public schools, all study clubs and other groups in the state which meet regularly should include in their programs of study from now until 1946 something with reference to the history of the state and to its progress in all lines.

There are numerous books which in whole or in part cover the history of the state quite fully and ably. But from these more extensive works it would be well to make a compendium of the main facts in the state's history, to be published in economical form for the use of teachers and pupils in the public school system.

The State Department of History and Archives, the State Historical Society of Iowa, and the Iowa Association of Local Historical Societies should be expected to give direction to much of this study, as part of their regular activity. The Centennial series of Iowa historical books published by the State Historical Society will be drawn upon for material, including those already published, and the remaining volumes of the series which are to follow.

The purpose is not to promote a merely academic study of state and local history, or a merely commercial advertisement of Iowa, but to represent faithfully all the activities, material and moral, which have gone into the making of a great state; to stimulate state pride; to stir a lively gratitude for the Providential and human influences which have made Iowa what it is today; and to strengthen the purpose of all Iowans to learn from the lessons of the past in order to build Iowa institutions and character even better as the state's second century begins.

Our suggestion is that the observance of Iowa's statehood Centennial should be an all-Iowa affair, covering every branch of legitimate activity, past and present.

To place in effect the preliminary plans and program referred to above, and to consummate other plans that might be prepared in the future, the undersigned committee hereby make two definite concrete recommendations:

1. That if the governor and the Fiftieth General Assembly approve the general program and plan above submitted, the governor should be authorized to appoint a Centennial commission to prepare and frame definite plans and programs and to have full charge of the directions of Centennial observances in the state. The committee suggest that said commission should consist of between fifteen and twenty members, one of

each members to be appointed from and to represent each of the following organizations or lines of activity:

Agriculture.

Education.

Patriotic organizations.

Labor.

Industry and Commerce.

The State Department of History and Archives.

The State Historical Society of Iowa.

The Iowa Association of Local Historical Societies.

Women's organizations.

Religious interests.

Transportation.

Daily newspapers.

Weekly newspapers.

Radio stations.

And any other activity which seems advisable.

Our second definite and concrete recommendation is as follows:

2. Your committee feels that it would be well for the Centennial commission to be supplied with a small fund, say one thousand dollars (\$1,000) for the biennium, with which to meet actual expenses such as postage, printing, telephone calls, and clerical work. The commission appointments should be completely honorary, with no allowance for time or expense.

Respectfully submitted,

IOWA STATEHOOD CENTENNIAL COMMITTEE.

Ora Williams, Chairman, Des Moines Ethyl Martin, Iowa City

Walter H. Beall, West Union Frank Miles, Des Moines

Bob Burlingame, Des Moines Mrs. H. E. Narey, Spirit Lake

John W. Carey, Sioux City Henry K. Peterson, Council Bluffs

Wm. G. Kerr, Grundy Center

#### BILLS ASSIGNED TO COMMITTEES

President Blue announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 231	Public Schools.
S. F. 232	Public Utilities.
S. F. 234	Highways.
S. F. 238	Judiciary 2.
S. F. 239	Child Welfare.
S. F. 241	Highways.
S. F. 242	Public Health.
S. F. 243	Labor.
S. F. 244	Cities and Towns.
S. F. 245	County and Township Affairs.
S. F. 246	Judiciary 1.

Bill No.	Committee Assignment
S. F. 247	Educational Institutions.
S. F. 248	Motor Vehicles.
S. F. 249	Public Schools.
S. F. 250	Educational Institutions.
S. F. 251	Judiciary 2.
S. F. 252	Ways and Means.
S. F. 253	Judiciary 2.
S. F. 254	Educational Institutions.
S. F. 255	Conservation.
S. F. 256	Ways and Means.
S. F. 257	Appropriations 1.
S. F. 259	Agriculture 2.
S. F. 260	Agriculture 2.
S. F. 261	Cities and Towns.
S. F. 262	Building and Loan.
S. F. 263	Cities and Towns.
S. F. 264	Judiciary 2.
S. F. 265	Judiciary 2.
S. F. 266	Judiciary 1.
S. F. 267	Agriculture 2.
S. F. 268	Cities and Towns.
S. F. 269	Highways.
S. F. 270	Cities and Towns.
S. F. 271	Child Welfare.
S. F. 272	Income Tax Reduction.
S. F. 273	Compensation of Public Officers.
S. F. 274	Motor Vehicles.
S. F. 275	Agriculture 1.
S. F. 277	Dairying.
S. F. 278	Educational Institutions.
S. F. 282	Social Security.
S. F. 283	Private Corporations.
S. F. 284	Federal Relations.
S. F. 285	Judiciary 2.
S. F. 286	Motor Vehicles.
S. F. 287	Cities and Towns.
S. F. 288	Public Schools.
S. F. 289	Manufacturing, Commerce and Trade.
S. F. 290	Social Security.
S. F. 291	Labor.
S. F. 293	Appropriations 1.

- S. F. 294 Appropriations 1.  
H. F. 65 Compensation of Public Officers.  
H. F. 88 Departmental Affairs.  
H. F. 235 Dairying.

### REPORTS OF COMMITTEES

Senator Mercer submitted the following report:

MR. PRESIDENT: Your committee on printing, to which was referred Senate File 188, a bill for an act to permit the sale of stamps, issued by the state, to collectors, and prescribing the conditions of such sale, begs leave to report it has had the same under consideration and recommends the same do pass.

LEROY S. MERCER, *Chairman*.

Ordered passed on file.

Senator Whitehill submitted the following report:

MR. PRESIDENT: Your committee on military affairs, to which was referred Senate File 213, a bill for an act to provide for the disposition of the excess revenues derived from the tax levies made under the provisions of chapter 332, acts of Thirty-ninth General Assembly, 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 Evans submitted the following report:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 230, a bill for an act to encourage the development of the undeveloped mineral resources of the state of Iowa, and to make an appropriation to the person, firm, or group for the first producing oil well in Iowa, 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 appropriations 1, to which was referred Senate File 240, a bill for an act to provide for the protection of the lives and property of the people of the state of Iowa and to contribute to the national defense, 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 240 by striking lines sixteen (16) to twenty-two (22) inclusive, of section sixteen (16)." K. A. EVANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 293, 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.

K. A. EVANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 294, a bill for an act to make appropriations to M. D. Synhorst, Orange City, Iowa; James Babcock, Drakesville, Iowa; Esther Deahl, Centerville, Iowa; Ben Brasser, Cherokee, Iowa; Dr. James McKenzie, Baxter, Iowa; M. W. Ellis, receiver of the American Trust and Savings Bank, LeMars, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman*.

Ordered passed on file.

Senator Emerson submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings, to which was referred House File 136, a bill for an act to amend section four (4) and four and five-tenths (4.5), Code, 1939, relating to federal acquirements of real estate within the state and jurisdiction thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

S. RAY EMERSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public lands and buildings, to which was referred Senate File 155, a bill for an act to amend chapter 167, Code, 1939, providing for a dormitory system and procedure and regulations, begs leave to report it has had the same under consideration and recommends the same do pass.

S. RAY EMERSON, *Chairman*.

Ordered passed on file.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 18, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Most Reverend Francis J. L. Beckman, Archbishop of Dubuque.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Lynes, from the county officers of Bremer county, favoring an increase in salary for county officers.

By Senator Hill, from residents of Wright county, favoring local option.

By Senator Foster, from the county officers of Henry county, favoring an increase in salary for county officers.

By Senator Mowry, from members of the Lincoln Parent Teachers Association of Newton, favoring adoption of the new school code.

By Senator Clem, from the members of the Board of Supervisors of Woodbury county, in opposition to House File 239; also from Sioux City Teachers' Association and the Woodbury County Council of the Iowa Teachers' Association, favoring adoption of the new school code.

By Senator Berg, from residents of Black Hawk county, favoring local option.

## INTRODUCTION OF BILLS

Senate File 297, by committee on military affairs, a bill for an act making an appropriation for the purpose of aiding in defraying the expenses of a national encampment of the Grand Army of the Republic to be held in this state.

Read first and second times, is ready for commitment and amendment, and referred to committee on Appropriations 2.



## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 107, a bill for an act relating to boarding of prisoners.

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

Senate File 34, a bill for an act relating to use of poor fund by county board of supervisors.

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

Senate File 221, a bill for an act relating to powers of the state conservation commission.

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

Senate Concurrent Resolution 17, memorializing Congress to effect the retirement of the federal government from the field of automotive taxation.

Also: That the House has concurred in Senate amendments to and passed House File 50, a bill for an act relating to state game laws.

A. C. GUSTAFSON, *Chief Clerk*.

## HOUSE MESSAGES CONSIDERED

House File 107, a bill for an act to amend section five thousand one hundred ninety-one (5191), subsection eleven (11), Code, 1939, relating to boarding of prisoners.

Read first and second times, is ready for commitment and amendment, and passed on file.

## THIRD READING OF BILLS

On motion of Senator Dykhouse, Senate File 173, a bill for an act to amend sections four (4) and four and five tenths (4.5), Code, 1939, relating to federal acquirements of real estate within the state and jurisdiction thereover, was taken up and considered.

Senator Dykhouse asked and received unanimous consent that House File 136, a bill for an act to amend sections four (4) and four and five tenths (4.5), Code, 1939, relating to federal acquirements of real estate within the state and jurisdiction thereover, be substituted for Senate File 173. The report of the com-

mittee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hess moved that the bill be read a third 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	Fuller	Long	Schluter
Bekman	Goode	Love	Shaw
Benson	Hart	Lundy	Stewart
Byers	Harvey	Lynes	Turner
Clark	Hess	Martin	Vittetoe
Clem	Hill	Mercer	Vrba
Cromwell	Hunt	Miller	Watson
Dykhouse	Johnson	Mowry	Whitehill
Emerson	Jones	Pelzer	Zastrow
Faul	Keir	Pine	Zeigler
Findlay	Leo	Reilly	

**Nays, none.**

**Absent or not voting, 7:**

Berg	Evans	Hattery	Sjulin
Elthon	Foster	Henningsen	

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

Senator Hess moved that the 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 88, a bill for an act to repeal chapter two hundred twelve (212), Senate File two hundred eighty-four (284), acts of the Forty-ninth (49th) General Assembly, and to amend section six thousand one hundred twenty-five (6125), Code, 1939, relating to the incurring of indebtedness and issuance of bonds for public improvements in cities and towns, including cities under special charter, 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 88 by adding the word "surfacing" after comma (,) which follows the word "reconstruction" in line four (4) of section two (2).

Further amend said Senate File 88 by adding the words "by grading or" following the word "improved" in line five (5) of section two (2).

Further amend by inserting the word "repaving" in lieu of the word "repairing" where it appears in line nine (9) of section two (2).

Further amend by adding the word "surfacing" after the comma (,) which follows the word "reconstruction" in line nine (9) of section two (2).

And further amend by adding the words "by grading or" following the word "improved" in line ten (10) of section two (2).

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, 43:

Augustine	Foster	Leo	Reilly
Bekman	Fuller	Long	Schluter
Benson	Goode	Love	Shaw
Berg	Hart	Lundy	Stewart
Byers	Harvey	Lynes	Vittetoe
Clark	Hess	Martin	Vrba
Clem	Hill	Mercer	Watson
Cromwell	Hunt	Miller	Whitehill
Dykhous	Johnson	Mowry	Zastrow
Emerson	Jones	Pelzer	Zeigler
Findlay	Keir	Pine	

Nays, none.

Absent or not voting, 7:

Elthon	Faul	Henningsen	Turner
Evans	Hattery	Sjulin	

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 Watson, Senate File 93, a bill for an act to amend section six thousand three hundred twenty-six and eight hundredths (6326.08), Code, 1939, relating to benefits under retirement systems for policemen and firemen, and to make the same applicable to special charter cities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson moved that the bill be read a third 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	Goode	Leo	Schluter
Bekman	Hart	Long	Shaw
Berg	Harvey	Love	Stewart
Byers	Henningsen	Lynes	Turner
Clem	Hess	Martin	Vittetoe
Cromwell	Hill	Mercer	Vrba
Elthon	Hunt	Miller	Watson
Emerson	Johnson	Mowry	Whitehill
Faul	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler

**Nays, none.****Absent or not voting, 10:**

Benson	Evans	Hattery	Pelzer
Clark	Foster	Lundy	Sjulin
Dykhouse	Fuller		

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

Senator Watson moved that the 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 94, a bill for an act to amend section five thousand seven hundred forty-three (5743), Code, 1939, relating to general powers of cities and towns, and to regulate and license electricians and electrical contractors and provide for their examination, 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, 38:**

Augustine	Hart	Leo	Pelzer
Berg	Harvey	Long	Reilly
Byers	Hattery	Love	Schluter
Clark	Henningsen	Lundy	Shaw
Clem	Hess	Lynes	Stewart
Cromwell	Hill	Martin	Vittetoe
Elthon	Hunt	Mercer	Vrba
Emerson	Johnson	Miller	Watson
Evans	Jones	Mowry	Zastrow
Faul	Keir		

**Nays, 3:**

Findlay	Pine	Sjulin
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**Absent or not voting, 9:**

Bekman	Foster	Goode	Whitehill
Benson	Fuller	Turner	Zeigler
Dykhouse			

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

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

On motion of Senator Clem, Senate File 124, a bill for an act to repeal section thirty-six hundred sixteen and one-tenth (3616.1) of the 1939 Code of Iowa and to amend section thirty-six hundred sixteen (3616) of the 1939 Code of Iowa, both relating to salaries and expenses of officers and employees of the juvenile court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clem moved that the bill be read a third 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	Goode	Leo	Reilly
Berg	Hart	Long	Schluter
Byers	Harvey	Love	Shaw
Clark	Hattery	Lundy	Sjulin
Clem	Henningsen	Lynes	Stewart
Cromwell	Hess	Martin	Turner
Dykhouse	Hill	Mercer	Vittetoe
Elthon	Hunt	Miller	Watson
Emerson	Johnson	Mowry	Whitehill
Evans	Jones	Pelzer	Zastrow
Faul	Keir	Pine	Zeigler
Findlay			

**Nays, none.****Absent or not voting, 5:**

Bekman	Foster	Fuller	Vrba
Benson			

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

Senator Clem moved that the 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 178, a bill for an act to amend section three thousand six hundred twelve (3612), Code, 1939, concerning the compensation of probation officers in counties of less than thirty thousand (30,000) population, 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 178 by inserting after the word "their" in line 6 the word "actual".

Senator Cromwell asked and received unanimous consent that further action on Senate File 178 be deferred and that it retain its place on the calendar.

On motion of Senator Cromwell, Senate File 43, a bill for an act fixing the period of limitations within which actions may be begun with respect to certain claims arising out of federal statutes, when no period of limitations is prescribed therein, 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 43 by striking the title and inserting in lieu thereof and as the title, the following:

"An Act fixing the period of limitations within which actions may be begun with respect to certain claims arising out of federal statutes, when no period of limitation is prescribed therein, and fixing the period of limitation within which actions may be begun with respect to certain claims against holders of contracts with the United States government or any agency thereof."

Further amend Senate File 43 by striking everything after the enacting clause and adding the following:

"Section 1. No action based upon any claim arising prior to March 1, 1943, shall be maintained either at law or in equity, in any court, to recover against the holder of a contract for the processing or manufacture of goods or materials of war, or for the rendering of services in connection with the conduct of the war, when such claim arises out of the performance of such contract and when such contract is with the United States government, or any agency thereof, unless such action be begun within six months from the effective date of this act; and in all other cases, no such claim shall be maintained unless action therein is begun within six months from the date of accrual thereof.

Sec. 2. In all cases wherein a claim or cause of action has arisen or may arise pursuant to the provisions of any federal statute wherein no period of limitation is prescribed, the holder of such claim or cause of action may commence action thereon within but not after a period of six

months after March 1, 1943, if such claim or cause of action arose prior to March 1, 1943, or within but not later than six months after the accrual of such claim or cause of action if such claim or cause of action arose after March 1, 1943.

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Daily Hawkeye Gazette, a newspaper published at Burlington, Iowa, and in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa."

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, 45:

Bekman	Goode	Long	Schluter
Berg	Hart	Love	Shaw
Byers	Harvey	Lundy	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Cromwell	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Elthon	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Whitehill
Evans	Jones	Pine	Zastrow
Faul	Keir	Reilly	Zeigler
Findlay			

Nays, none.

Absent or not voting, 5:

Augustine	Foster	Fuller	Leo
Benson			

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

Senator Cromwell asked and received unanimous consent that Senate File 43 be immediately messaged to the House, which request was complied with.

On motion of Senator Shaw, Senate File 82, a bill for an act to amend section sixty-nine hundred forty-three and forty-one thousandths (6943.041), Code, 1939, and section sixty-nine hundred forty-three and forty-two thousandths (6943.042), Code, 1939, relating to allowable deductions on gross income and computing that income for taxation purposes by adding deduction

provisions for medical care, 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 section one (1) by inserting after the word "care" in line six (6) the following: "or treatment or nursing as prescribed by a well-recognized church or religious denomination in any hospital or at home or in a sanatorium conducted and operated by such church or denomination".

Amend section two (2) by inserting after the word "except" in line four (4) the word "as".

Further amend section two (2) by striking from lines four (4) and five (5) the words "extraordinary medical expenses".

Further amend section two (2) by changing the word and figure "three (3)" in line four (4) and substituting the word and figure "four (4)".

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, 46:**

Augustine	Goode	Long	Schluter
Berg	Hart	Love	Shaw
Byers	Harvey	Lundy	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Dykhouse	Hess	Mercer	Vittetoe
Elthon	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Whitehill
Faul	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler
Foster	Leo		

**Nays, none.**

**Absent or not voting, 4:**

Bekman	Benson	Cromwell	Fuller
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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 Clark moved that the 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 Clem, Senate File 122, a bill for an act



to legalize the action of the board of supervisors of Woodbury county, Iowa, in making expenditures from the poor fund of said county for the repairs and remodeling of office building used by poor relief offices, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clem moved that the bill be read a third 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	Foster	Leo	Schluter
Berg	Fuller	Long	Shaw
Byers	Goode	Love	Sjulin
Clark	Hart	Lundy	Stewart
Clem	Harvey	Lynes	Turner
Dykhous	Hattery	Martin	Vittetoe
Elthon	Henningsen	Mercer	Vrba
Emerson	Hess	Miller	Watson
Evans	Hill	Pelzer	Whitehill
Faul	Johnson	Pine	Zeigler
Findlay	Keir	Reilly	

Nays, none.

Absent or not voting, 7:

Bekman	Cromwell	Jones	Zastrow
Benson	Hunt	Mowry	

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

Senator Clem moved that the 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 154, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of corporate existence and the adoption of the amended and substituted articles of incorporation of the Continental Amusement Company and to provide for the renewal of the charter of said Continental Amusement Company, 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, 47:**

Augustine	Fuller	Leo	Schluter
Bekman	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir	Reilly	

Nays, none.

**Absent or not voting, 3:**

Benson	Dykhouse	Foster
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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.

**REPORT OF JOINT COMMITTEE ON ENROLLED BILLS**

Senator Reilly, 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 111, and Senate Joint Resolution 2.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 111.

President pro tempore Frank C. Byers took the chair at 11:40 a. m.

**BILLS SIGNED BY THE PRESIDENT PRO TEMPORE**

The President pro tempore of the Senate announced that, as President pro tempore of the Senate, he had signed in the presence of the Senate, Senate Joint Resolution 2.

President Blue took the chair at 11:46 a. m.

## EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

## BILL REFERRED TO COMMITTEE

Senator Hill asked and received unanimous consent that Senate File 281, now on the calendar, be referred to the committee on compensation of public officers.

## BILLS SENT TO THE GOVERNOR

Senator Reilly, 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 February, 1943, sent to the governor for his approval, Senate File 111.

**ROBERT C. REILLY, Chairman.**

Passed on file.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on February 17th he had approved the following:

Senate File 17 relating to the duty of city and town officials in municipal primary elections.

Senate File 81 providing for the clearing at par of checks.

## BILLS ASSIGNED TO COMMITTEES

Bill No.	Committee Assignment
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S. F. 297	Appropriations 2.
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H. F. 107	County and Township Affairs.
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H. F. 237	Dairying.
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## REPORTS OF COMMITTEES

Senator Cromwell submitted the following report:

**MR. PRESIDENT:** Your committee on cities and towns, to which was referred Senate File 186, a bill for an act to give cities and towns power to levy one mill for city hall maintenance, 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 186 by striking all of the last paragraph thereof commencing with the quotation marks in front of the figures "33" and ending with the quotation marks after the word "hall" and insert in lieu thereof the following:

"33. City hall improvement, operation and maintenance fund: In cities and towns having a population of five thousand (5,000) or less in which a city hall has been established or built, the city council or town council may levy not to exceed one mill and the money derived therefrom shall be used only to improve, operate and maintain such city or town hall."

Further amend Senate File 186 by adding a new paragraph as follows: "This act shall apply to cities acting under special charter."

FRED CROMWELL, *Chairman.*

Ordered passed on file.

Senator Goode submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred House File 108, a bill for an act to amend section five thousand four and eight hundredths (5004.08), Code, 1939, relating to special plates to manufacturers, transporters and dealers, providing for the private use of motor vehicles by automobile dealers operating under special plates and providing for the termination of this act, and providing for refund of fees 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 House File 108 by adding to section one (1) thereof the following:

"The provisions of this act shall in nowise be construed to permit the holder of a dealer's registration to operate, or cause to be operated, any motor truck, except for demonstration purposes, without securing current individual registration for each such truck."

DEWEY E. GOODE, *Chairman.*

Ordered passed on file.

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on conservation, to which was referred Senate File 165, a bill for an act to amend section 1794.069, Code, 1939, relating to seining for fish in the Mississippi river, begs leave to report it has had the same under consideration and recommends the same do pass.

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation, to which was referred Senate File 171, a bill for an act relating to fishing seasons and limitations, begs leave to report it has had the same under consideration and recommends that the same do pass. J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on conservation, to which was referred Senate File 212, a bill for an act to permit live birds and animals to be used as targets at regularly conducted field meets under official supervision and prescribing rules and regulations for such meets, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed. J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Senator Martin submitted the following report:

MR. PRESIDENT: Your committee on labor, to which was referred Senate File 151, a bill for an act to amend the law as it appears in chapters seventy (70) and seventy-one (71), Code, 1939, relating to workmen's compensation, fixing the maximum amount of weekly compensation, the time when such compensation shall be payable, reducing the waiting period from two weeks to one week, and fixing the time within which an award or settlement may be reviewed, begs leave to report it has had the same under consideration and recommends that the same do pass.

FRANK D. MARTIN, *Chairman*.

Ordered passed on file.

Senator Sjulin submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 150, a bill for an act relating to and providing payment of unemployment benefits, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL O. SJULIN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 152, a bill for an act providing for unemployment compensation and regulating the payment of benefits thereunder, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL O. SJULIN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on social security, to which was referred House File 81, a bill for an act to amend section 6943.143, Code, 1939, relating to securing the benefits of homestead exemption credits for and on behalf of persons receiving old age assistance, begs leave to report it has had the same under consideration and recommends the same do pass.

CARL O. SJULIN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred House File 223, a bill for an act to amend chapter 77.2, Code, 1939, relating to payment of unemployment compensation to individuals in armed forces, and to repeal sections 1 and 2, chapter 106, acts of the Forty-ninth General Assembly, 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 223 by striking all of section one (1) and inserting in lieu thereof the following:

"Section 1. Notwithstanding any other provision of chapter seventy-seven and two-tenths (77.2), Code, 1939, to the contrary, any individual in good faith leaving his employment after March 31, 1940, and prior to July 1, 1945, to join the armed forces of the United States, and who does so join, or who attempting to so join is rejected, shall not be disqualified under the provisions of subsection A of section fifteen hundred fifty-one and eleven hundredths (1551.11-A), Code, 1939, for voluntarily leaving his employment."

Further amend House File 223 by striking from line five (5) of section three (3) the words "nine (9) completed calendar quarters" and inserting in lieu thereof "base period". CARL O. SJULIN, *Chairman*.

Ordered passed on file.

Senator Zeigler submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 76, a bill for an act to exempt from taxation cooperative corporations and associations not operated for profit and engaged in the generating or furnishing electric energy to farms, farm establishments, rural churches, schools, villages, and towns under six hundred population where electric service is not otherwise available and the value of the interests of members in such corporations or associations, begs leave to report it has had the same under consideration and returns the bill without recommendation, and that the bill be amended as follows:

Amend Senate File 76 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. All cooperative corporations and associations organized and existing or hereafter organized and established not for profit under the laws of Iowa or similar laws of other states and engaging solely in the furnishing of electric energy to farms, farm establishments and rural churches, rural schools, rural business establishments and unincorporated villages where high line service is not otherwise available in Iowa and the value of the interests of members in such cooperative corporation or association shall be exempt from the taxation provided for in chapter 340 of the Code of 1939, for the calendar years 1943 and 1944.

Sec. 2. From and after January 1, 1945, such corporations shall be taxed as provided in chapter 340 of the Code of 1939.

SANFORD ZEIGLER, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 189 by adding the following as section three (3):

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Bridgewater Times, a newspaper published at Bridgewater, Iowa, and in the Fontanelle Observer, Fontanelle, Iowa."

H. S. LOVE.

Amend Senate File 270 by adding the following as a new section:

"Amend section five thousand eight hundred sixty-nine, (5869), Code, 1939, by inserting in the first (1) line after the word 'city' the words 'or towns'."

PAUL P. STEWART.

Amend Senate File 178 by striking all after the word "paid" in line five (5) and inserting in lieu thereof the words "for actual services rendered as the court may allow not exceeding the sum of three (3) dollars per day for a period not to exceed seven (7) days in any one month, and not to exceed the sum of two hundred (200) dollars in any one year. Only one probation officer in a county may receive compensation. County officers or employees are not eligible for compensation".

FRED CROMWELL,  
ROSS R. MOWRY,  
E. K. BEKMAN.

Amend Senate File 177 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Amend section seven thousand three hundred thirty and one tenth (7330.1), Code, 1939, by inserting after the word "receive" in line two, the word "compensation".

Sec. 2. Further amend section seven thousand three hundred thirty and one tenth (7330.1), Code, 1939, by striking everything in the section following the comma in line four and adding the following: "at the rate of not to exceed one and one-quarter dollars an hour except that the minimum charge shall not be less than two and one-half dollars per day."

FRED CROMWELL.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 19, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. Harold C. Irwin, pastor of the United Presbyterian church, Columbus Junction.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dykhouse, from the county officers of Lyon county, favoring an increase in salary for county officers.

By Senator Love, from the county officers of Madison county, favoring an increase in salary for county officers.

By Senator Sjulín, from residents of Page county, favoring adoption of the new school code; also favoring the authorization of a levy by cities and towns for street maintenance.

By Senator Whitehill, from farmers of Marshall county, favoring repeal of daylight saving time.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Elthon for the day on request of Senator Love.

## INTRODUCTION OF BILLS

Senate File 298, by committee on child welfare, a bill for an act to amend and revise section three thousand six hundred sixty-one and fifty-seven thousandths (3661.057), 1939 Code of Iowa, relating to definition of children's boarding home; to amend section three thousand six hundred sixty-one and fifty-eight thousandths (3661.058), 1939 Code of Iowa, relating to designation of state department instead of state board of social welfare; to amend and revise section three thousand six hundred sixty-one and sixty-two thousandths (3661.062), 1939 Code of Iowa, relating to notice of granting children's boarding home license; to amend and revise section three thousand six hundred sixty-one



and sixty-three thousandths (3661.063), 1939 Code of Iowa, relating to children's boarding home license being essential before a person can receive a child in a children's boarding home or solicit or receive funds for such child support; and relating to the discretion vested in the state department of social welfare for licensing homes caring for children between the ages of eighteen (18) and twenty-one (21); to amend and revise section three thousand six hundred sixty-one and sixty-six thousandths (3661.066), 1939 Code of Iowa, relating to rules and regulations of the state department of social welfare; to amend and revise section three thousand six hundred sixty-one and sixty-eight thousandths (3661.068), 1939 Code of Iowa, relating to revocation of children's boarding home license; to create a new section relating to appeal from revocation of a children's boarding home license; to amend and revise section three thousand six hundred sixty-one and sixty-nine thousandths (3661.069), 1939 Code of Iowa, relating to records, reports and inspection of children's boarding homes by the state department of social welfare.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 299, by committee on child welfare, a bill for an act to amend and revise section three thousand six hundred sixty-one and twenty-two thousandths (3661.022), 1939 Code of Iowa, relating to definition of the word "person" as used in chapter one hundred eighty-one and three tenths (181.3) relating to maternity hospitals; to amend and revise section three thousand six hundred sixty-one and twenty-three thousandths (3661.023), 1939 Code of Iowa, relating to the definition of a maternity hospital and relating to the prohibition against a maternity home operating as a child placing agency; to amend and revise section three thousand six hundred sixty-one and thirty-one thousandths (3661.031), 1939 Code of Iowa, relating to inspection fees for maternity hospitals and to create a new section to follow immediately after section three thousand six hundred sixty-one and forty-four thousandths (3661.044), 1939 Code of Iowa, relating to fees or expenses of any person for care and treatment during pregnancy or while attending birth or for care and treatment after birth from any adoptive or prospective adoptive parents.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 300, by committee on child welfare, a bill for an act to amend and revise section three thousand six hundred thirty-seven (3637), 1939 Code of Iowa, relating to alternative commitments by the juvenile court; to enact a new section to follow immediately after section three thousand six hundred thirty-seven (3637), 1939 Code of Iowa, relating to examination of neglected, dependent or delinquent children; to amend section three thousand six hundred thirty-nine (3639), 1939 Code of Iowa, relating to conditions attending commitment of a child to a child placing agency; to amend and revise section three thousand six hundred forty-one (3641), 1939 Code of Iowa, relating to aid to widow and care of child; to amend and revise section three thousand six hundred forty-two (3642), 1939 Code of Iowa, relating to duration of order of widow's pension; to amend and revise section three thousand six hundred forty-six (3646), 1939 Code of Iowa, relating to mandatory commitment of a neglected, dependent or delinquent child; to amend and revise section three thousand six hundred fifty-six (3656), 1939 Code of Iowa, relating to reports by the juvenile court and institutions or child placing agencies receiving neglected, dependent or delinquent children.

Read first and second times, is ready for commitment and amendment; and placed on the calendar.

#### HOUSE AMENDMENTS CONSIDERED

Senator Dykhouse called up for consideration Senate File 184, a bill for an act to amend chapter eighty-six (86), Code, 1939, to provide legal method for handling beaver causing property damage on private and public lands, amended by the House, and moved that the Senate amend the following House amendments:

No. 1. Amend by striking the comma (,) from line eight (8) and substituting in lieu thereof a period (.).

Further amend by striking the remainder of the subsection.

No. 2. Amend by adding thereto as section 2 the following:

"This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Spirit Lake Beacon, a newspaper published at Spirit Lake, Iowa, and in the Denison Review, a newspaper published at Denison, Iowa."

As follows:

Amend House amendment No. 1 to Senate File 184 by striking all of said amendment after the word "by" in line one (1) and inserting in lieu thereof the following:

"striking the words 'public or' in line ten (10) and inserting in lieu thereof the word 'his'".

The Senate amendment to the House amendment was adopted.

The Senate concurred in the House amendments to Senate File 184 as amended by the Senate.

Senator Dykhouse 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	Foster	Keir	Schluter
Benson	Fuller	Leo	Shaw
Berg	Goode	Long	Stewart
Byers	Hart	Love	Turner
Clark	Harvey	Lynes	Vittetoe
Clem	Hattery	Martin	Urba
Cromwell	Henningsen	Mercer	Watson
Dykhouse	Hess	Miller	Whitehill
Emerson	Hill	Pine	Zastrow
Faul	Hunt	Reilly	Zeigler
Findlay	Jones		

**Nays, none.**

**Absent or not voting, 8:**

Bekman	Evans	Lundy	Pelzer
Elthon	Johnson	Mowry	Sjulin

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 Cromwell, Senate File 178, a bill for an act to amend section three thousand six hundred twelve (3612), Code, 1939, concerning the compensation of probation officers in counties of less than thirty thousand (30,000) population, was taken up and considered.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 178 by striking all after the word "paid" in line five (5) and inserting in lieu thereof the words "for actual services rendered as the court may allow not exceeding the sum of three (3) dollars per day for a period not to exceed seven (7) days in any one month, and not to exceed the sum of two hundred (200) dollars in any one year. Only one probation officer in a county may receive compensation. County officers or employees are not eligible for compensation."

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, 31:**

Bekman	Hart	Long	Schluter
Benson	Harvey	Love	Shaw
Clem	Hattery	Lynes	Sjulin
Cromwell	Henningsen	Martin	Turner
Dykhouse	Hill	Mercer	Vrba
Emerson	Hunt	Miller	Watson
Faul	Keir	Pine	Zastrow
Goode	Leo	Reilly	

**Nays, 9:**

Augustine	Jones	Pelzer	Vittetoe
Clark	Mowry	Stewart	Whitehill
Findlay			

**Absent or not voting, 10:**

Berg	Evans	Hess	Lundy
Byers	Foster	Johnson	Zeigler
Elthon	Fuller		

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.

Senator Cromwell asked and received unanimous consent to withdraw the amendment filed by him to Senate File 178 and found on page 458 of the Senate Journal.

On motion of Senator Clark, House File 7, a bill for an act to amend section six thousand nine hundred forty-three and forty-one thousandths (6943.041), Code, 1939, relating to the computation of income tax returns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clark moved that the bill be read a third 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	Clark	Faul	Hattery
Bekman	Clem	Findlay	Henningsen
Benson	Cromwell	Fuller	Hill
Berg	Emerson	Harvey	Hunt
Byers	Evans	Hart	Johnson

Jones	Lynes	Pine	Turner
Keir	Martin	Reilly	Vittetoe
Leo	Mercer	Schluter	Vrba
Long	Miller	Shaw	Watson
Love	Mowry	Sjulin	Whitehill
Lundy	Pelzer	Stewart	

Nays, none.

Absent or not voting, 7:

Dykhouse	Foster	Hess	Zeigler
Elthon	Goode	Zastrow	

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

Senator Clark moved that the 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 53, a bill for an act to amend section three thousand seven hundred eighty-six (3786), Code, 1939, relating to the powers of the state board of parole to parole persons after commitment to state penal institutions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul moved that House File 53 be rereferred to the committee on judiciary 2, which motion prevailed.

On motion of Senator Benson, Senate File 23, a bill for an act to amend sections five hundred thirty-three (533), five hundred forty (540), five hundred forty-four (544), five hundred fifty-three (553), five hundred seventy-seven (577), five hundred ninety-one (591), six hundred sixteen (616), and six hundred thirty-four (634), Code, 1939, relating to the time of holding the primary election, changing the date from first Monday in June to the first Tuesday in September and changing the time of the canvass of the votes and the holding of the county and state political conventions, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee 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, 13:**

Augustine	Harvey	Leo	Shaw
Benson	Hess	Martin	Turner
Clark	Johnson	Pine	Watson
Foster			

**Nays, 25:**

Berg	Findlay	Jones	Schluter
Byers	Hart	Long	Stewart
Clem	Hattery	Love	Vittetoe
Cromwell	Henningsen	Mowry	Whitehill
Emerson	Hill	Pelzer	Zastrow
Evans	Hunt	Reilly	Zeigler
Faul			

**Absent or not voting, 12:**

Bekman	Fuller	Lundy	Miller
Dykhousé	Goode	Lynes	Sjulin
Elthon	Keir	Mercer	Vrba

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Hunt 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 Watson, Senate File 63, a bill for an act to amend title IV, chapter thirty-five (35), Code, 1939, relating to elections and officers, time of election and term of office limiting the number of supervisors that may be elected from territories of the county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson moved that the bill be read a third 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	Foster	Keir	Schluter
Benson	Fuller	Leo	Shaw
Berg	Goode	Long	Sjulin
Byers	Hart	Love	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Mercer	Vrba
Dykhousé	Hess	Miller	Watson
Emerson	Hill	Mowry	Whitehill
Evans	Hunt	Pelzer	Zastrow
Faul	Johnson	Pine	Zeigler
Findlay	Jones	Reilly	

**Nays, none.**

Absent or not voting, 3:

Bekman                      Elthon                      Lundy

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

Senator Watson moved that the 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 Watson, Senate File 149, a bill for an act to amend section five thousand six hundred seventy-four (5674), Code, 1939, relating to the acceptance by officers of cities and towns of free passes issued by railroad companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson moved that the bill be read a third 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	Fuller	Keir	Shaw
Benson	Goode	Leo	Sjulin
Berg	Hart	Lynes	Stewart
Byers	Harvey	Martin	Turner
Clark	Hattery	Mercer	Vittetoe
Clem	Henningsen	Miller	Vrba
Dykhouse	Hess	Pelzer	Watson
Emerson	Hill	Pine	Whitehill
Faul	Johnson	Reilly	Zastrow
Findlay	Jones	Schluter	Zeigler

Nays, 1:

Long

Absent or not voting, 9:

Bekman	Evans	Hunt	Lundy
Cromwell	Foster	Love	Mowry
Elthon			

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

Senator Watson moved that the 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 160, a bill for an act to amend section eight thousand nine hundred forty-one (8941), Code, 1939, relating to insurance and requirement of insurance

companies, 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, 40:**

Bekman	Findlay	Keir	Schluter
Benson	Foster	Leo	Shaw
Berg	Fuller	Long	Sjulin
Clark	Hart	Lynes	Stewart
Clem	Harvey	Martin	Turner
Cromwell	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Reilly	Zeigler

**Nays, none.**

**Absent or not voting, 10:**

Augustine	Goode	Love	Pine
Byers	Hattery	Lundy	Whitehill
Elthon	Henningsen		

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 161, a bill for an act to amend chapter four hundred eight (408) of title XX, Code, 1939, relating to bonds executed by reciprocal or interinsurance exchanges and providing for the acceptance thereof, 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, 32:**

Bekman	Evans	Lynes	Sjulin
Benson	Faul	Martin	Stewart
Berg	Findlay	Mercer	Turner
Byers	Hart	Miller	Vrba
Clark	Harvey	Mowry	Watson
Clem	Hunt	Reilly	Whitehill
Cromwell	Johnson	Schluter	Zastrow
Emerson	Long	Shaw	Zeigler



Nays, none.

Absent or not voting, 18:

Augustine	Goode	Jones	Lundy
Dykhouse	Hattery	Keir	Pelzer
Elthon	Henningsen	Leo	Pine
Foster	Hess	Love	Vittetoe
Fuller	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.

On motion of Senator Henningsen, Senate File 176, a bill for an act to amend section eighty-nine hundred forty (8940), Code, 1939, to authorize the writing of insurance against loss from additional hazards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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, 40:

Augustine	Evans	Hill	Schluter
Bekman	Faul	Jones	Shaw
Benson	Findlay	Keir	Sjulin
Berg	Foster	Long	Stewart
Byers	Goode	Lynes	Turner
Clark	Hart	Martin	Vittetoe
Clem	Harvey	Mercer	Vrba
Cromwell	Hattery	Mowry	Watson
Dykhouse	Henningsen	Pelzer	Zastrow
Emerson	Hess	Reilly	Zeigler

Nays, none.

Absent or not voting, 10:

Elthon	Johnson	Lundy	Pine
Fuller	Leo	Miller	Whitehill
Hunt	Love		

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 Foster, Senate File 181, a bill for an act to amend sections nine thousand twenty-nine (9029) and nine thousand forty-six (9046), Code, 1939, relating to insurance and policies of insurance on aircraft, 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 Senate File 181 by inserting in line two (2), section one (1) after the figure three (3) the following: "of subparagraph c".

The amendment was adopted.

Senator Foster moved that the bill be read a third 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	Findlay	Leo	Shaw
Bekman	Foster	Long	Sjulin
Benson	Goode	Lynes	Stewart
Berg	Hart	Martin	Turner
Byers	Harvey	Mercer	Vittetoe
Clark	Hess	Miller	Vrba
Clem	Hill	Mowry	Watson
Cromwell	Hunt	Pelzer	Whitehill
Dykhouse	Jones	Reilly	Zastrow
Emerson	Keir	Schluter	Zeigler
Faul			

Nays, none.

Absent or not voting, 9:

Elthon	Hattery	Johnson	Lundy
Evans	Henningsen	Love	Pine
Fuller			

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 Faul asked and received unanimous consent to withdraw the amendment filed by him to Senate File 181 and found on page 431 of the Senate Journal.

On motion of Senator Bekman, Senate File 222, a bill for an act to co-ordinate certain statutes relating to departments under

the control of the state board of library trustees, 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, 42:**

Augustine	Goode	Long	Shaw
Bekman	Hart	Love	Sjulin
Berg	Harvey	Lynes	Stewart
Byers	Hattery	Martin	Turner
Clark	Hess	Mercer	Vittetoe
Clem	Hill	Miller	Vrba
Cromwell	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Whitehill
Evans	Jones	Reilly	Zastrow
Faul	Keir	Schluter	Zeigler
Findlay	Leo		

**Nays, none.**

**Absent or not voting, 8:**

Benson	Elthon	Fuller	Lundy
Dykhouse	Foster	Henningsen	Pine

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

#### BILL SENT TO THE GOVERNOR

Senator Reilly, 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 February, 1943, sent to the governor for his approval, Senate Joint Resolution 2.

ROBERT C. REILLY, *Chairman.*

Passed on file.

#### BILL SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on February 18th he had approved the following:

Senate File 111 relating to general duties of the state conservation commission.

#### SPECIAL ORDER

Senator Berg asked and received unanimous consent that Senate File 240 be made a special order of business for Tuesday, February 23rd at 11:00 a. m.

## BILL REFERRED TO COMMITTEE

Senator Cromwell asked and received unanimous consent that Senate File 295 be referred to the committee on county and township affairs.

## PROOF OF PUBLICATION

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

Senate File 136, a proposed bill to legalize the action of the board of supervisors of Worth county, in making expenditures from the county maintenance and construction funds. W. J. SCARBOROUGH.

## PRESENTATION OF VISITORS

Senator Findlay asked and received unanimous consent to present a class from St. Mathew's Parochial School of Clare, who were present in the Senate chamber.

Senator Augustine offered the following Senate resolution:

## SENATE RESOLUTION 2

*Whereas*, All bills now on the calendar will go to the sifting committee, and,

*Whereas*, It has been the usual custom that after the March first recess and appointment of the sifting committee, very little legislation other than appropriations and claims is ever considered, and,

*Whereas*, In spite of the grandiose statements, promises and resolutions contained in Senate Concurrent Resolution 3, practically nothing has been done in the legislature to further the war effort, reduce all possible employees in order to relieve the manpower shortage or to cut the costs of state government, and,

*Whereas*, More resolutions have been introduced in this session of the legislature memorializing the federal government than in any former session of a like period, and,

*Whereas*, If the same amount of energy and power had been expended looking after the affairs of the state of Iowa rather than in memorializing Congress something constructive might have been accomplished, and,

*Whereas*, More time and effort has been expended on the welfare of beaver, pigeons, pheasants, fish, frogs and skunks than upon the welfare of the needy aged and the dependent children of the state,

*Therefore, Be it Resolved by the Fiftieth General Assembly of the State of Iowa:*

The various committees of this body shall take steps to bring out bills which will:

(1) Drastically reduce the number of employees in order to relieve the national shortage of manpower.

(2) Suspend the functions of as many as possible of the state inspectors, bureaus and bureaucrats of the state of Iowa in order that she may do her full share toward the winning of the war.

(3) Enact legislation which will release as much as possible of the vital materials needed in the war effort.

(4) Enact legislation which will empower Iowa to comply with the emergency proclamations issued by the federal government as war emergency measures.

(5) Enact social legislation which will enable the needy and dependent children to maintain decent living standards.

### REPORTS OF COMMITTEES

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on child welfare, to which was referred Senate File 239, a bill for an act to provide for a system of aid to dependent children in the several counties of the state, etc., begs leave to report it has had the same under consideration and returns the bill to be placed on the calendar without recommendation, as to its passage.

ALBERT J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on child welfare, to which was referred Senate File 271, a bill for an act 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, etc., begs leave to report it has had the same under consideration and returns the bill to be placed on the calendar without recommendation, as to its passage.

ALBERT J. SHAW, *Chairman*.

Ordered passed on file.

Senator Miller submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred Senate File 156, a bill for an act to amend section two hundred fifteen (215), Code, 1939, by striking therefrom the requirement for publication annually of amounts paid to state employees, 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 156 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section two hundred fifteen (215), Code, 1939, is amended by inserting in line six (6) of subsection twelve (12) after the word 'of' the following:

'every person receiving pay for one month or more in'."

Also amend the title by substituting the word "eliminating" for the word "striking" and adding at the end thereof the words, "who received pay for less than one month".

AI MILLER, *Chairman*.

Ordered passed on file.

Senator Hess submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred Senate File 84, a bill for an act to amend section thirty-six hundred twelve (3612), Code, 1939, relating to the salary of probation officers, begs leave to report it has had the same under consideration and recommends that the same do pass.

R. E. HESS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred Senate File 148, a bill for an act to amend sections fifty-two hundred twenty (5220), fifty-two hundred twenty-two (5222), fifty-two hundred twenty-four (5224), fifty-two hundred twenty-six (5226), fifty-two hundred twenty-eight (5228), and fifty-two hundred thirty (5230), Code, 1939, begs leave to report it has had the same under consideration and recommends that the same do pass.

R. E. HESS, *Chairman*.

Ordered passed on file.

Senator Schluter submitted the following report:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File 90, a bill for an act to amend chapter one hundred twenty-four and one-tenth (124.1), Code, 1939, relating to the supervision and regulation of the practice of embalming, 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 90 by striking all after the enacting clause and substituting therefor the following:

"Chapter one hundred twenty-four and one-tenth (124.1), Code, 1939, is hereby amended by adding the following:

Section 1. The provisions of sections two thousand four hundred ninety-five (2495) to two thousand five hundred eight (2508), inclusive, Code, 1939, shall not apply to a person licensed to practice embalming. The state board of embalmer examiners are hereby empowered to revoke or suspend any license to practice embalming when the licensee is guilty of any of the acts or offenses set out in sections two thousand four hundred ninety-two (2492), two thousand four hundred ninety-three (2493) and two thousand five hundred eighty-five and five hundredths (2585.05), Code, 1939; provided that before the revocation or suspension of any such license, the licensee shall have been afforded an opportunity for a hearing before the said board.

Sec. 2. Whenever a written complaint, duly verified, is filed with the state board of embalmer examiners, charging the holder of an embalmer's license with the violation of any of the rules and regulations of the said board, or with violation of any of the embalming laws of this state, or with the violation of any of the rules and regulations of the state department of health insofar as they relate to the practice of embalming, it shall be the duty of the secretary of said board to fix a time and place

for hearing and at least ten days prior to the date set for the hearing to cause written notice under registered mail to be sent to the licensee at his last known place of residence; said notice shall contain a statement of the charges and the date, time and place set for the hearing before the board. If the party thus notified fails to appear, either in person or by counsel at the time and place designated in said notice the board may, after receiving satisfactory evidence of the truth of the charges, revoke or suspend said license.

Sec. 3. The secretary of the board is hereby empowered to subpoena witnesses and shall administer oaths to all persons offering testimony at such hearings.

Sec. 4. In case the certificate be revoked or suspended, the embalmer affected may, within thirty days after the order of the board and not afterward, appeal therefrom to the district court of the county of the residence of the licensee, and said appeal shall be triable de novo. The attorney general shall, in the interest of public health, represent the board as counsel at hearings and upon appeal.

Sec. 5. The payment of the annual renewal fee of five dollars required of a licensed embalmer under the provisions of sections two thousand five hundred thirty-four and one-tenth (2534.1) and two thousand five hundred sixteen (2516), shall not apply to a licensee while he is serving in the military or naval forces of World War II."

EDWIN C. SCHLUTER, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 152 by striking all of section four (4) thereof and substituting the following:

"Sec. 4. Subsection A of section one thousand five hundred fifty-one and eleven hundredths (1551.11), chapter seventy-seven and two-tenths (77.2), Code, 1939, is hereby amended by striking lines one (1) to three (3) inclusive, and by inserting in lieu thereof the following:

"A. For the week in which he has left his work voluntarily without good cause and for not more than five consecutive weeks which immediately follow such week, as determined according to the circumstances in each case."

A. E. AUGUSTINE.

Amend Senate File 292 by adding thereto the following:

"Section 1. (f) The phrase 'agricultural labor' as used herein, shall be construed to apply only to the social security act and shall not be construed to apply or define 'agricultural labor' as used in the workmen's compensation act, or in any cause where the term or phrase 'agricultural labor' is in controversy."

R. W. ZASTROW  
D. D. FULLER

JOHN R. HATTERY  
O. H. HENNINGSSEN

Amend Senate File 240, section seven (7), line twenty-nine (29) by striking the comma (,) after the word "State" and inserting in

lieu thereof a semicolon (;) and the following words "for the promotion of the agricultural and industrial facilities of the State,".

HUGH W. LUNDY.

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



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 22, 1943.

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

Prayer was offered by Rev. Effie McCullum-Jones, pastor of St. Paul's Universalist church, Webster City.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Findlay, from the members of the Carpenter Parents and Teachers Association, favoring passage of the school code.

By Senator Cromwell, from residents of Des Moines county, opposing a change from central war time to central standard time.

By Senator Reilly, from residents of Dubuque county, opposing passage of the millage levy for road maintenance.

By Senator Leo, from the residents of Tama county, opposing passage of the bill permitting private schools to use the public school busses.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Bekman for the day on request of Senator Zeigler; Senator Elthon for the day on request of Senator Long.

## INTRODUCTION OF BILLS

Senate File 301, by committee on public health, a bill for an act to provide for the public health and to amend section two thousand eight hundred twenty-seven (2827). Code, 1939, relating to the use of common drinking cups in hotels, restaurants and food establishments, and providing for the sterilization of all drinking utensils used for dispensing cold beverages in food establishments.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senator Augustine called up the following resolution and moved its adoption:

### SENATE RESOLUTION 2

*Whereas*, All bills now on the calendar will go to the sifting committee, and,

*Whereas*, It has been the usual custom that after the March first recess and appointment of the sifting committee, very little legislation other than appropriations and claims is ever considered, and,

*Whereas*, In spite of the grandiose statements, promises and resolutions contained in Senate Concurrent Resolution 3, practically nothing has been done in the legislature to further the war effort, reduce all possible employees in order to relieve the manpower shortage or to cut the costs of state government, and,

*Whereas*, More resolutions have been introduced in this session of the legislature memorializing the federal government than in any former session of a like period, and,

*Whereas*, If the same amount of energy and power had been expended looking after the affairs of the state of Iowa rather than in memorializing Congress something constructive might have been accomplished, and,

*Whereas*, More time and effort has been expended on the welfare of beaver, pigeons, pheasants, fish, frogs and skunks than upon the welfare of the needy aged and the dependent children of the state,

*Therefore, Be it Resolved by the Fiftieth General Assembly of the State of Iowa:*

The various committees of this body shall take steps to bring out bills which will:

(1) Drastically reduce the number of employees in order to relieve the national shortage of manpower.

(2) Suspend the functions of as many as possible of the state inspectors, bureaus and bureaucrats of the state of Iowa in order that she may do her full share toward the winning of the war.

(3) Enact legislation which will release as much as possible of the vital materials needed in the war effort.

(4) Enact legislation which will empower Iowa to comply with the emergency proclamations issued by the federal government as war emergency measures.

(5) Enact social legislation which will enable the needy and dependent children to maintain decent living standards.

Senator Hunt moved that Senate Resolution 2 be laid upon the table, which motion prevailed.

President Robert D. Blue took the chair at 11:26 a. m.

## 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 16, duly adopted, the Joint Convention was called to order, Lieutenant Governor Robert D. Blue, President of the Senate, presiding.

The President introduced State Department Commander Dan O'Brien of the American Legion; and M. Y. Kinney, member of the national executive committee of the American Legion, who in turn, presented Past National Commander Ray Murphy, who addressed the Joint Convention as follows:

**YOUR EXCELLENCY, THE LIEUTENANT GOVERNOR OF IOWA, THE HONORABLE SPEAKER OF THE HOUSE, MEMBERS OF THE GENERAL ASSEMBLY OF THE STATE OF IOWA:**

In 1936, when I was privileged to serve as National Commander of The American Legion, there was no session of the Iowa Legislature, and I was, therefore, denied the pleasure of appearing before the Legislators of my native state—a privilege that has been granted to other National Commanders in accordance with a precedent of some years' standing. I had never hoped to have that pleasure—now it is mine, because the present National Commander, with deepest regret, has been compelled to cancel his engagement here today. I share the general regret that Commander Waring cannot speak to you. He is a straightforward, two-fisted fighting man, who fears no man and no group of men, who devotes his every thought and effort toward winning the deadly struggle in which the nation is now engaged.

I have been privileged to speak before other legislative assemblies. Once I spoke before the Massachusetts legislators in the historic capitol, in the city of Boston, where every inch of earth is hallowed ground. There I could almost hear the tread of the early patriots as there came to mind the fateful pre-revolutionary days in the city that some have called the Cradle of Liberty.

Once I was privileged to appear before the South Carolina Legislature in the capitol that still bears the scars of shells fired from General Sherman's guns—an historical fact which is not forgotten in the capital city of Columbia, for memorial plaques bear witness to the damage by the damyanks. They still pronounce "damyanks" as one word down there.

Thrilling as those and like occasions were to me, I confess with no reluctance that I enjoy a greater thrill, and deem it a greater privilege to appear today before the law-makers of my own, my native state.

I hope it will not seem immodest of me to express my gratitude now to the Iowa Senates of prior years, which, on four separate occasions, confirmed my appointments to state offices under both Republican and Democratic administrations. No passing of the years, and no separation from the state I shall always call home, can lessen my sense of pride in the service I was permitted to render in that state, and in the confidence that chief executives and the Senate of this state, reposed in me.

Another personal observation, if I may be permitted it—I regret the absence of the governor of this state—a man of promise—a fellow Legionnaire, who has launched upon a career that will bring credit to himself and to Iowa. I appreciate the national, and even greater than national significance of the occasion which has called him to the eastern coast, where, in the name of the people of Iowa, and in honor of the thousands of Iowa lads who serve in our country's navy, he participates in the ceremonies that will mark the beginning of active service of the greatest fighting machine that has ever sailed the seven seas—the battleship Iowa. We may paraphrase the poet's lines, and say,

"Sail on, Oh, Iowa, strong and great!  
Humanity, with all its fears,  
With all its hopes of future years,  
Hangs breathless on thy fate!"

If Colonel Waring, the National Commander, were here today, doubtless he would have keyed his speech to the dominant thought of the day—that this is an anniversary of Washington's birthday. More than two hundred years after his birth, nearly one hundred fifty years since his death, Washington looms ever larger on the horizon of time. Time has not dimmed his memory, it has but added to it. Perspective has not changed the view of this matchless man—it has but brought him out in bolder relief.

"Debunkers" have had their fling at him, and he emerges an even greater figure. Some writers who began his biography in scoffing mood, ended in a prayer of thanksgiving that Washington had been given to America and to the world. His tactics, often Fabian, won no great military victories—his strategy won a new world. He scorned the familiar stratagems of ambitious men, yet he succeeded as ambition and ability alone cannot succeed—because he possessed above and beyond all others of his day and time—the matchless merit of character—a character so strong, so unswerving, so uncompromising with pettiness or evil, that it was—majestic; a character that gave tone and purpose to a new nation in a new world—a character to which, in contemplation, our American statesmen of every period, would do well to repair.

As you know, it was not intended that I should speak to you today. I have no thought that I can add to your knowledge of the conditions that today confront us, and threaten our national existence. Lately I have thought that unless one had the duty of speaking, and unless by speaking one could aid the nation in its war effort, silence were the better part of wisdom. A corollary of the right to speak with freedom in this free country, is the right to be silent.

What I shall say, as many of you well know, will be said from the standpoint of one who long ago felt that this war must inevitably come to us, that the President and the Secretary of State were eminently

right in their conduct of our foreign affairs, and in their appraisal of the import and effect of totalitarian ideologies, and of the impact of total war in Europe and in Asia upon this hemisphere and these United States. I speak as one who has naught but sympathy for the declared objectives of the President of this country in the life and death struggle in which we are now engaged.

It will take the teamwork of every loyal man and woman in America, regardless of class, creed, or color, to win this war, no matter how heroic our incomparable fighting men have been and will be. Our fighting men will win this war if Joe Doakes, average American, does not let them down—and Joe Doakes will not let the fighting men down.

When I say that the civilians of America will not let the fighting men down, I am not looking with rose colored glasses at the gigantic panorama of the country at war. There are things in America which give gravest concern to every loyal American. How much ought to be said, how much can safely be said about some of them is not always easy to determine.

One thing which concerns me, as I am sure it does you, is the disposition toward class feeling, class distinction, a product of foreign soil, and of largely alien influence, that should not grow in America. There is entirely too much of a tendency to classify people, and to sort them into lots, and pack them in grooves. We are pro-labor if we follow without doubt or question the leadership of union labor officials, we are anti-labor if we do not. No difference of opinion is permitted—either we follow blindly the theories and support completely the actions of the labor union leaders, or we are anti-labor, no matter how much we sympathize with the legitimate aspirations of the man who labors, no matter if we have worn the callouses of manual toil, or sprung from those whose life was spent at labor. This is one of the indications and one of the products of a class struggle which, I, for one, bitterly resent and deeply deplore.

I resent the recent "discovery of democracy" by those in America, who, prior to June 22, 1941, opposed every effort to strengthen our national defense, and denounced Great Britain and her allies for conducting an imperialistic war. No American who was not loyal to America before June 22, 1941, is any more loyal to America now. God help America if it must depend upon the Harry Bridges and the Earl Browders to win this war. God pity America if we are so weak that in the name of national unity we dare not point out that they are the same subversive influences today they were before Russia was attacked by Germany.

My hat is off to the two million Communists and the one hundred seventy-eight million non-Communist Russians who have fought for Mother Russia with a gallantry and fortitude unsurpassed in history. My guard is up against the American Communists who followed the party line, who found no word of criticism for the Nazis until Russia was attacked, whose present concern for America is concern that springs from devotion to another country, and to an alien ideology as un-American as Naziism itself.

I've been bewildered by an apparent disposition of those in charge

of the war effort to engage in party and inter-party politics, when of all times in our history, politics should be adjourned. I've been bewildered by the welter of conflicting stories emanating from Washington and elsewhere about the rubber situation, the gasoline and fuel oil shortage, sugar and other rationing. I've been bewildered by the inconveniences I'm called upon to endure, and I know I'm going to be more than ever bewildered when I try to find money to pay my income tax.

I've been confused by the confusion as I've wandered about the long marble corridors of Washington, by the endless contradictory statements on an endless variety of subjects coming out of the Capital City.

I have been gravely concerned by other things. I make no charges, and I accuse no individual now, but I sense, and I wonder, how many others have sensed that the two elements have joined hands and made common cause, those elements which became loyal Americans on June 22, 1941, and those elements which have committed themselves to the high task of "making America over". There is plenty of opportunity for them to work in complete security, under the cloak of national unity. There are plenty of such elements in positions of power and influence in the national picture today.

These are the sinister soldiers of a third front, disguised as loyal Americans, serving sometimes muddled ideologies that cannot be distinguished in their ultimate objectives from the ideologies we are mobilized to fight today.

That they have no present "plan", fully blown and ready for "the day", hardly makes them less dangerous, if indeed, it does not make them more dangerous, for a "plan" could be subjected to scrutiny, analysis, and criticism, and the heat of public opinion.

Probably their work might be unavailing if it were not that they have the unconscious help of many loyal and patriotic men, whose work and positions are utilized in furthering the trends and tendencies which the third frontiers hope will serve their ends.

You may have read the article "Our Third Front", written by Dr. Robey of Columbia University, appearing in the August, 1942, issue of The American Legion magazine. It is worth your time. The doctor points to five things, involved in a broad pattern:

1. A constant and everlasting reaching for power in Washington, beyond the needs of war time, to bring our economic system under complete governmental control.

2. Withholding of all possible information about the production now being accomplished by our economic system, so that our people are largely unaware of the miracles private enterprise has accomplished.

3. A smear campaign against business management, the smears receiving front page publicity, the rebuttals buried in the back pages.

4. Prevention of any criticism not considered "constructive", i.e., praise.

5. Undermining the confidence of the public in the ability of the Congress.

Like Dr. Robey, I make no charge of a plot, as such, or a "plan". I believe, however, that his serious statements are worthy of profound thought.

I am sure of this—that all the lessons of history teach that the liberties of men have not been wrested from parliaments. They have been protected by parliaments. They have been wrested from rulers.

I need hardly suggest to this audience that we will have won an empty victory if we defeat our enemies on land, on water, and in the air, only to find that we have created a Frankenstein for war that will have destroyed our peace-time liberties as well. The President, as Commander-in-Chief, needs extraordinary powers, so that he may meet totalitarian methods with instant decision.

Of necessity he must delegate many of them. Watch those powers! It is your job and mine to see that those grants of extraordinary war-time powers come back to us, the people. Unless we are watchful, not only of insidious influences, but of the machinery we have freely created, and the powers we have willingly granted, and unless we, the people, are ready to take over when the peace comes and are capable of managing ourselves and our economy, the nation may readily take the seemingly easy way, and surrender by default to some form of totalitarianism.

This, then, only less important than winning the war, I consider as your job and mine—that we so inform ourselves of trends and developments, of what goes on in community, state and nation, and in all the world, that we shall be ready to defend and maintain the American Way as valiantly, intelligently, and effectively in peace as we shall in war. An army can only be prepared for battle if its leaders know what the army must face. They must learn the strength, the resources, the capabilities of its enemies. A democratic people can only be prepared for liberty when they know the dangers that threaten their institutions in peace, as well as in war.

We must be prepared for the possibility of inflation, and we must insist now that anti-inflationary policies be employed in every way possible. We know that in a period of violent inflation the effects upon the living standards and the personal fortunes of a people may be worse than in time of war. Of course that means heavy taxing of the principal sources of income, those which have the spending power, and this may mean the farmer and the war worker, and certainly does not mean the white-collar class, at least as I know it.

We must realize that at the end of the war, if we win, plants must be reconverted to peace-time production, and jobs must be found for many millions of former war workers and returning service men.

And this above all, we must see that free enterprise, under proper public regulation, is not supplanted by state control. The system of free enterprise has the faults inherent and developed in free men, but every fault it has can be matched, multiplied and magnified in government ownership. I say this as one who has no direct financial stake in any private business, but as an humble observer of things American. I say it as one who profoundly believes that to the extent we abandon properly regulated private enterprise, we shall forfeit our individual initiative and our personal liberties. When I speak of private enterprise I mean not only big business, well regulated, but I mean the smallest business, and the farmer.

One last suggestion I now have; let every man and woman in America

pause to think upon what makes America tick—what makes it go; they must then realize that its mainspring is individual, private enterprise, the right to which must never be surrendered to any government, foreign or domestic.

The war, in Africa as of today, is going against us. Already, to thousands of American homes, sorrow has come. It will not always be so. We will win this war, and bloodshed and death in battle will cease, but ere that day we must have endured much, must have sacrificed more, far more—must have resolved doubts and fears, must have fought the dispiriting effect of war-weariness, must have given unstintingly of our blood and treasure, must have yielded the fruits of our toil and the sweat of our brow; we must have gone down into the Valley of the Shadow. Self-deceit will not avail. We must, and we will unflinchingly, face the issue. We battle not for living space, not for colonies or gold, not for self or power; we battle first, to live; we battle, next, that the scourge of war may be banished from the earth, that it may never come again to peaceful peoples. We battle for the living things that make up our daily lives. We battle for our flag because of that for which it stands, in this our land.

I like to think of that flag and of our country in the words of an editorial writer of a great metropolitan newspaper, the New York Times, who said:

“What’s a flag? What’s the love of country for which it stands? Maybe it begins with love of the land itself. It is the fog rolling in with the tide at Eastport, or through the Golden Gate and among the towers of San Francisco. It is the sun coming up behind the White Mountains, over the Green, throwing a shining glory on Lake Champlain and above the Adirondacks. It is the storied Mississippi rolling swift and muddy past Dubuque and St. Louis, rolling past Cairo, pouring down past the levees of New Orleans. It is lazy noontide in the Pines of Carolina. It is a sea of wheat rippling in Western Kansas. It is the lush green of an Iowa cornfield. It is the San Francisco peaks far north across the glowing nakedness of Arizona. It is the Grand Canyon and a little stream coming down out of a New England ridge, in which are trout.

“It is men at work. It is the storm-tossed fishermen coming into Gloucester and Provincetown and Astoria. It is the farmer riding his great machine in the dust of harvest, the dairyman going to the barn before sunrise, the lineman mending the broken wire, the miner drilling for the blast. It is the servants of fire in the murky splendor of Pittsburgh, between the Allegheny and the Monongahela, the trucks rumbling through the night, the locomotive engineer bringing the train in on time, the pilot in the clouds, the riveter running along the beam a hundred feet in air. It is the clerk in the office, the housewife doing the dishes and sending the children off to school. It is the teacher, doctor, and parson tending and helping body and soul, for small reward.

“It is small things remembered, the little corners of the land, the houses, the people that one loves. We love our country because there was a little tree on a hill, and grass thereon, and a sweet valley below; because the hurdy-gurdy man came along on a sunny morning in a city street; because a beach or a farm or a lane or a house that might not



seem much to others were once, for each of us, made magic. It is voices that are remembered only, no longer heard. It is parents, friends, the lazy chat of street and store and office, and the ease of mind that makes life tranquil. It is summer and winter, rain and sun and storm. These are flesh of our flesh, bone of our bone, blood of our blood, a lasting part of what we are, each of us, and all of us together.

"It is stories told. It is the Pilgrims dying in their first dreadful winter. It is the minute man standing his ground at Concord Bridge, and dying there. It is the army in rags, sick, freezing, starving at Valley Forge. It is the bridge at Chateau Thierry, Belleau Wood, and the tangled forest of the Argonne. It is the wagons and the men on foot going westward over Cumberland Gap, floating down the great rivers, rolling over the great plains. It is the settler hacking fiercely at the primeval forest on his new, his own lands. It is Thoreau at Walden Pond, Lincoln at Cooper Union, and Lee riding home from Appomattox. It is corruption and disgrace, answered always by men who would not let the flag lie in the dust, who have stood up in every generation to fight for the old ideals and the old rights, at risk of ruin or of life itself.

"It is a great multitude of people on pilgrimage, common and ordinary people, charged with the usual human failings, yet filled with such a hope as never caught the imaginations and the hearts of any nation on earth before. The hope of liberty. The hope of justice. The hope of a land in which a man can stand straight, without fear, without rancor.

"The land and the people and the flag—the land a continent, the people of every race; the flag a symbol of what humanity may aspire to when the wars are over and the barriers are down; to these each generation must be dedicated and consecrated anew, to defend with life itself, if need be, but, above all, in friendliness, in hope, in courage, to live for."

These are the things we live by—the things for which we fight.

This is the America you and I have known. To sustain it requires faith—faith and good works. Let no man be ashamed of that faith. For today, as never before, all that humans and human kindness, tolerance, and ambition have wrought along the tortuous path that all humanity has trod, is at stake. Freedom hangs breathless on that faith. As never before, the America we know and love calls you and me to service, perhaps to die in defense of our democratic institutions, but certainly to understand them, to cherish them, to dedicate ourselves to them, to live for them, that they may endure and live for us. And if need be, with our right to live "The American Way", to dream the American dream, encroached upon by the sinister and Godless forces that threaten to engulf the world, if the ultimate sacrifice be required, every true American will regret that he has but one life to give for his country.

On motion by Morrissey of Jasper, the Joint Convention was dissolved.

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

#### BILL REREFERRED TO COMMITTEE

Senator Dykhouse asked and received unanimous consent that Senate File 212 be rereferred to the committee on conservation.

Senator Stewart asked and received unanimous censest that the following report be printed in the Senate Journal:

#### REPORT OF AGRICULTURAL COMMITTEE

House Concurrent Resolution No. 35 of the 49th General Assembly reads as follows:

*Whereas*, agriculture is the basic industry of Iowa, and the continued prosperity and development of the state is largely dependent on the general prosperity of its farm population, and

*Whereas*, changing conditions, both foreign and domestic, have created grave agricultural problems including those of confused and undesirable marketing conditions, increased production due to modern machinery aggravated by underconsumption, absentee ownership, decrease in the number of family-sized farms, as well as many other related and acute problems, and

*Whereas*, the permanent solution of this problem, as yet unfound, presents a challenge to the state, and

*Whereas*, the temporary nature of the present farm program, dependent as it is upon annual congressional appropriation, offers no permanent solution, and

*Whereas*, the time available to members during a legislative session is too limited to pursue the intensive study required,

*Therefore Be It Resolved by the House, the Senate Concurring:* That the governor be and he is hereby requested and empowered to appoint a committee, the chairman of which shall be the secretary of agriculture, and the members of which shall be composed of five (5) members from the House of Representatives and five (5) members from the Senate. The duty of this committee shall be to study and investigate agricultural problems and to suggest means for meeting them, reporting the results back to the Fiftieth General Assembly.

No member of the committee shall receive any compensation for his services, but each shall be reimbursed for his actual and necessary expenses incurred in the performance of his duties as a member of the committee. The chairman of the committee shall certify the expense of each member thereof to the Department of Agriculture, and upon certification thereof, such expense shall be paid by the Department of Agriculture out of its department funds in the same manner as other expenses of the Department of Agriculture.

Governor Wilson, early in June, 1941, appointed the following committee:

Senators: Richard V. Leo, Leo Elthon, D. D. Fuller, Robert P. Munger, Paul P. Stewart.

Representatives: J. S. Heffner, Jay C. Colburn, David A. Dancer, Henry W. Burma. Gustave Alesch.

The first meeting was held in the office of the secretary of agriculture on July 15, 1941. Governor Wilson appeared before the committee and stated he was formulating suggestions as to the activities of the committee and would mail a copy of the suggestions to each of the members. He was also of the opinion that the committee would need some finances to carry on their duties. The governor and the secretary of agriculture were asked to appear before the interim committee in regard to finances. This resulted in an allotment of \$2,000.00 for the Department of Agriculture to be used solely for the expenses of the committee. At this meeting the following telegram was sent to Senator Edward Thomas, chairman of the subcommittee on agriculture at Washington, D. C.:

"The agricultural committee of the Iowa legislature, in session in Des Moines, July 15, 1941, opposes the fixing of maximum prices of agricultural products unless necessary under the national defense program and unless the price be kept on an equality basis with the products of industry and labor."

On August 26, 1941, the committee held their second meeting and after several hours' discussion the committee was of the opinion that they should direct their activities along two lines—that of farm tenancy and livestock marketing. The chairman appointed the following committees:

Farm tenancy and rehabilitation: Senator Stewart, chairman, Senator Elthon, Representatives Heffner, Dancer and Burma.

Marketing: Senator Leo, Chairman, Senators Fuller and Munger, Representatives Alesch and Colburn.

The farm tenancy committee planned four hearings; one in northwest Iowa; one in northeast Iowa; one in southwest Iowa and one in southeast Iowa. The first hearing was held in Pocahontas, October 23, 1941, Senator Stewart presiding. Those present consisted of a committee from each of the three major farm organizations; bankers of this territory; member of the chambers of commerce; individual farmers and members of the legislature of this district. A complete transcript of this meeting is on file at the office of the Department of Agriculture.

Shortly after this meeting was held and before a definite date could be arranged for a further hearing, these United States of ours were at war. We hesitated to go further and owing to the emergency which now exists and with increased farm prices, farm tenancy has continued to improve and no further meetings have been held.

The livestock marketing committee working in conjunction with the committee set out in Concurrent Resolution 37 to study livestock marketing and market reports (said committee consisting of two repre-

sentatives from the U. S. Department of Agriculture, two from the Iowa State College and two from the State Department of Agriculture) held several meetings and investigations in the study of the livestock marketing situation in Iowa. Plans were formulated to study rail grading of hogs. Due to the war these studies had to be discontinued. The committee also devoted its efforts to the study of livestock marketing reports and through these efforts the daily broadcast of livestock market reports of the U. S. Department of Agriculture have been improved in that they have been made more complete and understandable. Further progress should be made along this line.

At a later meeting held in September, 1942, the following resolution was adopted:

*"Whereas, The Office of Price Administration has been authorized to fix ceiling prices on various commodities, including meat and other agricultural products, and*

*Whereas, It is apparent there is now a shortage of meat products, and*  
*Whereas, Iowa as the leading meat producing state in the Union can produce an almost unlimited supply of meat, and*

*Whereas, The Office of Price Administration is about to adjust inequalities of the price fixing law, and*

*Whereas, The Forty-ninth General Assembly of the State of Iowa, by resolution adopted by the Senate and House, provided for the appointment of an agricultural committee to study agricultural problems,*

*Be It Therefore Resolved: That this committee in special session held in the State House in Des Moines, Iowa, on the third day of September, 1942, hereby offer the services of this committee to said Administration, to the Department of Agriculture of the United States and to the War Production Board, Food Division, to the end that an equitable program may be adopted at once which will stimulate the production of meat and agricultural products."*

A copy of the above resolution was sent to the Office of Price Administration, Secretary of Agriculture Wickard, and to the members of Congress from Iowa. At this meeting it was decided that this committee should hold a later meeting and formulate a report to the legislature which we are herewith submitting with the following recommendation:

That the committee support the National Farm Production Program and do everything in their power to encourage food production which is so vital to the winning of the present war.

That a like committee on agriculture should be continued to study and prepare for post-war conditions pertaining to agriculture. This committee believes that at that time farm tenancy and livestock marketing will become two of the major problems and there is a possibility that definite agricultural legislation will be necessary to meet these conditions.

In general, this committee believes that parity prices should be maintained if possible without subsidies by the federal government.

For the information of the General Assembly, there has been expended \$457.45 of the \$2,000 allotted, leaving a balance of \$1,542.55. This money

has been used entirely for the actual expenses of the members of this committee.

Respectfully submitted,

PAUL P. STEWART.

LEO ELTHON.

RICHARD V. LEO.

D. D. FULLER.

DAVID A. DANCER.

JOHN S. HEFFNER.

HENRY W. BURMA.

JAY C. COLBURN.

GUSTAVE ALESCH.

The committee on agriculture 1 offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION 19

*Whereas*, In the present emergency which exists relative to the limited supply of food in our country, it has been intimated by members of our administration that the United States might permit the importation into this country of livestock products infected with foot-and-mouth disease; and

*Whereas*, Millions of dollars have been spent and thousands of animals have been killed in the United States to free this country from the ravages of this dreaded disease, and laws in the interest of public health have been enacted by federal and state governments to require farmers to eliminate such disease from their farms and prevent its spread; and

*Whereas*, This dreaded contagious disease can be transmitted by fresh and frozen meats as well as by live animals, and strictest regulations and restrictions should be maintained to prevent infection of our domestic herds from such contagious disease now present in foreign countries; and

*Whereas*, There has been no treatment effective yet conceived in foreign countries to combat and prevent the spread of this disease; and

*Whereas*, In as much as rigid inspection of slaughtering and sale of meat for human consumption is required of our citizens, such condition should also apply to any meat or meat products brought into this country from foreign lands; now

*Be it Resolved by the Senate, the House Concurring:*

That for the reasons stated in the preamble of this resolution, the Congress of the United States is respectfully requested to continue the embargo against foreign countries now in force until such countries are free from, and have established, and have in force adequate sanitary conditions to prevent the spread of the foot-and-mouth disease; and

*Be it Further Resolved:* That a copy of this preamble and resolution be forwarded to the Secretary of Agriculture Claude R. Wickard, to the United States Senate and the House committees on foreign relations, to Vice President Henry A. Wallace, to the Honorable George A. Wilson, and Honorable Guy M. Gillette, United States Senators from Iowa, and the eight Iowa members of the House of Representatives.

PAUL P. STEWART, *Chairman.*

## REPORTS OF COMMITTEES

Senator Stewart submitted the following report:

MR. PRESIDENT: Your committee on agriculture 1, to which was referred Senate File 275, a bill for an act to amend section five (5), chapter one hundred thirty (130), laws of the Forty-ninth General Assembly, relating to hybrid seed corn, begs leave to report it has had the same under consideration and recommends the same do pass.

PAUL P. STEWART, *Chairman*.

Ordered passed on file.

Senator Sjulín submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 102, a bill for an act to amend section three thousand eight hundred twenty-eight and twenty-three one thousandths (3828.023), Code, 1939, as amended by section one (1), chapter one hundred forty-seven (147), acts of the Forty-ninth General Assembly, relating to property upon which there is an old age assistance lien, begs leave to report it has had the same under consideration and returns the bill without recommendation.

CARL O. SJULIN, *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 repeal section three thousand eight hundred twenty-eight and nine thousandths (3828.009), Code, 1939, and to enact a substitute therefor relating to old age assistance, begs leave to report it has had the same under consideration and returns the bill without recommendation.

CARL O. SJULIN, *Chairman*.

Ordered passed on file.

Senator Hill submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 79, a bill for an act to amend sections 11800 and 11802, Code, 1939, to give to municipal courts and the judges thereof the same powers in regard to proceedings auxiliary to execution as are possessed by certain other courts of record, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 135, a bill for an act to amend section 10313, Code, 1939, relating to labor and material on public improvements, and the time for filing claims and bringing action thereon, begs leave to report it has had the same under consideration and recommends the same do pass.

G. R. HILL, *Chairman*.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 142, a bill for an act to amend section thirty-eight hundred twenty-eight and eighteen one thousandths (3828.018), Code, 1939, as amended by chapter 146, acts of the Forty-ninth General Assembly, in reference to paying funeral expenses of persons who have received old age assistance, 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 142 in line five (5) of section one (1) by striking the following "committed", and inserting in lieu thereof the following: "committed or admitted".

G. R. HILL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 192, a bill for an act to provide for the postponement of the issuance and publication of a new code as provided for in section one hundred seventy (170), Code, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 227, a bill for an act to amend chapters thirteen (13) and fifteen (15) relating to preparation of laws, acts and joint resolutions passed at each session of the General Assembly and transferring these from the superintendent of printing to the reporter of the supreme court and code editor, 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 Pine submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred Senate File 59, a bill for an act defining watchmakers and watchmaking, and creating a board regulating the practice of watchmaking and collection and expenditure of the fund, begs leave to report it has had the same under consideration and returns the bill without recommendation.

F. J. PINE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred House File 217, a bill for an act to amend section three thousand two hundred sixty-seven (3267), Code, 1939,

relating to inspection fees for scales for weighing, begs leave to report it has had the same under consideration and recommends the same do pass.

F. J. PINE, *Chairman.*

Ordered passed on file.

Senator Keir submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 99, a bill for an act to abolish the offices of town, township and city assessors and to establish the office of county assessor in lieu thereof, begs leave to report it has had the same under consideration and returns the bill without recommendation.

ROBERT KEIR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 207, a bill for an act relating to the books to be kept by the auditor and treasurer showing the tax lists of real and personal 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:

Amend Senate File 207 by adding after the word "records" in line 3, section 2 the following: "approved by the State Auditor".

Further amend Senate File 207 by adding after the word "records" in line 3, section 3 the following: "approved by the State Auditor".

Further amend Senate File 207 by adding after the word "records" in line 3, section 4 the following: "approved by the State Auditor".

Also by adopting the Hess amendment to Senate File 207, filed February 15 and found on page 414 of the Senate Journal.

ROBERT KEIR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 223, a bill for an act to provide an increase in compensation of members of the board of supervisors in counties having a population of more than eighty thousand (80,000), begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 245, a bill for an act to amend section seven thousand one hundred seventy-one (7171), Code, 1939, relating to annual levies by county boards of supervisors for ordinary



county revenue, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT KEIR, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred House File 4, a bill for an act relating to investment of permanent school funds, 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 4 by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. When any county has on hand permanent school funds, which in the opinion of its board of supervisors cannot be safely invested in real estate mortgages as provided by law, its board of supervisors may invest such funds in bonds of the United States, and said bonds shall be registered in the name of the county purchasing the same.

The interest chargeable by the comptroller to the county so investing any such funds, shall not exceed on such funds the rate of interest collected on the bonds purchased as herein provided, notwithstanding the provisions of section four thousand five hundred seven (4507).

ROBERT KEIR, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred House File 107, a bill for an act to amend section five thousand one hundred ninety-one (5191), subsection eleven (11), Code, 1939, relating to boarding of prisoners, begs leave to report it has had the same under consideration and returns the same without recommendation.

ROBERT KEIR, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 240 by striking the comma (,) following the word "Governor" in line eight (8), section sixteen (16), and the remainder of said line eight (8), and all of lines nine (9), ten (10), eleven (11) and twelve (12), and by substituting therefor the following: "is hereby authorized and empowered:".

Further amend by striking lines thirty-four (34), thirty-five (35), thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40), forty-one (41), and forty-two (42) of subparagraph (g) of section sixteen (16) and by substituting therefor the following:

"(g) Whenever in the opinion of the governor it is necessary for the better prosecution of the war, or whenever actual or imminent attack

makes such action necessary for the protection of the public, or whenever requested by the President of the United States or War or Navy Department, the Governor may,".

Further amend by adding to subparagraph (g) of section sixteen (16) the following: "The taking and using of any such property shall be with the right on the part of the owner thereof, or any person having an interest therein, to have reasonable compensation for the said property or for his interest therein or for the use thereof."

GEORGE FAUL.

DEWEY E. GOODE.

Amend Senate File 240 by inserting in section sixteen (16), line thirty-six (36) after the word "Committee" the following: "and a majority of the membership of the Iowa Industrial and Defense Commission" and in section sixteen (16), line forty-two (42), by striking the comma after the word "Committee" and adding the following: "and a majority of the membership of the Iowa Industrial and Defense Commission,".

O. H. HENNINGSEN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 23, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. Lester C. Hall, pastor of the Methodist church, Malvern.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Lynes, from the Iowa Ayrshire Breeders' Association, favoring the continuation of the Iowa dairy products advertising law.

By Senator Harvey, from residents of Crawford county, in opposition to legislation relative to "seasonal industry".

By Senator Mercer, from the county officers of Johnson county, favoring an increase in salary for county officers.

## INTRODUCTION OF BILLS

Senate File 302, 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, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 303, by committee on claims, a bill for an act to make appropriations to Foster Funeral Home, Webster City, Iowa; W. O. Carson Funeral Home, Essex, Iowa; Robert & Evans, Funeral Directors, Knoxville, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 304, by committee on claims, a bill for an act to

make appropriations to Mrs. Anna Clark, Des Moines, Iowa; John R. Gardner, Lisbon, Iowa; Herman W. Walters, Council Bluffs, Iowa; F. J. Pine, Columbus Junction, Iowa; Sanford Zeigler, Jr., Fairfield, Iowa; B. C. Whitehill, Marshalltown, Iowa; J. Kendall Lynes, Plainfield, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 305, by committee on judiciary 1, a bill for an act to amend chapter five hundred and eight (508) of the Code, 1939, 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 applications for such decree.

Read first and second times, is ready for commitment and amendment, 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 indefinitely postponed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 1 relating to tenure of office for certain state and county officials.

Also. That the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate File 114, a bill for an act relating to fish and game.

A. C. GUSTAFSON, *Chief Clerk.*

#### THIRD READING OF BILLS

On motion of Senator Elthon, Senate File 136, a bill for an act to legalize the action of the board of supervisors of Worth county, Iowa, in making expenditures from the Worth county maintenance and construction funds for the purpose of paying workmen's compensation insurance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

## Ayes, 40:

Augustine	Fuller	Long	Schluter
Bekman	Goode	Love	Shaw
Benson	Hart	Lundy	Sjulin
Clark	Harvey	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Dykhouse	Hess	Mercer	Vittetoe
Elthon	Johnson	Miller	Vrba
Emerson	Jones	Mowry	Watson
Findlay	Keir	Pelzer	Zastrow
Foster	Leo	Pine	Zeigler

Nays, none.

## Absent or not voting, 10:

Berg	Evans	Hill	Reilly
Byers	Faul	Hunt	Whitehill
Cromwell	Hattery		

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, House File 56, a bill for an act to amend section eighty-seven (87), Code, 1939, relating to the record of commissions filed with the secretary of state, 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, 42:

Augustine	Findlay	Leo	Schluter
Bekman	Foster	Long	Shaw
Benson	Fuller	Love	Sjulin
Byers	Goode	Lynes	Stewart
Clark	Hart	Martin	Turner
Clem	Harvey	Mercer	Vittetoe
Cromwell	Hattery	Miller	Vrba
Dykhouse	Henningsen	Mowry	Watson
Elthon	Johnson	Pelzer	Zastrow
Emerson	Jones	Pine	Zeigler
Evans	Keir		

Nays, none.

## Absent or not voting, 8:

Berg	Hess	Hunt	Reilly
Faul	Hill	Lundy	Whitehill

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 Emerson, House File 214, a bill for an act to amend section nine thousand one hundred forty-four (9144), Code, 1939, relating to the payment of expenses of the Department of Banking of the State of Iowa, 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 214 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section nine thousand one hundred thirty-six (9136), Code, 1939, is hereby amended by striking from lines eight (8) to twelve (12) inclusive, of the second paragraph thereof: 'Such additional examiners or employees shall be paid out of current or accumulated earnings of the banking department, their salaries to be not greater than those of other similar employees authorized by law.'

"Sec. 2. Section nine thousand one hundred thirty-seven (9137), Code, 1939, is hereby repealed.

"Sec. 3. Section nine thousand one hundred forty-three (9143), Code, 1939, is hereby amended by striking from lines four (4) and five (5) thereof the words 'superintendent of banking' and inserting in lieu thereof the following: 'treasurer of state for the general fund'.

"Sec. 4. Sections nine thousand one hundred forty-four (9144), nine thousand one hundred forty-five (9145) and nine thousand one hundred forty-nine (9149), Code, 1939, are hereby repealed.

"Sec. 5. Section nine thousand one hundred fifty (9150), Code, 1939, is hereby amended by striking from line nine (9) thereof the words 'superintendent of banking' and by inserting in lieu thereof the following: 'treasurer of state for the general fund'. Said section is further amended by striking out the last sentence thereof.

"Sec. 6. Section nine thousand one hundred fifty-four-a five (9154-a5), Code, 1939, is hereby repealed.

"Sec. 7. This act shall become effective July 1, 1943, following its publication in Wright County Monitor, Clarion, Iowa, and the Hamburg Reporter, Hamburg, Iowa."

Amend the title by striking therefrom the following: "to amend section ninety-one hundred forty-four (9144), Code, 1939, relating to the payment of expenses of the department of banking of the state of Iowa", and substituting in lieu thereof the following: "repealing standing-appropriation provisions in Code sections of the Code, 1939, for the state banking department and state banking board, as follows: Sections nine thousand one hundred thirty-six (9136), nine thousand one hundred thirty-seven (9137), nine thousand one hundred forty-three (9143), nine thousand one hundred forty-four (9144), nine thousand one hundred

forty-five (9145), nine thousand one hundred forty-nine (9149), nine thousand one hundred fifty (9150), and nine thousand one hundred fifty-four-a-five (9154-a-5) relating to banking and the banking department.

Roll call was demanded.

Senator Faul asked and received unanimous consent that action on House File 214 be deferred until Friday morning and that it retain its place on the calendar.

On motion of Senator Hattery, House File 215, a bill for an act to repeal section nine thousand one hundred seventy-six (9176), Code, 1939, and to amend section nine thousand one hundred seventy-seven (9177), Code, 1939, to place savings banks and trust companies on a parity with state banks and national banks with respect to receiving deposits, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hattery moved that the bill be read a third 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	Findlay	Keir	Pine
Bekman	Fuller	Leo	Schluter
Benson	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Dykhouse	Hill	Miller	Watson
Emerson	Hunt	Mowry	Zastrow
Evans	Johnson	Pelzer	Zeigler
Faul	Jones		

Nays, 1:

Elthon

Absent or not voting, 3:

Foster	Reilly	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.

Senator Hattery moved that the 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 Watson, Senate File 54, a bill for an act to amend section fifty-four hundred ninety-six (5496), Code,

1939, relating to the office of county surveyor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson asked and received unanimous consent that action be deferred on Senate File 54 and that it retain its place on the calendar.

### SPECIAL ORDER

The time having arrived for consideration of the special order, on motion of Senator Berg, Senate File 240, a bill for an act to provide for the protection of the lives and property of the people of the state of Iowa and to contribute to the national defense; to repeal chapter 75 of the acts of the Forty-ninth General Assembly; to provide for the creation of the legislative committee on national defense coordination; to provide for the creation of the Iowa industrial and defense commission and defining its powers and duties; to provide for the creation of the office of coordinator of civilian defense; to provide for the creation of county and local defense councils and defining their powers and duties; to authorize county boards of supervisors and cities and towns, including special charter cities and cities under the commission form of government to appropriate money for civilian defense and to carry out the purposes of this act; to provide for limitation of liability of the state, cities, towns and counties and officials thereof; to legalize acts and expenditures of the Iowa industrial and defense commission and cities, towns, counties and school districts; to provide emergency war powers for the governor, to empower governing bodies of cities and towns, including special charter cities and cities under the commission form of government to enact ordinances pertaining to defense and the war effort; to provide for penalties for the unlawful display of lights and use of streets and alleys and highways without permission of the governor, state coordinator of defense or local defense corps ordering or proclaiming a blackout or practice blackout; to provide for increasing penalties for crimes committed during blackouts or practice blackouts and for larceny of property subject to rationing; to provide for coordination with regulations of the armed forces of the United States and providing for the appropriation of funds and the disbursement thereof to carry out the purposes 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 considered:

"Amend Senate File 240 by striking lines sixteen (16) to twenty-two (22) inclusive, of section sixteen (16)."

Roll call was demanded.

The President announced that Senator Whitehill had left a written request at the desk to be recorded as voting "no" on the committee amendment to Senate File 240.

The request was granted.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 26:**

Bekman	Findlay	Lundy	Pelzer
Benson	Foster	Lynes	Schluter
Clem	Fuller	Martin	Shaw
Cromwell	Goode	Mercer	Sjulin
Elthon	Hess	Miller	Turner
Evans	Jones	Mowry	Zastrow
Faul	Leo		

**Nays, 20:**

Berg	Hart	Hunt	Stewart
Byers	Harvey	Keir	Vittetoe
Clark	Hattery	Long	Watson
Dykhous	Henningsen	Love	Whitehill
Emerson	Hill	Pine	Zeigler

**Absent or not voting, 4:**

Augustine	Johnson	Reilly	Vrba
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The amendment was adopted.

The committee on federal relations offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION 20**

*Whereas*, Upon the shoulders of American boys, eighteen years of age or over, has been placed the responsibility of forming a part of the armed forces engaged in the present titanic struggle for world liberty, and

*Whereas*, Apart from the physical aspect of the sacrifice our younger men are thus called upon to make is the matter of their education. It is a serious and a momentous thing, to them and to their country, to interrupt, perhaps to prevent, their academic and professional training, and

*Whereas*, It now appears that it is the purpose of the War Relocation Authority of the United States to accord eligibility to some twenty-five hundred young Japanese-American students, located in war relocation

centers, to leave such centers and enter any of the large number of colleges and universities—in other words, to accord the privileges of higher education to a group of young people, citizens by virtue of their birth in this country, whose loyalty and patriotism are rendered doubtful because of their racial extraction, thereby unfitting them to be soldiers, while denying a similar opportunity to our own young men of unquestioned loyalty, and

*Whereas*, It is admitted that practically all of the Japanese-Americans to whom higher education is to be afforded are physically fit and capable of performing services which would be useful to the war effort, where their patriotism might be demonstrated without placing them in a position where possible disloyalty might be perilous,

*Therefore Be It Resolved by the Senate, the House Concurring*: 1. That no discrimination be shown in the matter of educational advantages, between America's young citizens, of whatever race or nationality—in short, while young men of undoubted loyalty and Caucasian extraction are required to serve in the armed forces, that these young men of Japanese ancestry and less certain loyalty be given opportunity to serve the war effort in ways in which their racial extraction will prove no impediment.

2. That steps be taken, through executive intervention or order, or by means of legislation if necessary, to prevent allowing Japanese-American youths the privilege of leaving concentration centers and securing an education in American colleges and universities, while the same privilege is denied to loyal American young men called to military service.

3. That if any Japanese-American youths have already been given the privilege of attending colleges and universities, they be returned to their relocation camps, and

*Be It Further Resolved*, That a copy of this resolution be sent to the President of the United States, also to the two Iowa senators, and to the eight Iowa members of the House of Representatives, and that they thus be petitioned to use their influence and best offices that the injustices mentioned may be avoided.

C. V. FINDLAY, *Chairman*.

### PREFERENCE FOR IOWA COAL

Senator Lundy called the attention of the members of the Senate to the fact that in the Forty-seventh, Forty-eighth and Forty-ninth General Assemblies, permission was granted him by the President of the Senate to be permitted to have a lump of Iowa coal at all times at his desk to remind him, as well as the members of the Senate, of the importance of the Iowa coal industry. He asked for unanimous consent to again be permitted to have the same lump of Iowa coal at his desk to ever remind him of the importance of Iowa's second industry; 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; that his lump of coal is emblematic of that custom.

#### LEAVE OF ABSENCE

**MR. PRESIDENT:** Having been called into the service of the United States Navy, I desire to obtain a leave of absence as committee clerk for Senator Evans, beginning February 24, 1943.

Respectfully submitted,

ROBERT L. EVANS.

Senator Benson moved that the leave of absence be accepted; which motion prevailed.

#### PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of the following: Senate File 194, a proposed bill permitting expenditures from the court expense fund and legalizing expenditures heretofore made.

W. J. SCARBOROUGH.

#### REPORTS OF COMMITTEES

Senator Hess submitted the following report:

**MR. PRESIDENT:** Your committee on compensation of public officers, to which was referred Senate File 215, a bill for an act to amend section seven hundred thirty-eight (738), Code, 1939, as to the compensation of members of election boards, begs leave to report it has had the same under consideration and recommends that the same do pass.

R. E. HESS, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on compensation of public officers, to which was referred House File 1, a bill for an act relating to traveling expenses of members of state board of eugenics, begs leave to report it has had the same under consideration and recommends that the same do pass.

R. E. HESS, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on compensation of public officers, to which was referred House File 65, a bill for an act to amend section nineteen (19), Code, 1939, relating to compensation of officers and em-

ployees of the General Assembly, begs leave to report it has had the same under consideration and recommends that the same do pass.

R. E. HESS, *Chairman*.

Ordered passed on file.

Senator Evans submitted the following report:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 302, 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.

K. A. EVANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 303, a bill for an act to make appropriations to Foster Funeral Home, Webster City, Iowa, W. O. Carson Funeral Home, Essex, Iowa, Roberts & Evans, Funeral Directors, Knoxville, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 304, a bill for an act to make appropriations to Mrs. Anna Clark, Des Moines, Iowa; John R. Gardner, Lisbon, Iowa; Herman W. Walter, Council Bluffs, Iowa; F. J. Pine, Columbus Junction, Iowa; Sanford Zeigler, Jr., Fairfield, Iowa; B. C. Whitehill, Marshalltown, Iowa; J. Kendal Lynes, Plainfield, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman*.

Ordered passed on file.

Senator Love submitted the following report:

MR. PRESIDENT: Your committee on election reform, to which was referred House File 57, a bill for an act to amend section 6145, Code, 1939, relating to notice of election and time of holding election, begs leave to report it has had the same under consideration and recommends the same do pass.

H. S. LOVE, *Chairman*.

Ordered passed on file.

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on conservation, to which was referred House File 47, a bill for an act to amend section 1794.074,

Code, 1939, relating to kinds of fish that may be taken by commercial fisherman, begs leave to report it has had the same under consideration and recommends the same do pass. J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Senator Martin submitted the following report:

MR. PRESIDENT: Your committee on labor, to which was referred Senate File 42, a bill for an act to amend section fourteen hundred twenty-four (1424) of the law under chapter seventy-one (71) of the Code, to empower the industrial commissioner with the approval of the governor, to appoint two (2) deputy industrial commissioners, 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 42 by striking all of lines five to eight inclusive and substituting in lieu thereof the following: "The commissioner may, with the written approval of the governor, appoint in writing two deputy commissioners, for whose acts the commissioner shall be responsible, and who shall serve during his pleasure."

Amend Senate File 42 as follows:

Strike all of line five (5) and insert in lieu thereof the following:

"The commissioner may with the written approval of the governor,"

FRANK D. MARTIN, *Chairman*.

Ordered passed on file.

Senator Henningsen submitted the following report:

MR. PRESIDENT: Your committee on appropriations 2, to which was referred Senate File 53, a bill for an act to appropriate not to exceed \$2,650 to pay one-half the cost of construction and installation of a sewer, septic tank and disposal field in Davenport, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 2, to which was referred Senate File 119, a bill for an act to make appropriation to Muscatine county, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 2, to which was referred Senate File 297, a bill for an act making an appropriation for the purpose of aiding in defraying the expenses of a national encampment of the Grand Army of the Republic to be held in this state, begs leave to report it has had the same under consideration and recommends the same do pass.

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Senator E. K. Bekman submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 53, a bill for an act to amend section three thousand seven hundred eighty-six (3786) relating to powers of state board of parole to parole persons after commitment to state penal institutions, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 194, a bill for an act to amend section 7172, Code, 1939, relating to expenditures from the court expense fund, and legalizing expenditures heretofore made, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 228, a bill for an act to amend chapter 505, Code, 1939, relating to the disposition of property by will by persons in the military or naval service of the United States, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 251, a bill for an act to amend sections 10706 and 10582, Code, 1939, and chapter 295, laws of the Forty-ninth General Assembly, relating to certain superior courts and the jurisdiction of same, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 253 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 renewed articles of incorporation of the Saul-Edmund Furniture Company and to provide for the renewal of the charter of said company, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 177 by amending the amendment filed thereto by Cromwell under February 18th, as follows:

Strike the words "one and one-quarter dollars" in line 4 of section 2 of said amendment and insert in lieu thereof the words "ninety cents".

R. E. HESS.

Amend Senate File 240 by inserting after the word "disaster" in line 6 of section 16, the following: "the governor is authorized and empowered to perform any act essential to the national and state defense."

Further amend Senate File 240 by adding after the comma after the word "withstanding" in line 8 of section 16, the word "and".

HUGH W. LUNDY.

Amend the amendment to Senate File 292, found on page 484 of the Senate Journal of February 19, 1943, as follows:

Strike the words "social security" in line 2 and insert in lieu thereof the word "this".

R. W. ZASTROW.

Amend Senate File 240 by striking the word "annual" in line 9, section eleven (11) and inserting in lieu thereof the word "biennial".

J. BERG.

Amend Senate File 54 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section fifty four hundred ninety-six (5496), Code, 1939, is amended as follows:

Strike all of lines 1 to 6 inclusive and insert in lieu thereof the following:

'The county surveyor shall receive the following fees:

1. For each day's service actually performed and travel necessary in making a survey, such amount as may be agreed upon by said surveyor and the person requesting the survey. In case of disagreement, the amount shall be fixed by the board of supervisors.'

E. K. BEKMAN.

Amend Senate File 240 by striking section twenty-two (22).

Further amend by renumbering the succeeding sections.

GEORGE FAUL.

Amend section twenty (20) of Senate File 240, by striking the word "Any" in line two (2) and inserting in lieu thereof the following: "Except as otherwise provided by this act any". DEWEY E. GOODE.

Amend Senate File 229 as follows:

1. Amend section three (3) by striking from line two (2) the word "slaughterer" and insert in lieu thereof the word "purchaser".

Also by adding in line five (5) after the word "provided" a comma (,) instead of the period (.) and the following, "or to a producer of biologics operating under federal license."

2. Further amend by adding as section five (5), and renumbering the following sections, the following:

"Sec. 5. Producers of biologics purchasing such hogs shall permanently mark same and segregate from other hogs and sell only to a slaughterer having adequate equipment for processing as herein provided, and report sales to the department as herein provided." E. K. BEKMAN.

Amend Senate File 254 as follows:

In section one, line seven, after the word "Education" insert the following: "or any private business college located in the state of Iowa, approved by the American Association of Commercial Colleges, or any junior college located in the state of Iowa".

In section one, line ten, after the word "Education" insert the following: "or any private business college located in the state of Iowa, approved by the American Association of Commercial Colleges, or any junior college located in the state of Iowa".

In section one, line ten, after the word "years" insert the following: "or two years provided said institution does not provide a course of study of three years".

Further amend Senate File 254 as follows:

In subsection two of section one, line 18, after the word "Education" insert the following: "or any private business college located in the state of Iowa, approved by the American Association of Commercial Colleges, or any junior college located in the state of Iowa".

FRED CROMWELL.

Amend Senate File 239 by striking all after the enacting clause and by substituting therefor the following:

Section 1. Definitions. As used in this act:

1. "State department" means the state department of social welfare provided for in section thirty-six hundred sixty-one and three one-thousandths (3661.003), Code of Iowa, 1939.

2. "State board" means the state board of social welfare provided for in section thirty-six hundred sixty-one and four one-thousandths (3661.004), Code of Iowa, 1939.

3. "County board" means the county board of social welfare provided for in section thirty-six hundred sixty-one and ten one-thousandths (3661.010), Code of Iowa, 1939.

4. A "dependent child" means a needy child under the age of sixteen years, or under the age of eighteen years found to be regularly attending school, who has been deprived of parental support and care by reason of death, continued absence from home, or physical or mental incapacity or unfitness of either parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or their home.

5. "Assistance" means money payments with respect to a dependent child or children, including funeral expenses or any other payments made or payable under this act, or under any amendments hereto.

6. "Recipient" is the person to whom money payments with respect to a dependent child or children are made.

"Sec. 2. Eligibility for aid to dependent children. Assistance shall be granted under this act to any needy dependent child who:



1. Is living in a suitable family home meeting acceptable standards.
2. Has resided in the state for one year immediately preceding the application for such assistance; or was born within the state within one year immediately preceding the application, if the mother has resided in the state for one year immediately preceding the birth of said child, without regard to the residence of the person or persons with whom said child is living.

3. Is not in a public institution and because of a physical or mental condition, in need of continued care therein.

"Sec. 3. Application for Assistance. Application for assistance under this act shall be made to the county board of the county in which the dependent child will reside in the event assistance is granted. The application shall be in writing or reduced to writing in the manner and upon the prescribed form. Such application shall be made by an adult person with whom the dependent child will live and shall contain such information as may be required. One application may be made for several children of the same family if they reside or will reside with the same person.

"Sec. 4. Investigation of application. Whenever a county board receives a notification of the dependency of a child or an application for assistance, an investigation and record of the circumstances shall promptly be made in order to ascertain the dependency of the child and the facts supporting the application.

The investigations shall include visits to the home of the child and of the person with whom the child will live during the time assistance is granted.

"Sec. 5. Granting of assistance and amount of assistance. Upon the completion of an investigation the county board shall decide whether the child is eligible for assistance under the provisions of this act and determine the amount of such assistance. The county board shall, within thirty days, notify the person with whom the child is living or will be living, of the decision made. The county board may require, as a condition of granting assistance, that a legal guardianship be established over any child or children and in such cases the assistance payments shall be made to such guardian, when appointed, but no guardian shall be allowed to receive any assistance payments for any dependent child or children unless such guardian shall bear a relationship to the child or children embraced by paragraph four (4), section one (1) of this act. The dependent child for whom the grant is made shall be originally charged to the county in which such child resides when application is made.

The amount of assistance needed for any dependent child shall be fixed by the county board with due regard to the necessary expenditures of the family and the conditions existing in each case, taking into consideration any other income or resources of any child claiming assistance under this act and any private resources found to be available to such child. Such assistance when granted shall be sufficient, when added to all other income and support available to the child, to provide such child with a reasonable subsistence compatible with decency and health, provided, however, that no monthly assistance grant shall be made in excess of eighteen dollars per month for one child, or, if there is more than one dependent child who will receive assistance in the same home, the grant

shall not exceed eighteen dollars per month for one child and an additional twelve dollars per month for each additional dependent child in the same home. Assistance, when granted, shall be paid monthly to an adult person within the specified degrees of relationship and with whom the child is living, from the fund for aid to dependent children established by this act, upon the order of the state department.

"Sec. 6. Periodic reconsideration, changes, and termination of grants. Any or all assistance grants made under this act shall be subject to reconsideration at any time the county board deems necessary and shall be reinvestigated and reconsidered by the county board as frequently as may be required. After any such further investigation, the county board shall make further report to the state department. Upon such report, assistance may be continued, renewed, suspended, changed in amount, or entirely withdrawn, as the findings of such reports warrant.

"Sec. 7. Appeal to the state board. If an application is not acted upon by the county board or the state department within a reasonable time after such application is made, if it is denied in whole or in part, or if any award of assistance is modified, suspended, or cancelled under any provision of this act, the applicant or recipient may appeal to the board. The state board shall, upon receipt of such appeal, give appellant reasonable notice and opportunity for a fair hearing before the state board or is duly authorized representative or representatives.

"Sec. 8. Removal to another county. When any child for whose benefit an application for or grant of assistance has been made is removed to another county in this state, assistance shall continue to be paid with respect to such child. Such assistance shall be chargeable the county from which the child has been removed until the child has resided continuously for six months in a new county, after which time assistance shall be charged to the new county in which the child has such continuous residence for six months. Final determination of such charges shall be made by the state department.

"Sec. 9. Funeral expenses. Upon the death of any child for whose benefit assistance payments are being made or have been authorized, a reasonable funeral expense for the burial of such child may be paid by the state department, provided such expenses do not exceed one hundred dollars, and the estate of the deceased or any life insurance or payments by any death or funeral benefit association or society paid by reason of the death of such child to the child's estate or to any person legally liable for his support, are insufficient to defray such funeral expenses. The person to whom such funeral expenses are paid as above provided is hereby prohibited from soliciting, accepting, or contracting to receive any further compensation for services rendered or articles furnished in connection with such funeral except on written approval of the county board of the county to which the assistance is chargeable and subject to such rules and regulations as the state board shall prescribe.

"Sec. 10. Confidential nature of records. All applications, investigations and records shall be privileged communications and shall be confidential. They shall be open to inspection and use only by persons properly authorized to inspect them in connection with their official duties directly connected with the administration of this act.

Any list or lists of names of applicants or recipients of assistance authorized by this act or other lists compiled by the state department of social welfare or its successors in the administration of this act are hereby declared to be the personal property of the state of Iowa; and no employee of the state of Iowa, or any other person shall give, sell or furnish such lists or list to any persons or person for any purpose except for use in the administration of this act, and as otherwise herein provided. No person shall buy, give, furnish, sell or use such list or lists, or any plate or card from which any such list could be prepared, belonging to or used in the administration of aid to dependent children in the state of Iowa for any commercial or political purpose, and the violation of any of the provisions hereof is hereby made a misdemeanor, punishable by a fine of not to exceed one thousand dollars, or by imprisonment in the county jail not to exceed one year, or by both such fine and imprisonment.

"Sec. 11. County appropriations. The county board of supervisors in each county in this state shall appropriate annually, and pay in the manner hereinafter specified from the county poor fund, such sum as shall result in the payment by such county of that portion of all assistance and benefits payable with respect to dependent children chargeable to the county under this act, which shall equal one-half of all such assistance and benefits chargeable to the county exclusive of such receipts and contributions to such fund other than state or county funds, as may from time to time be legally received from any source and credited to the state department and shall include in the tax levy for such county the sum or sums so appropriated for that purpose. The sums necessary as above provided shall be originally determined upon the basis of an annual budget prepared by the county board and approved by the state department. Should the sum so appropriated, however, be expended or exhausted during the year for which it was appropriated, such additional sum shall be appropriated by the board of supervisors from the county poor fund as shall be sufficient to meet the obligation of the county to pay its share as heretofore provided of all assistance and benefits with respect to dependent children chargeable to the county. The appropriation provided in this section shall not exceed statutory tax limitations now or hereafter provided, except that in counties having a population of sixty thousand, or more, the board of supervisors may levy annually a tax not to exceed one-fourth mill to carry out the provisions of this act.

"Sec. 12. Fund for aid to dependent children; reimbursement to state. There is hereby established in the state treasury a fund to be known as the 'fund for aid to dependent children' to which shall be credited all funds appropriated by the state for the payment of administrative expenses, assistance and benefits under this act, all moneys received at any time for such purposes, and all funds paid by counties to the state department as provided by this act. All assistance and benefits under this act, and the administrative expenses incident thereto, except compensation and expenses paid to the county board members, shall be paid from said fund. The state department shall report to the county board quarterly the total amount of assistance and benefits paid during the preceding quarter to recipients chargeable to the county. The

county board shall promptly report the same to the county board of supervisors which shall then order paid from the county poor fund a sum representing the county's share thereof determined in the manner heretofore provided, which payment shall be credited to the fund for aid to dependent children.

"Sec. 13. Assistance not assignable. Assistance granted under this act shall not be transferable or assignable at law or in equity, and none of the money paid or payable under this act shall be subject to execution, levy attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

"Sec. 14. Fraudulent acts. Whoever obtains, or attempts to obtain, or aids or abets any person to obtain, by means of a wilfully false statement or representation, or by impersonation, or any fraudulent device, any assistance under this act to which the recipient is not entitled, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punishable by fine, not exceeding five hundred dollars or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment.

"Sec. 15. Recovery of assistance obtained by fraudulent act. Whoever obtains, or attempts to obtain, or aids or abets any person to obtain, by means of a wilfully false statement or representation, or by impersonation or any fraudulent device, any assistance as defined in this act to which the recipient is not entitled, shall be personally liable for the amount of assistance thus obtained. Such amount may be recovered from the offender or his estate in an action brought or by claim filed in the name of the state, and upon recovery the state shall pay the county a portion thereof equal to the amount paid by the county with respect to such assistance and return the balance of such recovery to the 'fund for aid to dependent children'.

"Sec. 16. Questions of policy and control respecting administration of this act shall vest and remain in the state agency of the State of Iowa for the purposes of administering all provisions of this act. In order to provide a uniform state-wide program for aid to dependent children, the state board shall promulgate such rules and regulations as may be necessary to make the provisions of this act uniform in all of the counties of this state.

"Sec. 17. Constitutionality. If any portion of this act shall be held invalid, the remaining provisions shall be given full force and effect as if the part held invalid had not been included herein.

"Sec. 18. Commencement of assistance payments. This act shall take effect as provided by law except as hereafter stated, but assistance payments hereunder shall not begin until January 1, 1944.

"Sec. 19. Appropriation. There is hereby appropriated from the general fund of the state, for the purposes of this act, the sum of three hundred seventy-five thousand dollars for the year ending June 30, 1944, and the sum of seven hundred fifty thousand dollars for the year ending June 30, 1945.

"Sec. 20. Repeal. Sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one and one-tenth (3641.1), thirty-six hundred

forty-two (3642) and thirty-six hundred forty-three (3643), Code of Iowa, 1939, are hereby repealed but it is provided that such repeal shall not take effect, and payment of widows' pensions under the repealed statutes shall not cease, until January 1, 1944. All other acts or parts of acts in conflict herewith are hereby repealed."

Further amend Senate File 239 by striking all of the title after the words "An Act to provide" and by substituting therefor the following: "a program of uniform state-wide aid to dependent children; to prescribe the powers and duties of the state board of social welfare; the state department of social welfare; the county board of social welfare; and all counties and their boards of supervisors with regard to the foregoing matters; to provide for the application and granting of aid and the amount thereof; to provide for reconsideration, changes and termination of aid; to provide for appeals to the state board; to provide for the removal to other counties; to provide for funeral expenses; to provide for the confidential nature of reports; to provide for county appropriations and for a fund for aid to dependent children; to provide against fraudulent acts and the assignment of payments and the recovery of payments fraudulently obtained; to provide for the commencement of payments under this act; and to repeal sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one and one-tenth (3641.1), thirty-six hundred forty-two (3642), and thirty-six hundred forty-three (3643), Code of 1939, relating to widows' pensions; to repeal all other acts or parts of acts in conflict herewith; and to make an appropriation to carry out the provisions of this act."

GEORGE FAUL.

J. BEEG.

DEVERE WATSON.

G. R. HILL.

E. K. BEKMAN.

STANLEY HART.

JOHN HATTERY.

F. J. PINE.

FLOYD JONES.

HUGH LUNDY.

D. D. FULLER.

RALPH W. ZASTROW.

LEO ELTHON.

A. J. SHAW.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 24, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. Paul McDade, pastor of the Methodist church, Ogden.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Sjulín, from the county officers of Page county, favoring an increase in salary for county officers.

By Senator Vrba, from the members of the town council of Calmar, relative to the distribution of the gasoline tax.

## INTRODUCTION OF BILLS

Senate File 306, by committee on private corporations, a bill for an act to repeal chapter two hundred sixty-seven (267) (H. F. 278), acts of the Forty-ninth General Assembly, and to amend section eight thousand four hundred twenty-four (8424), section eight thousand four hundred twenty-six (8426), and chapter three hundred eighty-six (386), Code, 1939, all relating to foreign corporations qualifying in the state, the issuance of permits, and the expiration and cancellation of permits of foreign corporations.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 307, by committee on judiciary 2, a bill for an act to amend section eleven thousand eight hundred eighty-four (11884), Code, 1939, to change the time of applying for letters of administration from after the "burial of deceased" to after the "death of deceased."

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 308, by committee on judiciary 2, a bill for an act to amend and codify all that part of chapter two hundred forty-one (241), Code, 1939, relating to primary road bonds.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 309, by committee on judiciary 2, a bill for an act to legalize the proceedings by the board of supervisors of Guthrie county, Iowa, in submitting to the voters of said county at the general election on November 3rd, nineteen hundred forty-two (1942) the question of increasing the membership of the board of supervisors of said county from three (3) to five (5) and the said election.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 310, by committee on judiciary 2, a bill for an act to amend and codify all of that part of chapter two hundred forty-one (241), Code, 1939, relating to secondary road assessment districts.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 311, by committee on judiciary 2, a bill for an act to amend section forty-seven (47), Code, 1939, relating to the form of bills presented to the General Assembly.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 312, by committee on judiciary 2, a bill for an act to preserve state aid to county and district fair societies who do not hold fairs or file reports during and by reason of the war emergency.

Rear first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 313, by committee on private corporations, a bill for an act to amend section eight thousand three hundred forty-three (8343), eight thousand three hundred fifty-seven (8357), eight thousand three hundred sixty-four (8364), eight thousand three hundred sixty-five (8365), and chapter three hundred eighty-four (384), Code, 1939, relating to corporations for pecuniary profit; to authorize perpetual existence, and fix the fees of corporations having such existence.

Read first and second times, is ready for commitment and amendment, 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 238, a bill for an act authorizing banks to make installment loans.

Also: That the House has concurred in Senate amendment to the House amendments to, and passed Senate File 184, a bill for an act relating to property damage by beavers.

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

House Concurrent Resolution 18, providing for an analysis of farm needs for the war period and the reconstruction period thereafter.

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

House Concurrent Resolution 19, relating to the prevention of foot and mouth disease.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE CONCURRENT RESOLUTION 18

*Whereas*, Apparently there has been no determination made by responsible officers of the government of the total required production of essential food and fiber for the duration of the war and for the reconstruction period following the war; and

*Whereas*, Food and fiber goals have thus far been established only on a short time basis; and

*Whereas*, The war manpower commission was created for the purpose of analyzing and giving proper weight to the minimum manpower requirements of all war industries including agriculture, the armed forces and the necessary civilian economy, and

*Whereas*, Although several months have elapsed since the creation of said manpower commission, the drain of agriculture's trained manpower into industry and the armed forces through the selective service system, continues at substantially the previous rate, notwithstanding the fact that thousands of auction sales have been held and that breeding herds of sheep, hogs and both beef and dairy cattle continue to be reduced through shipment to market as a result of the manpower shortage already existing throughout this area, and

*Whereas*, Notwithstanding the fact that agriculture in the great plains area, normally renews completely its mechanized equipment every ten years and the further fact that the whole middle west has just come through a ten year period of depressed times which made normal re-



placement difficult, thus multiplying the minimum requirements for both new machinery and repair parts, and

*Whereas*, Notwithstanding the recent increase over previous allocations of iron and steel for farm equipment granted by the war production board, there may reasonably be reduced acreage as compared to 1942 for the combined reasons of manpower shortage and inadequate machinery and repair parts, and

*Whereas*, Iowa now has thousands of its young men serving in the armed forces and being almost wholly an agricultural state it is self-evident that a very large percentage of any subsequent drains on our manpower have and must come from our farms, and

*Whereas*, If Iowa is to contribute her best in the prosecution of this total war, it can only be done through maximum utilization of its one great resource, namely, "agriculture", and

*Whereas*, This can be done only if immediate and realistic consideration, followed by positive action, be given to the minimum requirements of our farmers in the fields. Manpower, machinery, repair parts, tires, gasoline credit availability, credit cost, non-recourse production, loans, equitable relationship between price floors and ceiling to production costs to the added risks incident to the efforts to meet expanding production goals under wartime conditions, the apparent necessity for lifting all acreage restrictions on wheat and other commodities as has been done for corn.

*Now, Therefore, Be It Resolved by the House of Representatives, the Senate Concurring*, That we earnestly recommend and ask that the Senate committee on agriculture and forestry make an immediate and thorough investigation of all the agricultural "musts" to the end that the requirements of sufficient manpower, sufficient current credit, proper price relationship between production costs, ceilings and floors, sufficient farm machinery and repair parts, gasoline, rubber, fertilizer and other necessary supplies be definitely determined on a long-time basis, not only for the war years, but for the reconstruction period following the war and allotted to agriculture so that sufficient food and fiber may be forthcoming to meet increasingly expanding goals and to supply the requirement of our armed forces, the civilian population, the lease-lend commitments to the allied nations and food for occupied countries and that such investigation include the careful weighing and consideration of the inter-relationship and division of authority and responsibility among the following agencies in connection with such determination: United States department of agriculture, office of price administration, war production board, war manpower commission, office of petroleum co-ordinator.

*Be It Further Resolved*: That a copy of this resolution be transmitted to each member of Congress from Iowa, presiding officer of the Senate, speaker of the House of Representatives, secretary of the United States department of agriculture, office of price administration, chairman of the Senate committee on agriculture and forestry.

#### HOUSE CONCURRENT RESOLUTION 19

*Whereas*, In the present emergency which exists relative to the limited supply of food in our country, it has been intimated by members

of our administration that the United States might permit the importation into this country of livestock products infected with foot-and-mouth disease; and

*Whereas*, Millions of dollars have been spent and thousands of animals have been killed in the United States to free this country from the ravages of this dreaded disease, and laws in the interest of public health have been enacted by federal and state governments to require farmers to eliminate such disease from their farms and prevent its spread; and

*Whereas*, This dreaded contagious disease can be transmitted by fresh and frozen meats as well as by live animals, and strictest regulations and restrictions should be maintained to prevent infection of our domestic herds from such contagious disease now present in foreign countries; and

*Whereas*, There has been no treatment effective yet conceived in foreign countries to combat and prevent the spread of this disease, and

*Whereas*, In as much as rigid inspection of slaughtering and sale of meat for human consumption is required of our citizens, such condition should also apply to any meat or meat products brought into this country from foreign lands; now

*Be It Resolved by the House, the Senate Concurring:*

That for the reasons stated in the preamble of this resolution, the Congress of the United States is respectfully requested to continue the embargo against foreign countries now in force until such countries are free from, and have established, and have in force adequate sanitary conditions to prevent the spread of the foot-and-mouth disease; and

*Be It Further Resolved:* That a copy of this preamble and resolution be forwarded to the Secretary of Agriculture Claude R. Wickard, to the United States House and Senate committees on foreign relations, to Vice President Henry A. Wallace, to the Honorable George A. Wilson and Honorable Guy M. Gillette, United States Senators from Iowa, and the eight Iowa members of the House of Representatives.

### HOUSE MESSAGES CONSIDERED

House File 238, a bill for an act to authorize banks operating under title XXI of the 1939 Code of Iowa, to make installment loans subject to certain definite limitations, and to make the provisions of this act, in so far as applicable, available to national banks operating in this state.

Read first and second times, is ready for commitment and amendment, and referred to committee on banks and banking.

### THIRD READING OF BILLS

On motion of Senator Shaw, Senate File 225, a bill for an act to create a new chapter to follow immediately after chapter one hundred eighty-one and five-tenths (181.5), Code, 1939, to

be known as Children's Day Nurseries, relating to day nurseries; relating to definition of person and agency, as contained in said chapter; relating to definition of day nurseries; relating to the location of day nurseries; relating to the power of the state department of social welfare to license day nurseries; relating to the conditions governing the granting of such licenses; relating to a license being required; relating to form of license; relating to record of license; relating to tenure of license; relating to revocation of license; relating to charges, findings and notice in connection with the revocation of license; relating to appeal, pleadings on appeal, hearing on appeal and trial on appeal; relating to rules and regulations by the state department of social welfare; relating to registration and records; relating to the duty of a licensee; relating to inspection of day nurseries; relating to record of inspections and time of inspections of day nurseries; relating to inspection by the state department of health and local boards of health; relating to duty of licensee to aid in such inspection; relating to prohibition of assumption of care and custody of a child in day nurseries; relating to burden of proof of licensee with reference to relationship between child and licensee; relating to penalty for violation of any of the provisions of the chapter, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 225 by inserting at the beginning of line 3 of section twenty-two (22) the following: "Cherokee Daily Times" and following the word "in" in line 3 the words "Cherokee, Iowa".

Also by inserting after the word "and" in line 4 of section twenty-two (22) the words "Farm-Labor Press" and following the word "in" in line 5 the words "Council Bluffs, Iowa".

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, 46:

Augustine	Emerson	Hattery	Love
Bekman	Evans	Henningsen	Lynes
Benson	Faul	Hess	Martin
Berg	Findlay	Hill	Mercer
Byers	Foster	Hunt	Miller
Clark	Fuller	Johnson	Mowry
Clem	Goode	Jones	Pelzer
Dykhouse	Hart	Leo	Pine
Elthon	Harvey	Long	Reilly

Schluter  
Shaw  
Sjulin

Stewart  
Turner  
Vittetoe

Vrba  
Watson

Zastrow  
Zeigler

Nays, none.

Absent or not voting, 4:

Cromwell

Keir

Lundy

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.

On motion of Senator Shaw, Senate File 226, a bill for an act to amend and revise section three thousand four hundred twenty-four (3424), 1939 Code of Iowa, relating to the examination of alleged feeble-minded persons by a commission, 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, 44:

Augustine  
Bekman  
Benson  
Berg  
Byers  
Clark  
Clem  
Dykhouse  
Elthon  
Emerson  
Evans

Faul  
Findlay  
Fuller  
Hart  
Hattery  
Henningsen  
Hess  
Hill  
Hunt  
Johnson  
Jones

Keir  
Leo  
Long  
Love  
Lundy  
Lynes  
Martin  
Mercer  
Miller  
Mowry  
Pelzer

Pine  
Reilly  
Schluter  
Shaw  
Sjulin  
Stewart  
Turner  
Vittetoe  
Vrba  
Watson  
Zeigler

Nays, 2:

Harvey

Zastrow

Absent or not voting, 4:

Cromwell

Foster

Goode

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.

On motion of Senator Love, House File 49, a bill for an act

to amend sections nine hundred sixty-eight (968), nine hundred sixty-nine (969), and one thousand four (1004), Code, 1939, all relating to presidential electors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Love moved that the bill be read a third 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	Goode	Leo	Reilly
Bekman	Hart	Long	Schluter
Berg	Harvey	Love	Shaw
Byers	Hattery	Lundy	Sjulin
Clem	Henningsen	Lynes	Stewart
Cromwell	Hess	Martin	Turner
Dykhouse	Hill	Mercer	Vittetoe
Emerson	Hunt	Miller	Vrba
Evans	Johnson	Mowry	Watson
Faul	Jones	Pelzer	Zastrow
Findlay	Keir	Pine	Zeigler
Fuller			

Nays, none.

Absent or not voting, 5:

Benson	Elthon	Foster	Whitehill
Clark			

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

Senator Love moved that the 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 Watson, Senate File 54, a bill for an act to amend section fifty-four hundred ninety-six (5496), Code, 1939, relating to the office of county surveyor, was taken up and considered.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 54 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section fifty-four hundred ninety-six (5496), Code, 1939, is amended as follows:

Strike all of lines 1 to 6 inclusive and insert in lieu thereof the following:

"The county surveyor shall receive the following fees:

1. For each day's service actually performed and travel necessary in making a survey, such amount as may be agreed upon by said surveyor and the person requesting the survey. In case of disagreement, the amount shall be fixed by the board of supervisors.' "

The amendment was adopted.

Senator Watson moved that the bill be read a third 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	Faul	Keir	Reilly
Bekman	Findlay	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Sjulin
Byers	Hart	Lynes	Stewart
Clark	Harvey	Martin	Turner
Clem	Hattery	Mercer	Vittetoe
Cromwell	Henningsen	Miller	Vrba
Dykhouse	Hess	Mowry	Watson
Elthon	Hill	Pelzer	Zastrow
Emerson	Johnson	Pine	Zeigler
Evans	Jones		

Nays, none.

Absent or not voting, 4:

Foster	Hunt	Lundy	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.

Senator Watson moved that the 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 Long took the chair at 11:12 a. m.

On motion of Senator Shaw, Senate File 237, a bill for an act to amend section three thousand six hundred sixty-one and seventy-three thousandths (3661.073), 1939, Code of Iowa, relating to definition of a child-placing agency; to amend section three thousand six hundred sixty-one and seventy-four thousandths (3661.074), 1939 Code of Iowa, relating to the power of the state department of social welfare to license a child-placing agency; to amend and revise section three thousand six hundred sixty-one and seventy-five thousandths (3661.075), 1939 Code of Iowa, relating to conditions attending such licensing and providing that no child-placing agency shall operate as a maternity home; to amend and revise section three thousand six

hundred sixty-one and seventy-six thousandths (3661.076), 1939 Code of Iowa, relating to a license being required; to amend and revise section three thousand six hundred sixty-one and eighty-one thousandths (3661.081), 1939 Code of Iowa, relating to revocation of such license; to amend section three thousand six hundred sixty-one and eighty-two thousandths (3661.082), 1939 Code of Iowa, relating to written charges in connection with such revocation; to amend and revise section three thousand six hundred sixty-one and eighty-three thousandths (3661.083), 1939 Code of Iowa, relating to appeal from such revocation of license; to repeal section three thousand six hundred sixty-one and eighty-six thousandths (3661.086), 1939 Code of Iowa, relating to trial on appeal, to amend section three thousand six hundred sixty-one and eighty-seven thousandths (3661.087), 1939 Code of Iowa, relating to rules and regulations of the state department of social welfare; to amend section three thousand six hundred sixty-one and ninety thousandths (3661.090), 1939 Code of Iowa, relating to inspection of child-placing agencies; to amend section three thousand six hundred sixty-one and ninety-one thousandths (3661.091), 1939 Code of Iowa, relating to time of inspection; to amend and revise section three thousand six hundred sixty-one and ninety-two thousandths (3661.092), 1939 Code of Iowa, relating to inspection by other agencies than the state department of social welfare; to amend and revise section three thousand six hundred sixty-one and ninety-four thousandths (3661.094), 1939 Code of Iowa, relating to annual reports of child-placing agencies; to amend section three thousand six hundred sixty-one and ninety-six thousandths (3661.096), 1939 Code of Iowa, relating to care and custody of children; to amend and revise section three thousand six hundred sixty-one and one hundred thousandths (3661.100), 1939 Code of Iowa, relating to recovery by any person after child has been transferred to a child-placing agency; to amend and revise section three thousand six hundred sixty-one and one hundred three thousandths (3661.103), 1939 Code of Iowa, relating to authority of institutions to receive children; to amend and revise section three thousand six hundred sixty-one and one hundred four thousandths (3661.104), 1939 Code of Iowa, relating to the importation of children; to amend and revise section three thousand six hundred sixty-one and one hundred five thousandths (3661.105), 1939 Code of Iowa, relating to a bond and conditions in regard to the importation of children; to amend section three thousand six hundred sixty-

one and one hundred ten thousandths (3661.110), 1939 Code of Iowa, relating to exportation of children from the state; to create a new section to follow immediately after section three thousand six hundred sixty-one and one hundred twelve thousandths (3661.112), 1939 Code of Iowa, relating to supervision of, importation and exportation of children by the state department of social welfare, 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, 45:**

Augustine	Fuller	Leo	Reilly
Benson	Goode	Long	Schluter
Berg	Hart	Love	Shaw
Byers	Harvey	Lundy	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Hess	Martin	Turner
Cromwell	Hill	Mercer	Vittetoe
Dykhouse	Hunt	Miller	Vrba
Elthon	Johnson	Mowry	Watson
Emerson	Jones	Pelzer	Zastrow
Evans	Keir	Pine	Zeigler
Findlay			

**Nays, none.**

**Absent or not voting, 5:**

Bekman	Foster	Henningsen	Whitehill
Faul			

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 Cromwell, Senate File 30, a bill for an act providing for the acknowledgment of instruments by persons serving in or with the armed forces of the United States before any commissioned officer and providing a form of certification of such acknowledgment, 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 30 as follows:**

After section one (1) add a new section as follows:



"Any acknowledgment heretofore made by any person serving in or with the armed forces of the United States in the manner as prescribed by this act, or substantially so, are hereby legalized and considered sufficient."

Renumber section two (2) as section three (3).

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, 45:

Augustine	Foster	Keir	Reilly
Benson	Fuller	Leo	Schluter
Berg	Goode	Long	Shaw
Byers	Hart	Love	Sjulin
Clark	Harvey	Lynes	Stewart
Clem	Hattery	Martin	Turner
Cromwell	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Elthon	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay			

Nays, none.

Absent or not voting, 5:

Bekman	Henningsen	Lundy	Whitehill
Evans			

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.

Senator Cromwell asked and received unanimous consent that Senate File 30 be immediately messaged to the House, which request was complied with.

On motion of Senator Faul, Senate File 115, a bill for an act to amend section six thousand three hundred fifteen (6315) and section six thousand three hundred seventeen (6317), Code, 1939, relating to disabled and retired firemen and policemen, including those in special charter cities, to clarify and reconcile the provisions of said sections with those of chapter 322 of the Code, 1939, as a whole, 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 115 by striking section one (1) and renumbering the following sections.

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend the title to Senate File 115 by striking all of the title after the word "amend" in line one (1) of the title, and by substituting therefor the following: "section six thousand three hundred seventeen (6317), Code, 1939, relating to retired firemen and policemen, including those in special charter cities."

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	Foster	Keir	Reilly
Benson	Goode	Leo	Schluter
Berg	Hart	Long	Shaw
Byers	Harvey	Love	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Cromwell	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Elthon	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay			

Nays, none.

Absent or not voting, 5:

Bekman	Fuller	Lundy	Whitehill
Evans			

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

President Blue took the chair at 11:31 a. m.

On motion of Senator Zeigler, Senate File 118, a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, relating to the general powers of the board of supervisors

providing for the additional power to purchase and pay for liability and property damage insurance which shall insure against individual personal liability of county employees while in the performance of their duties, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 43:

Augustine	Fuller	Leo	Schluter
Berg	Goode	Long	Shaw
Byers	Hart	Love	Sjulin
Clark	Harvey	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Cromwell	Hess	Mercer	Vittetoe
Dykhouse	Hill	Miller	Vrba
Elthon	Hunt	Mowry	Watson
Emerson	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir	Reilly	

Nays, none.

Absent or not voting, 7:

Bekman	Evans	Hattery	Whitehill
Benson	Foster	Lundy	

The bill having received a constitutional majority was declared to have passed the Senate and the title 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 Clem, Senate File 121, a bill for an act to legalize action of the board of supervisors of Woodbury county, Iowa, instructing the county auditor of said county to make necessary adjustments as of January 1, 1942, in order that tax sale certificates and real estate acquired by the county under the tax sale of January 23, 1935, and under the tax sale of March 8, 1935, be placed in the same status as tax sale certificates and real estate acquired under the provisions of section seventy-two hundred fifty-five-B1 (7255-B1) of the 1935 Code of Iowa, 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 121 by striking the period (.) after the word "Iowa" in the last line of section three (3) thereof, and by adding the following: "without expense to the state."

The amendment was adopted.

Senator Clem moved that the bill be read a third 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	Fuller	Keir	Reilly
Bekman	Goode	Leo	Schluter
Benson	Hart	Long	Shaw
Berg	Harvey	Love	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Dykhouse	Hess	Mercer	Vittetoe
Emerson	Hill	Miller	Vrba
Faul	Hunt	Mowry	Watson
Findlay	Johnson	Pelzer	Zastrow
Foster	Jones	Pine	Zeigler

Nays, none.

Absent or not voting, 6:

Byers	Elthon	Lundy	Whitehill
Cromwell	Evans		

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

Senator Clem moved that the 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 Goode, Senate File 166, a bill for an act to amend section one thousand nine hundred twenty-one and one hundred twenty-eight thousandths (1921.128), Code, 1939, in reference to allocation of license fees and taxes collected upon beer, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Goode moved that the bill be read a third 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	Berg	Clem	Emerson
Bekman	Byers	Cromwell	Faul
Benson	Clark	Dykhouse	Findlay

Foster	Johnson	Mercer	Sjulin
Goode	Jones	Miller	Stewart
Hart	Keir	Mowry	Turner
Harvey	Leo	Pelzer	Vittetoe
Hattery	Long	Pine	Vrba
Henningsen	Love	Reilly	Watson
Hess	Lundy	Schluter	Zastrow
Hill	Lynes	Shaw	Zeigler
Hunt	Martin		

Nays, 1:

Fuller

Absent or not voting, 3:

Elthon

Evans

Whitehill

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

Senator Goode moved that the 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 Watson, Senate File 182, a bill for an act to repeal section six thousand two hundred seventeen (6217), Code, 1939, relating to the consolidated tax levy in cities and towns, and section six thousand two hundred eighteen (6218), Code, 1939, relating to the appropriation of levy in cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Martin offered the following amendment and moved its adoption:

Amend Senate File 182 by adding thereto the following:

"Sec. 3. This act shall apply to cities acting under special charter."

The amendment was adopted.

Senator Watson moved that the bill be read a third 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	Foster	Leo	Schluter
Bekman	Fuller	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lynes	Stewart
Clark	Hattery	Mercer	Turner
Clem	Henningsen	Miller	Vittetoe
Cromwell	Hess	Mowry	Vrba
Dykhouse	Hill	Pelzer	Watson
Elthon	Johnson	Pine	Zastrow
Emerson	Jones	Reilly	Zeigler
Findlay	Keir		

Nays, none.

Absent or not voting, 8:

Benson	Faul	Hunt	Martin
Evans	Goode	Lundy	Whitehill

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

Senator Watson moved that the 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 Love, Senate File 189, a bill for an act to amend section three thousand two hundred sixty-one (3261), Code, 1939, relating to form of license for public scales and gasoline pumps, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Love offered the following amendment and moved its adoption:

Amend Senate File 189 by adding the following as section three (3):

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Bridgewater Times, a newspaper published at Bridgewater, Iowa, and in the Fontanelle Observer, Fontanelle, Iowa."

The amendment was adopted.

Senator Love moved that the bill be read a third 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	Findlay	Keir	Pine
Bekman	Foster	Leo	Reilly
Benson	Fuller	Long	Schluter
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Dykhous	Hill	Miller	Watson
Elthon	Hunt	Mowry	Zastrow
Emerson	Jones	Pelzer	Zeigler

Nays, none.

Absent or not voting, 6:

Evans	Goode	Shaw	Whitehill
Faul	Johnson		

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

Senator Love moved that the 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 Hunt, the Senate recessed until 1:45 p. m.

### AFTERNOON SESSION

The Senate reconvened, President pro tempore Frank C. Byers presiding.

### INTRODUCTION OF BILLS

Senate File 314, by committee on public libraries, a bill for an act to amend chapter two hundred thirty-four and one tenth (234.1), Code, 1939, relating to state libraries by striking therefrom the word "traveling" wherever it occurs in said chapter and providing for a change in the membership of the board of trustees, and for the appointment of additional members by the governor and describing their duties.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

President Blue took the chair at 1:53 p. m.

### 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, duly adopted, the Joint Convention was called to order, President Blue of the Senate presiding.

President Blue announced a quorum present and the Joint Convention duly organized.

McFarlane of Black Hawk 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 Findlay of Webster on the part of the Senate, and Representatives McFarlane of Black Hawk and Wamstad of Mitchell 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.

President Blue introduced the Hon. Ray P. Scott, president of the Iowa Pioneer Lawmakers' Association, and the program was then carried out as arranged with special music furnished by the Songfellows Quartet, by favor of WHO broadcasters.

The Hon. Henry W. Burma, Speaker of the House, gave the following address of welcome on behalf of the Legislative Assembly:

Pioneer Lawmakers, and Songfellows of Iowa, the Fiftieth General Assembly of Iowa greets you and extends to you a warm welcome.

Your presence here is evidence that though you are not now members of this Assembly, you are still interested in the affairs of government and we of the Fiftieth General Assembly are grateful to you for the fine service you rendered in years gone by as lawmakers of Iowa. During the sessions that I have sat here in the chamber, when you gentlemen came in I looked upon you with respect and admiration, and more so now when the stability of our American institutions and our American homes is threatened. We need more than ever before the pioneer courage, the pioneer spirit, and the pioneer conception of loyalty, of honor, and of justice.

You have rendered a valuable service. You were the trailblazers for us, so to speak. We regard your efforts and your work very highly. We are indeed happy to have you here this afternoon and, as one eminent person once said, "We will think very much of you, and will think of you very much".

I thank you for coming here and we want you to know that the Fiftieth General Assembly deeply and warmly welcomes you here this afternoon. Thank you.

President Scott then introduced the Hon. Claude M. Stanley, former Senator, who addressed the Joint Convention as follows:

Mr. President, members of the Fiftieth General Assembly, Pioneer Lawmakers, and my fellow Americans:

I am happy to be here today to participate in your program. I would



be much more happy if I were participating in the great program of our country to which your president has just referred. I am in somewhat of a peculiar situation in that I am out of the Senate and have not been out long enough to be eligible to be a member of the Pioneers.

In addressing the General Assembly of Iowa, as one having been a former member thereof, I have a feeling that I am to some extent in the position of the former president of a business men's club at the inauguration of his successor. After the installing official had inducted the newly elected president into office, had taken the gavel from the outgoing officer and had presented it to the newly installed officer, he turned to the retiring president and said: "It is my painful duty to pin on you this badge of a past president of this organization. In the performance of your service you have been diligent and faithful and your suggestions and advice have been well received. There are fifteen past presidents in this organization. We welcome you in. But soon you will learn, as each one of us has learned, that you are in somewhat the position of a mother-in-law. She suggests many ideas and offers much information and advice, and little heed is taken."

In discussing our present military task it is my desire to call to your attention some of the services that have been and are being rendered by the men and women of Iowa in the military field.

Iowa was created as a territory in the year 1838, and since that time our state has on every occasion where military service was required done her full share and even more than her full share, by having furnished a higher percentage of her population to the armed forces than was furnished by many other states. Governor Robert Lucas in his first message to the Legislative Assembly in 1838 advocated an efficient and disciplined militia for the territory, and caused legislation to be set in motion to accomplish that result.

The first occasion on which military service was performed was with respect to the dispute over the boundary line between the State of Missouri and the State of Iowa. That was known as the Iowa-Missouri War. At that time Iowa was a territory. That was in 1839 and was the beginning of a long list of distinguished services performed by Iowa citizens in the military field.

In 1846 when the call came for soldiers to enlist for service in the war with Mexico the militia organization of the Territory of Iowa was practically nonexistent, but Iowa furnished for that service a regiment consisting of ten companies.

In 1857 Iowa men participated in defending the state against the invasion by a hostile band of Sioux Indians during which the Spirit Lake Massacre occurred.

In the war between the states known as the Civil War Iowa furnished a total of 76,242 men. These men participated in many of the campaigns and battles against the Confederate Army. Of these, 13,001 lost their lives either as battle casualties or through the ravages of disease. The records are full of the valiant deeds of individuals and of the organizations on many fields of battle.

When war was declared against Spain in 1898 President McKinley issued a call for 125,000 volunteers. On April 25 of that year the gov-

ernor of Iowa ordered all four regiments of the Iowa National Guard into action. These regiments saw service in Jacksonville, Florida, and Chickamauga Park, Georgia, and one regiment, the 51st Iowa, saw service at San Francisco, California, and in the Philippine Islands, and participated in many campaigns incident to the Philippine Insurrection. For the Spanish American War Iowa furnished 5,859 officers and enlisted men through the National Guard organization.

In 1916 when there was serious threat of trouble on the Mexican border Iowa sent three organizations of Infantry, a Battalion of Artillery, and Squadron of Cavalry to the southern border of the United States where the troops remained until early in 1917 when they were returned home.

For the first World War Iowa furnished 114,218 men which included the entire personnel of the National Guard recruited to war strength. In the organization of the 42nd Division, known as the Rainbow Division, Iowa furnished an Infantry regiment which was designated as the 168th Infantry. In order that this regiment might be brought to full war strength detachments were taken from the other regiments of the National Guard, and it may be said that this regiment was representative of the entire state. Other Iowa men went into this service through conscription or volunteered, and all served with credit to themselves and to the state.

In the present World War which is an all-out war Iowa has to this date furnished 176,128 men and women for service. Of these, 71,034 were inducted and 105,084 have voluntarily enlisted. They are now serving in all parts of the world and units have been identified in Africa and in the Southwest Pacific and other points. From the reports we are now getting the 34th Division, which includes the Iowa National Guard, has been engaged in the Tunisia fight in North Africa.

In all of this service Iowa has exceeded other states in its proportion of men and women in the service as to population. Hours could be put in extolling the bravery and relating the services that have been performed by the men and women from this state. It is sufficient to say that based upon the past history of Iowa as it is related to a military task that that task has been and will continue to be well and honorably performed.

Our present military task is not accomplished. The war has yet to be won. The President has named this an all-out war. The Prime Minister of Great Britain, Winston Churchill, has said: "This will be a war of blood, sweat and tears." There is no spot on the face of this globe that is not within the theater of operations. However, at this moment the ground forces of the warring nations are operating on foreign soil. Let us keep them there so that the worst ravages of the war will not come to our continent.

This is a war in which the services of men and women are needed not only for the armed forces but are also needed for the production of the materials of war and the foodstuff needed for our armies and our allies. We have seen that in each succeeding war the weapons used in battle have been so improved that it requires more men to support and

supply those men who serve on the firing line. Because of this we are all engaged in this conflict.

This brings serious problems before us which must be solved both at the state level and at the federal level. The responsibility for conduct of the war is at the federal level. In this our responsibility as a state is to support the federal action. We should do this in such a manner that will not destroy our responsibility to the people of the state at the state level.

The American way is the way of liberty, justice and freedom. It is founded upon the constitution of the states and that of the United States. It is a dual form of government in which both participate. Each constitution defines those functions to be performed by each part of the whole government.

The American way as established by our forefathers is a way of peace and not as a way of war. War is the unusual thing contemplated in the organization of our government both state and national.

Of necessity when our country is called upon to defend itself against a common enemy certain of our peacetime activities and certain of our individual rights and privileges must be suspended until victory shall come. We must give full aid and support to the commander of our armed forces, the President of the United States. All that we have and all that we can do must be made available to be used against the common enemy. However, this can be done in a manner that when victory is won we will not have destroyed either part of our dual government or the American way of life.

The Honorable Abram P. Staples, attorney general of the state of Virginia, as president of the American Association of Attorneys General of the United States in his address to this association expressed his view as to the functions of both state and federal government in both peace and war. With these views I agree. He said: "Let me, at the outset, make it clear that I neither advocate nor approve any action by the states during the time the nation is at war which would in any manner impede or obstruct the national government in its successful prosecution. On the contrary, it is my belief that unless our dual system of government can be made to function successfully in waging war it ought not to survive. And if it bogs down and cannot meet this supreme test we may be sure it will not survive."

Again he said: "It is essential that the state governments function efficiently at all times, but especially is this true in time of war. As said by President Roosevelt in his second inaugural address as governor of New York: 'When states become indifferent to their duties, the natural tendency is for the national government to grasp for more power.'"

Again he states: "But while I advocate this acquiescence and cooperation in the free exercise of federal powers appropriate to the conduct of the war, at the same time I believe the attorneys general should openly and firmly emphasize the fact that the field of normal state powers yields to no other federal power except that to wage war. We must ever be conscious of the fact that once the congress has exercised the war power in a normal state field, it will be reluctant to recognize when peace comes, that it must relinquish that field."

Again he states: "This tendency of congress to expand its own legislative sphere is not an unusual human trait. It is quite common."

Again he states: "If the regulatory powers of the state legislatures, in local matters are to survive, it is absolutely essential that the states take planned, concerted action to prevent their destruction. This they have never done."

I also wish to quote from statements made by Elizabeth Brandeis, the daughter of the former justice of the supreme court of the United States, in an address published in the "Survey Graphic" in December, 1942, on the subject of "Centralization and Democracy." Among other things she said: "Most important of all, we must preserve the states because they are indispensable to a democratic system of government. We dare not transfer too many functions of government to Washington for fear of destroying the roots of democracy without which the whole tree will wither and die. This is far more than a figure of speech. For after all, what is a democratic system of government? Universal suffrage is not enough; not even when coupled with protection to civil and political liberty. Democratic government means government *by the people*, not just on election day, but all the year round. It requires real participation in government by private citizens."

In conclusion she states: "Democracy is not merely a form of government. It is a faith. In this country we believe profoundly that government *by* the people, though it will never be perfect, is better than any other form of government. But faith alone is not enough. To maintain democratic government, we must take care to preserve and develop arrangements by which private citizens can function effectively in the government process. That means above all, keeping as much government as possible 'back home' in the forty-eight states where private citizens live."

Since the beginning of our governments, both state and federal, there has not been a session of the legislative body of either that has not transferred from the people some of the rights and functions that were reserved to them by both state and federal constitutions. As the prophet of old said: "Let us render unto Caesar the things which are Caesar's; and unto God the things that are God's;" we say: "Let us render unto the federal government the things that are federal, and retain in the states the things that are state."

About a decade ago when our state and nation was struck with the depression there was a tendency on the part of many states to abdicate to the federal government, to surrender their responsibilities for the welfare of their people to Uncle Sam. It seemed the easy way out. Too many were willing to sell their birthright for a mess of pottage. As stated in the Brandeis' address this was one of the first steps in the destruction of our dual form of government.

Let us remember that the welfare, happiness and prosperity of the people of our state is first our responsibility and is our first responsibility. Let us meet that responsibility and let us solve its problems. Let us guard the rights of our citizens against the encroachments of the federal government, and let us not in performing the military task now before us and in saving our country from our enemies who would destroy liberty, freedom and justice lose "The American Way."

President Scott introduced the Hon. Frances Johnson, former Speaker of the House, who addressed the Joint Convention as follows:

Mr. Chairman, Mr. President, Mr. Speaker, Members of the General Assembly, Pioneer Lawmakers, and Guests:

This is an unusual privilege for one who used to be a member of this body, and I have to confess very humbly that I approach it with the same shaking of the knees and quivering of the voice that I did on the first day that I sat in the southeast corner of this Assembly Hall some twenty years ago. I feel also in a peculiar position, and yet it is one that I think the farmers of Iowa have gotten used to in the last several years, in that I am preceded and followed by a member of the legal profession. Since World War I the farmers have found themselves in about this position. First, we go to the lawyers to draw the deed and the mortgage, and then a little later we go back to another lawyer during the foreclosure proceedings to help us get out of the predicament that the first lawyer got us into. And so this is not unfamiliar territory for me, a farmer, to be in on the present occasion. However, that is not addressing myself to this particular subject which was assigned to me today, that of "Our Production Job."

Colonel Stanley has very ably presented the job that Iowa is faced with from the military standpoint, and Iowa is going to make a contribution comparable to all the other sister states in that respect in the winning of this war we are now faced with. But in so far as agriculture and the production of food is concerned Iowa has a very different, a very much larger job than do our sister agricultural states.

It is not any wonder, if you look at Iowa today, that the pioneers who came to this state in those early days should cast rather covetous eyes in this direction. But let us remember that those pioneers had not had the experience and did not know the unfathomable possibilities of this state agriculturally. When they pioneered this section Iowa was not as inviting those days as it is now. In fact it has been a real job to pioneer, for those men and women to go out and do the things that have been necessary to make Iowa as productive as it is today and to discover the fact that underneath the prairie grass that covered this state there lay at least twenty-five per cent of the most productive of the Grade A land that all of the forty-eight states in these United States would eventually possess. That is Iowa's heritage today, and we have been able to bring it up to a point of almost maximum capacity production in so far as crops are concerned. Of course the weather favored us last year. In 1942 we exceeded all previous production records that even Iowa has been able to attain in the past.

Farmers are not sure that they are going to be able to repeat that showing in 1942. Yet they are expecting, I am sure, in spite of the handicaps that we are faced with, to do their very best to get that job done.

Just to give you some insight into the size of the job I would like to quote a few figures on what is being asked of us. In 1942 we were asked to produce 3,625,000 hogs over 1941. We were asked to produce

some 25 million dozen more eggs than we did in 1941, some 360 million pounds more milk than in 1941, and to slaughter some 213,000 more head of cattle, and to increase our acreage of soybeans, in order to increase this supply of fats and oils which are so necessary to win the war, by some 801,000 acres, without doing so at the expense of corn production and other necessary food and feed production. That job was not accomplished in every respect, and yet I have to say we did achieve some wonderful records.

But the thing we are interested in now is what are we going to be able to do in 1943. Everyone who is schooled in military tactics and support knows that an army cannot do as it did back in the days of the Civil War and the Revolutionary War and some of those which preceded that, and that is forage for its food as it conquered a country. We just don't do things that way any more. So it is up to the farmers of this nation to not only support that army of ours but to support the supporting civilian population and perhaps contribute in a degree, a large degree, to the support of the military forces and the civilians of our Allies, because without them probably we cannot win this war alone. I think that is generally conceded. And so we do have a real job facing us for 1943.

I am just going to just quote a few more figures of what is expected of us in that respect so that maybe we can get some idea of the size of the job. As far as corn is concerned we are going to be expected to produce more of that, because corn is one of the daily essentials to the production of livestock. These oil crops, such as flaxseed, soybeans, and so forth, we are again expected to make tremendous increases.

I wish you could have been with me last Monday when I interviewed the AAA committeeman from my own township in respect to my own farm, when I was asked to increase my own soybean crop by 200 per cent. Well, I thought I had been raising a respectable acreage up to that time. But that gives you some idea of the adjustments that farmers in this state are going to be asked or expected to make in order to meet some of these goals.

We are going to be expected to increase the farrowing of pigs this spring 15 per cent, or 115 per cent of 1942, and next fall by 20 per cent, or 120 per cent of 1942. I was just checking over some of these figures on total hog population and expected production in order to meet this job before I left the office this forenoon, and I discovered a rather interesting thing, that if you come near achieving the goal in hogs for 1943 that has been set out for us that every man, woman and child who is recognized as a citizen, as a resident of this state, by the last census, will have to produce on an average of from nine to ten hogs next year—every citizen, man, woman and child, produce on an average of ten. When you divide that by the number of farmers in the state—first by the number of people living on farms, and then divide the number living on farms by the number of heads of families, you will realize that this state is going to produce a very sizable amount of hogs if Iowa is to achieve this goal.

We have learned a lot in the last few years how to do this job out of the experience of these pioneers. I think it would be useless for me

to spend my time here simply elaborating on the size of this job, if I did not say something about how it is going to be done. I have enough respect for not only the philosophy but the inherent natural ability of Iowa farmers to believe that this kind of a job, while it does have to be planned, it does have to be programmed, still the desire to do it is the only thing that will accomplish it, and therefore that it must be done on very much of a voluntary basis with the proper kind of incentive and the proper furnishing of equipment and help in order to do those jobs. Therein lies at least two of the problems that confront the Iowa farmer in 1943—equipment and help.

And yet the Iowa farmer is not just going to be particular about the hours that he puts in nor too particular about the pay that he receives for getting that job done, because after all he is a part of his democracy, his state and his nation above all other things, and recognizes that he has as much responsibility as an individual to see that that job is done as anyone, whether that other individual be in the army or be in the supporting civilian population.

Some of the newspaper boys asked me before I came up this afternoon if I did not intend to talk about parity. Somehow or other they connect that phrase with the head of the farm organization as well as with the members. Well now, after all parity is not a thing that gets things done. Parity is simply a measure of whether the man is fairly compensated for doing the job after it is done. So I think parity as such has no particular connection with the subject which I am discussing here this afternoon. I know it is one that is being talked about in congress, it is being talked about by the farmer, it is being talked about by every group over the nation; but after all it is not the important thing, because after all parity prices may not be the kind of prices that will pay for the job of getting production in agriculture any more than good prices or poor prices are responsible for the lack of getting a production job done in industry or in the army. So let's not try to measure this thing in terms of that kind. After all price incentives probably have to be used, because it does cost something to do this job, and the greater you crowd your production beyond your capacity the higher the cost of production is bound to be. Industry has found that out. Agriculture knows it fully as well.

Now, Mr. Chairman, I think that I have probably said about as much, and consumed about as much time on this program on this particular subject, as I need to. May I simply say in closing that we are convinced that while this production job is going to be best achieved on a voluntary basis, that the farmers of this state and all of the other states who are going to be responsible for doing this job can better achieve it if, like the army, they organize their forces and put the men who are most able to do certain things in those places where they best fit. And that is our philosophy, and on that basis I am sure that agriculture in Iowa is going to render its full share of support towards the winning of this war and the preservation of this democracy. Thank you.

President Scott introduced the Hon. F. F. Faville, former Chief Justice of the Iowa Supreme Court, who addressed the Joint Convention as follows:

Mr. President, Lieutenant Governor, Members of the Fiftieth General Assembly of Iowa, and my Fellow Pioneers, and Guests:

I want to tell you a story that is a legend. More than a hundred years ago, more than four hundred years ago the legend says, a little band of aborigines floated down a magnificent river in their little canoes, and they stopped, climbed a high bank, looked over the beautiful prairie panorama with its carpet of many colored flowers, saw the murmuring forests and the laughing, rippling rills, and they cried out "Ioway, Ioway," which, being interpreted means "This is the land."

Now whether that legend be true or not the fact remains that of all the discovered land of the globe lying in one single tract or body, nowhere, not even in the fertile valley of the Nile, is there exceeded the fertility of the matchless soil of this state lying here in the heart of the continent and washed, guarded and girdled by the two great rivers of the Republic.

So we come here today at the high pinnacle of Iowa fortune to visit together for a few moments about this state and what it has been. It was originally a part of the Louisiana Purchase. Then it became a territory, annexed at one time to Missouri, at another to Michigan, at another one to Wisconsin, and for thirteen years it had no home at all. It was just left "out in the cold." But, as has been said to you this afternoon, about 1838 the territory was formed. I want to read to you, and I know that is excusable on this occasion, from my father's geography which he studied in a New England school in 1839. And this is what he learned then:

"If we glance an eye over this immense region, connected by navigable rivers—if we regard the fertility of the soil, the variety of productions, and if we combine those advantages offered by nature, with the moral energy of the free and active people who are spreading their increasing millions over its surface—what a brilliant prospect opens upon us through the darkness of future time! We see arts, science, industry, virtue and social happiness already increasing in that region beyond what the wildest fancy would have dared to hope, thirty or forty years ago."

Think of that prophecy. Today we can come here and see this very thing. As a foundation of what I want to say to you, I am going to make a request. When we adjourn this meeting and go into the rotunda, I want you to all pause long enough to look at Blashfield's matchless picture, for I think no matter how it may be interpreted, yet after all it portrays marvelously the essentials that founded this State. There is the old pioneer, marching along by the covered wagon with his gun, his sweet-faced wife holding her babe on her lap. But the significant thing is that four angels fly ahead of this pioneer coming into Iowa, and they are the angels, I think, that founded this great State—the angels of industry, of education, of religious freedom and of law. Without them the fertility of our soil would be for naught. We are at the head of literacy in the United States. There are peoples that have learned to look to us because we have conceived the essential fundamentals of a new government.

I was asked to talk to you about the legislation that has happened



in the last nearly one hundred years. The first state legislature in Iowa was elected on October 26, 1846. It convened November 30, 1846, and you may be surprised to know that Iowa was not admitted to the Union, formally, until December 28, 1846. But the legislature was so anxious to get to work and get something done that they were not only elected but they actually convened before that state was admitted to the Union.

What kind of a land did they come into? There was not a conveyance in Iowa except the ox carts and the wagons, which were as old a means of transportation as Abraham when he tended his sheep on the Judean hills. The telegraph had just been invented. There was no telephone. No one was so insane as to think of the possibility of a radio or an automobile. There was not a safety match. The sewing machine was not invented until after that. No one dreamed of the possibility of a kodak. There was not a typewriter. Photography had just been discovered. No one was crazy enough to think of an airplane except "Darius Green and his flying machine." The idea of a submarine was impossible. The x-ray was never dreamed of. The reaper had just been invented. There were no paved roads. There was no barbed wire. There were no tractors. There was no rubber for teeth. There was no harvester. There was no electric light, and nobody had yet dreamed of the blessed thing, the Iowa primary.

One of the first important things that legislature had to do was to deal with the counties. They only had twenty-seven counties in Iowa at that time, and they were kept rather busy changing the names of the counties. May I tell you some of them? I wonder if you know what your own actually was. At that time we had a Bancroft county, or shortly afterwards. We had one called Buncombe. They say that they called it Buncombe because it was away up in northwestern Iowa, and it never would amount to anything. There was Belknap—a name we heard of in the Civil War. Did you know there was a Cook county in Iowa? Chicago stole it away from us. There was a Fox, a Grimes, a Kiskekosh. They had a bad time trying to spoil that beautiful name, an Indian name—Kiskekosh. There was a Risely, a Slaughter, a Waukaw, a Yell, and a Crocker, all of which they changed in due time.

One of the first things that legislature did was to adopt a school law and put Iowa on record in favor of the belief of Benjamin Franklin that an educated people never will go wrong permanently.

One of the very first acts they passed was one to authorize the governor to select all the salt springs in the state of Iowa. I have hunted diligently and failed to find where he ever made any report that he discovered any. Some politicians have made a discovery of salt creeks, but as far as salt springs were concerned, we had none.

One of the very first things they did was to authorize the construction of canals, because there were no railroads, no roads, and the need was to get transportation of some kind.

But they were magnificent and generous. They gave the governor a salary of \$2,000, the secretary of state \$1,000, the auditor \$1,200, and the judges of the supreme court \$2,000 apiece.

Now since that time, from the first session of the legislature of Iowa to today there have been just 3,759 members of both Houses, just a

little under 4,000 men, and a few women, members of the legislature that have helped make the laws for this great state. We have had, including the present one, 29 governors. We have had 71 judges of the supreme court of Iowa. We have furnished 12 cabinet members from this state and 3 others who were born in Iowa who were appointed to the cabinet from other states. We have now furnished two justices of the supreme court of the United States; and we have also from Iowa given to the nation a man whom I regard as the greatest international statesman in the world, Herbert Hoover. (Applause).

Colonel Stanley has told you about what Iowa has done in the Civil War and in the other wars. I want to tell you a story, if I may, that I had from the lips of the man who was a little stripling of a boy nineteen years of age during the Civil War. He carried the colors of his company, those colors now preserved in a case in this State House.

One spring morning his Iowa Company with others was in a battle on the side of a mountain in Tennessee. The fog and the mist of the morning hung over them. They had orders to march up through the fog and mist into the sunshine and then halt and reform their lines. And this boy carried the colors, and they started up through the fog and the mist, and they went above it into the bright sunlight, and the enemy, who was entrenched on the brow of the hill, began firing at them. These Iowa boys forgot all about the military command of the Colonel. They were being shot at by the enemy. And this boy carried his flag on ahead. He hid behind a tree. He crouched behind a projecting rock. He got behind a big stump, but he went forward, and at last he made a run for it and planted his flag down in the very face of the enemy.

His Captain shouted to him through the noise and the turmoil, "Sergeant, don't be rash. Bring that flag back to the men." And the little Irishman, standing with his flag, said, "Captain, the flag stays here. Bring your men up to the flag."

And he kept that flag there, that flag, and our flag of "equal rights for all and special privileges for none." We have planted them by the blood and the brains and the courage of the great people of Iowa. We have planted them under the eternal and everlasting stars of God Almighty, and no power on earth shall ever take them down. (Applause)

I was going to say something to you about the productivity of Iowa, but Mr. Johnson has said it much more ably than I possibly could. I want to bring this thought to you. What we need in Iowa is a revival of these traditions and a firm resolve to continue the same things as the basic and fundamental principles of our civilization that these pioneers of America years ago laid down for this great State. Someone has very wisely said, "Of all that is good Iowa affords the best," and that is true. At this hour of a nation's crisis, what an inspiration it is that from these assembly halls, from this body of men, we can send out word to the Nation that in this great cause, we are true to the foundation principles upon which this State was established.

I know that you will join with me in your thoughts, if not with your lips, in the sentiment of the poet:

Thou, too, sail on, O ship of State!  
Sail on, O Union, strong and great!

Humanity with all its fears,  
With all its hopes of future years,  
Is hanging breathless on thy fate!  
We know what Master laid thy keel,  
What Workmen wrought thy ribs of steel,  
Who made each mast, and sail, and rope,  
What anvils rang, what hammers beat,  
In what a forge and what a heat,  
Were shaped the anchors of thy hope!  
Fear not each sudden sound and shock,  
'Tis of the wave and not the rock;  
'Tis but the flapping of the sail,  
And not a rent made by the gale.  
In spite of rock and tempest's roar,  
In spite of false lights on the shore,  
Sail on, nor fear to breast the sea!  
Our hearts, our hopes, are all with thee,  
Our hearts, our hopes, our prayers, our tears,  
Our faith triumphant o'er our fears,  
Are all with thee—are all with thee!

God bless America. I thank you. (Applause)

On motion by Te Paske of Sioux, the Joint Convention was dissolved.

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

#### REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. PRESIDENT: Your committee appointed to determine the qualifications of committee clerks finds Vera Porter, Polk county, qualified as a committee clerk, and she has been assigned to Senator Evans.

RALPH E. BENSON, *Ranking Member*.

Senator Benson moved the adoption of the report.

The motion prevailed and the report was adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 34 and 221.

ROBERT C. REILLY, *Chairman Senate Committee*.

E. L. EDWARDS, *Chairman House Committee*.

Report adopted.

## BILLS SIGNED BY THE PRESIDENT

The President of Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 34 and 221.

## BILLS SENT TO THE GOVERNOR

Senator Reilly, 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 February, 1943, sent to the governor for his approval, Senate Files 34 and 221.

ROBERT C. REILLY, *Chairman.*

Passed on file.

## BILLS ASSIGNED TO COMMITTEES

The President announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 236	Appropriations 2.
S. F. 239	Appropriations 1.
S. F. 271	Appropriations 1.
H. F. 238	Banks and Banking.

## COMMUNICATION FROM THE STATE APPEAL BOARD

STATE APPEAL BOARD  
STATE HOUSE

Des Moines, Iowa.  
February 24, 1943

MR. W. J. SCARBOROUGH,  
Secretary of the Senate,  
Building.

Dear Mr. Scarborough:

We are submitting to you for transmittal to the chairman of the claims committee the following claims, which have been investigated by the attorney general's office, and upon which the appeal board has made certain recommendations in each case:

## General Claims

No. 31, Daisy E. Johnson, Des Moines, Iowa, expense and legal fees in re erroneous patent, \$1,146.41, approved for \$486.41.

No. 60, Henry Broderson and wife, Harlan, Iowa, death of minor son in fall at University, \$5,000.00, approved for \$600.00.

No. 61, O. E. Weatherly, Omaha, Nebraska, flood damage in amount of \$2,000.00, not approved.

No. 62, CRI&P Railway, Chicago, Illinois, freight bill, \$1.32, approved for \$1.32.

No. 64, City of Osceola, Osceola, Iowa, claim against sinking fund for library and cemetery funds, \$2,510.61, not approved.

No. 65, county treasurer of Worth county, Northwood, Iowa, assessment on state owned land in drainage district, \$445.85, approved for \$445.85.

No. 67, T. W. Coulter, Clarinda, Iowa, truck damage, \$175.77, approved for \$100.00.

No. 68, Lefebure Corporation, Cedar Rapids, Iowa, printing done by said company under executive council order No. 3221, \$1,569.70, approved for \$1,250.00.

No. 69, First National Bank, Council Bluffs, Iowa, overpayment to state sinking fund, \$113.34, approved for \$113.34.

No. 70, Ray Butler, Arnolds Park, Iowa, for loss of household goods from conservation commission truck, \$2,943.72, approved for \$1,500.00.

No. 71, Wallace Arnold Jackson, Runnells, Iowa, claim for soldiers' bonus, \$208.00, not approved.

No. 76, thirty-two claims for license refund from motor vehicle department.

No. 77, Erwin Paulson, Omaha, Nebraska, claim for four weeks vacation, \$95.00, not approved.

No. 78, Earl Waltz, Des Moines, Iowa, injury at Fort Madison. No amount stated. Not approved.

No. 79, Henry Lumby, Sanborn, Iowa, claim for injury at state institution. No amount stated. Not approved.

#### HIGHWAY CLAIMS

H-105, Mrs. Anna Harms, George, Iowa, death of husband, \$10,000.00, not approved.

H-111, John Falb & Sons, Elgin, Iowa, claim for auto damage, \$62.03, not approved.

H-116, Herman F. Graff, Minneapolis, Minnesota, death of mother, \$4,467.25, approved for \$467.25.

H-122, Lewis T. Jov, Des Moines, Iowa, flood damage, \$269.00, not approved.

H-123, Otto A. Dahms, Sioux City, Iowa, highway accident, \$355.50, approved for \$205.50.

H-124, Otto R. Dahms, Sioux City, Iowa, highway accident, \$85.00, approved for \$85.00.

H-125, Peter Johnson & Sons, Decorah, Iowa, highway accident, \$17.22, approved for \$17.22.

Yours very truly,

STATE APPEAL BOARD,  
C. FRED PORTER, *Chairman*.  
W. G. C. BAGLEY,  
C. B. AKERS,  
*Members.*

## REPORTS OF COMMITTEES

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on conservation, to which was referred Senate File 146, a bill for an act to amend section one thousand seven hundred ninety-four and thirty-eight thousandths (1794.038), Code, 1939, relating to fish and game conservation providing for exceptions in the Winnebago river, begs leave to report it has had the same under consideration and recommends the same do pass.

J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Senator Mowry submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 183, a bill for an act to amend section four thousand two hundred and thirty-five (4235), Code, 1939, relative to the duty of each subdirector to take the school census, begs leave to report it has had the same under consideration and recommends the same do pass.

ROSS R. MOWRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 249, a bill for an act relating to the levying, under certain conditions, of a schoolhouse tax by school districts and the issuing of certificates or bonds in anticipation of the collection of such tax and providing for a special schoolhouse fund, begs leave to report it has had the same under consideration and recommends the same do pass.

ROSS R. MOWRY, *Chairman*.

Ordered passed on file.

Senator Hart submitted the following report:

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File 163, a bill for an act to authorize banks, operating under title XXI of the 1939 Code of Iowa, to make installment loans subject to certain definite limitations, and to make the provisions of this act, in so far as applicable, available to national banks operating in this state, begs leave to report it has had the same under consideration and recommends the same do pass.

STANLEY L. HART, *Chairman*.

Ordered passed on file.

Senator Hill submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 68, a bill for an act making total insanity for a period of five years a ground for divorce and to this end to amend section ten thousand four hundred seventy-five (10475), Code, 1939, begs leave to report it has had the same under consideration and returns the bill without recommendation.

G. R. HILL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 116, a bill for an act to regulate the construction of theatres, halls, auditoriums, or other places of public assembly where nitrocellulose or combustible films are used, to place supervision of such construction under the department of the state fire marshal, and to provide for regular annual inspection and licensing of all halls, theatres, auditoriums, and other places of public assembly using nitrocellulose or combustible film within the state of Iowa by the state fire marshal or his deputies and to provide fees therefor, begs to 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 116 as follows:

Amend the title of Senate File 116 by striking all of the title and by inserting in lieu thereof the following:

An act to provide specifications for places of public assembly where nitrocellulose or combustible films are used and exhibited, to provide for regular annual inspection and licensing of all places of public assembly using and exhibiting nitrocellulose and combustible film within the state of Iowa by the state fire marshal or his deputies. to provide fees therefor, and to provide for penalties for violation.

Further amend Senate File 116 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. The word "marshal" as used in this act shall mean the state fire marshal or his deputy.

Sec. 2. All halls, theatres, auditoriums, or other places of public assembly within the state of Iowa using nitrocellulose or combustible film shall secure from the state fire marshal a license by October 1, 1943, and annually thereafter, showing that they have complied with the provisions of this act either by inspection by the marshal or his deputies, or by a letter to the marshal by the owner, manager, or person in charge certifying that the provisions of this act have been complied with, and such letter shall take the place of annual inspection until the marshal shall be able to make such regular inspection. A single annual fee for both licensing and inspection shall be five dollars for each hall, theatre, auditorium, or other place of public assembly using nitrocellulose or inflammable film and having less than eight hundred seating capacity, and ten dollars for each such place having more than eight hundred seating capacity. Such license fee shall become due and payable on the first day of October in each calendar year.

Sec. 3. It shall be the duty of the marshal, as soon as is possible after the effective date of this chapter, to enter, inspect, and examine, at any reasonable time, all halls, theatres, auditoriums, or other places of public assembly within the state of Iowa where nitrocellulose or inflammable film is used, in operation on the effective date of this chapter or thereafter, annually, and to approve and license or disapprove such halls, theatres, auditoriums, or other places of public assembly for further operation. Notice of approval and licensing or of disapproval shall be sent to the owner, manager, or person in charge, with

copies to the city or town fire chief, mayor or officer in charge in the city, town or place concerned.

Sec. 4. With respect to all halls, theatres, auditoriums, and other places of public assembly, using nitrocellulose or combustible films, in existence on the effective date of this chapter, the following shall constitute the minimum requirements for approval and license on inspection by the marshal:

1. The building shall be of substantial construction, on good foundations, kept in good repair, be capable of sustaining capacity audiences with a margin of safety, and be equipped with suitable lighting and adequate ventilating facilities. Such places of assembly shall be separated from the rest of the building by substantial partitions, walls, and floors, shall not have exposed or dangerous electric wiring or open fuse, terminal or switch boxes, and shall be kept clean and free from accumulations of waste, rubbish, trash, papers, and combustible materials of every kind.

2. All seats in such places shall be of durable construction, securely fastened to the floor, or fastened together in sections in a manner acceptable to the marshal, spaced not less than twenty-eight inches back to back, and kept in good repair. No row of seats shall contain more than fifteen seats between aisles and, where there is but one aisle, no row shall contain more than seven seats.

3. Aisles shall be not less than thirty-two inches in width. No seats or chairs shall be placed in the aisles, foyers, passageways, corridors, or exitways, and no persons shall be allowed to stand therein.

4. No smoking shall be allowed in such buildings except in properly ventilated restrooms or in segregated parts of the auditorium or balcony which are completely fireproof and directly ventilated.

5. Entrance and exit openings and emergency exits must be provided at a minimum rate of thirty inches horizontal measurements for each one hundred fifty seats, fitted with doors which shall open outward in such a manner as not to become an obstruction in a passageway, corridor, or exitway, and no such door shall be fastened so as to be inoperative from within when the building is occupied by an audience. Emergency exits shall be ample in number and conveniently located with respect to size and shape of hall, theatre, auditorium, or other place of public assembly, and shall have clearly marked lighted signs over the doors which shall be kept fully lighted at night, or when the room is darkened. Such emergency exit doors shall be held closed by suitable panic bars, operative from within.

6. No nitrocellulose or inflammable film shall be used, projected, or shown unless the projectors for the use of such film shall be installed and operated within a booth of sufficient space to allow thirty inches of clear space on sides and rear of projectors.

7. The booth must be of fire resistive construction, as approved by the state fire marshal, provided with fire resistive door or doors of adequate size and location, which shall be so arranged as to close automatically, and which shall be kept closed, but not locked, when shows are in progress. All booths constructed after the effective date of this



act shall be equipped with two fire resistive doors as widely separated as possible.

8. Booths shall have adequate openings for picture, spot, effect, and flood-light machines; all such openings must be equipped with gravity shutters inside of the booth so suspended, arranged, fused, and interconnected that all shutters will close automatically upon the operation of some suitable fusible or mechanical releasing device in case of fire or other contingency requiring the immediate and complete isolation of the contents of the booth from other portions of the building or place. There must also be provided suitable means for manually closing all shutters simultaneously from a point near the door or doors. All shutters on openings not in use shall be kept closed. Suitable ventilation facilities of fireproof construction for the booth and lamphouses shall be provided.

9. No films shall be exposed in the booth except those in the process of being transferred to or from the projectors or being rewound, inspected, or repaired. Each reel of film shall be kept in a separate metal case, or in approved metal cases with separate compartments made without solder and with tight-fitting covers. Film shall never be left in projectors or rewinds. The booth shall be kept clean and free from combustible material or waste at all times. A metal can made without solder and with a self-closing cover shall be provided as a receptacle for waste film and other material.

10. Electrical equipment and wiring in the booth shall conform to reasonable standards of safety; there shall be no exposed electric wires or open fuse, terminal, or switch boxes.

11. No person shall be permitted to operate any motion picture machine or projector using combustible film unless he shall be at least sixteen years of age.

12. Every audience room shall be supplied with at least two approved hand fire extinguishers, one of which shall be inside the booth and within easy reach of the operator, and one of which shall be in an accessible place in the main entrance to the room. In addition thereto there shall be at least one such extinguisher in the room where the furnace or heating plant is located where the plant is in the same building with the theatre.

Sec. 5. Whenever the state fire marshal or his deputies or assistants shall find upon investigation or examination that any of the provisions of this chapter have been violated or that defects of installation exist, he shall immediately notify the owner, manager, or person in charge, and the city officials concerned, in writing, stating the nature of such violation or defect. If such violation or defect is not remedied within a reasonable time after such notice has been given, then the marshal shall communicate the fact of such violation or defect, together with any evidence he may have, to the county attorney of the county in which the violation has occurred, and it shall thereupon be the duty of such county attorney to cause the arrest and prosecution of the person or persons so violating. Any owner or person in charge of any theatre, or place of operation of any equipment under this chapter, who shall

fail to comply with the provisions of this chapter or shall hinder or obstruct the carrying out of the requirements of this chapter shall be punished by imprisonment in the county jail not exceeding thirty days or by a fine not exceeding one hundred dollars.

Sec. 6. If any owner or person in charge of property or equipment covered by this chapter shall fail to provide the requirements herein specified, or such owner or agent neglect for twenty days after notice given in writing by the state fire marshal of such failure to remedy the same, the marshal may apply to the district court or any judge thereof in any action in the name of the state for a writ of injunction to restrain the operation of any equipment or property subject to this chapter.

Sec. 7. In addition to all other remedies the state fire marshal or his deputies are hereby empowered to cut off all electric current from the premises where a violation of this act has occurred and no person shall restore the supply of electric current until the defects have been remedied.

Sec. 8. In the municipalities having ordinances, or hereafter adopting ordinances relating to the construction of theatres, halls, auditoriums, and other places of public assembly where nitrocellulose or combustible films are used, and to the installation and operation of motion picture machines, and containing additional regulations for the safe and proper installation and operation of such machines, nothing herein shall be construed to abrogate or limit such local ordinances as may exist in any city or town covering the subject matter of this chapter, but the jurisdiction of said local authorities in this matter shall be subject to the jurisdiction of the state fire marshal, as herein provided.

Sec. 9. The provisions of this act shall not apply to churches, schools, clubs, or halls where moving picture exhibitions are given only upon occasions and solely for religious, benevolent, or scientific demonstrative purposes, except that when nitrocellulose or combustible film is used, permission of the marshal shall first be obtained for such exhibition.

Sec. 10. If any provision or provisions of this chapter are declared unconstitutional, or the applicability thereof to any persons or circumstances is held invalid, the validity of the remainder of the chapter and the applicability of such provisions to other persons or circumstances shall not be affected thereby, but shall remain in full force and effect.

G. R. HILL, *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 amend section thirteen thousand seven hundred seventy-three (13773), Code, 1939, to provide for the appointment of counsel for any minor accused of any indictable offense, unrepresented by counsel whether or not he shall request counsel, 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.

## AMENDMENTS FILED

Amend Senate File 292 as follows:

Add the following words after the word "planting" in the first line of sub-section d of section 1 "cultivating, harvesting or gathering".

Add the following words after the word "stock" in the first line of sub-section e of section 1 "in corn and small grain." R. E. HESS.

Amend Senate File 240 by inserting after the comma (,) following the word "disaster" in line 6 of section 16, the following: "the governor is authorized and empowered to perform any act essential to the national and state defense,"

Further amend Senate File 240 by adding after the comma (,) after the word "withstanding" in line 8 of section 16, the word "and".

HUGH W. LUNDY.

Amend Senate File 229 as follows:

Amend section four (4) by adding at the end thereof the following, "or be processed by such other methods or may be approved by the Department of Agriculture." E. K. BEKMAN.

Amend the Bekman amendment to Senate File 229 filed February 23, 1943, as follows:

Strike from line two (2) of section five (5) as set out in the amendment, the words "and segregate from other hogs" and insert in lieu thereof the word "same". E. K. BEKMAN.

Amend Senate File 301 as follows:

Add after the word "beverage" in line 4 of section 1 the words "and ice cream".

By placing a comma (,) after the word "glasses" in line 5 of section 1 and striking the word "and" after the word "glasses" in said line, and adding after the word "utensils" in line 5 of section 1 a comma (,) and then adding the following words "spoons and dishes".

By adding after the word "dispensing" in line 6 of section 1 the words "or sale of".

Adding after the word "beverage" in line 7 of section 1 the words "and ice cream".

By changing the period to a comma after the word "agriculture" in line 9 of section 1 and adding the words "or served in waxed paper cups or waxed paper dishes with wooden or paper spoons as are approved by the secretary of agriculture". R. E. HESS.

Amend Senate File 245 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section seven thousand one hundred seventy-one (7171), Code, 1939, is hereby amended by striking all of said section following the word 'revenue,' in line nine thereof and inserting in lieu thereof the following:

'not to exceed three mills on a dollar in counties having an assessed valuation of less than sixteen million dollars (\$16,000,000.00), not to exceed two and one-half mills on a dollar in counties having an assessed valuation of sixteen million dollars (\$16,000,000.00) or more and less

than twenty-six million dollars (\$26,000,000.00), not to exceed two mills on a dollar in counties having an assessed valuation of twenty-six million dollars (\$26,000,000.00) or more and less than thirty-two million dollars (\$32,000,000.00), and not to exceed one and one-half mills on a dollar in counties having an assessed valuation of thirty-two million dollars (\$32,000,000.00) or more.'"

HUGH W. LUNDY.

Amend Senate File 212 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Notwithstanding the provisions of section one thousand seven hundred seventy-eight (1778) of the Code, 1939, 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 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 trials on premises where the trials are held.

"Such birds released may be shot by official guns after having secured a permit as herein provided.

"Such permits may be issued by the director of the state conservation commission upon proper application and the payment of a fee of two dollars 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 of the birds 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 released for such trials.

"Before any birds are released under this section, they must each have attached a tag provided by the conservation commission and attached by a representative of the conservation commission at a cost of not more than ten cents for each tag. All tags are to remain attached to birds 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 which have not been tagged as herein required.

"Any person who shall violate any provision of this section, shall upon conviction be punished as provided in section one thousand seven hundred eighty-nine (1789), Code, 1939."

Amend the title of Senate File 212 by striking from line one the words "and animals" and also the words "as targets".

J. T. DYKHOUSE.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 25, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. Dwight Walker, pastor of the Christian church, Jefferson.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Harvey, from the Denison branch of the American Association of University Women, favoring adoption of the new school code.

By Senator Whitehill, from residents of Marshall county, favoring local option.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hattery for the day on request of Senator Henningsen.

## INTRODUCTION OF BILLS

Senate File 315, by committee on banks and banking, a bill for an act relating to the suspension of limitations on loans that may be made by savings and state banks of Iowa for the purpose of financing production, storage or marketing of agricultural commodities and financing war production contracts, provided said loans are guaranteed or otherwise secured by the government of the United States and/or certain agencies thereof.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 316, by committee on claims, a bill for an act to make appropriations to the Independent School District of Muscatine, Iowa; Cecil H. Grantham, state auditor's office, state house, Des Moines, Iowa; Hazel J. Smith, Clarinda, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 317, 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, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 318, by committee on claims, a bill for an act to make appropriations to A. J. Evans, undertaker, Knoxville, Iowa; Johnson Brothers, undertakers, Lisbon, Iowa; Watts Funeral Service, Murray, Iowa; McGregor Brothers & Coens, undertakers, Creston, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

#### 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 296, a bill for an act relating to duties of the state car dispatcher in the purchase of motor vehicles.

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

House File 361, a bill for an act making appropriation to the board of control.

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

House Concurrent Resolution 20 approving certain miscellaneous expense bills of the Fiftieth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 20

*Be It Resolved by the House, the Senate Concurring:* That the following bills, authorized by legislative action, are hereby approved and ordered paid as provided by chapter 26 of the Forty-ninth General Assembly:

Des Moines Rubber Stamp Works, Senate.....	\$ 15.45
M. and M. Sales Co., rental adding machine for the Senate.....	5.00
Storey-Kenworthy Co., supplies for Secretary of the Senate.....	131.21
W. J. Scarborough, Secretary of Senate, postage.....	10.00

John Christenson, typewriter for Chief Clerk of the House.....	35.00
Des Moines Rubber Stamp Works, House.....	113.80
O'Dea Hardware Co., repairs House loud speaker.....	1.44
Radio Trade Supply Co., repairs House loud speaker.....	133.41
Carmi Till, engineer (repairs House loud speaker).....	10.00
Leland Nelson, engineer, repairs House loud speaker.....	5.00
Younkers, coats for pages.....	201.81

The state comptroller is hereby authorized and directed to issue warrants for amounts above listed and to the persons and firms to whom such amounts are due.

### HOUSE MESSAGES CONSIDERED

House File 296, a bill for an act to amend section three hundred eight and three-tenths (308.3), Code, 1939, relating to the duties of the state car dispatcher and to the purchase of motor vehicles by the state car dispatcher.

Read first and second times, is ready for commitment and amendment, and referred to committee on departmental affairs.

House File 361, a bill for an act to appropriate from the general fund and from institutional industries of the state of Iowa for the biennium beginning July 1, 1943, and ending June 30, 1945, to the board of control for support of the institutions under said board of control.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senator Findlay called up the following concurrent resolution and moved its adoption:

### SENATE CONCURRENT RESOLUTION 20

*Whereas*, Upon the shoulders of American boys, eighteen years of age or over, has been placed the responsibility of forming a part of the armed forces engaged in the present titanic struggle for world liberty, and

*Whereas*, Apart from the physical aspect of the sacrifice our younger men are thus called upon to make is the matter of their education. It is a serious and a momentous thing, to them and to their country, to interrupt, perhaps to prevent, their academic and professional training, and

*Whereas*, It now appears that it is the purpose of the War Relocation Authority of the United States to accord eligibility to some twenty-five hundred young Japanese-American students, located in war relocation centers, to leave such centers and enter any of the large number of colleges and universities—in other words, to accord the privileges of higher

education to a group of young people, citizens by virtue of their birth in this country, whose loyalty and patriotism are rendered doubtful because of their racial extraction, thereby unfitting them to be soldiers, while denying a similar opportunity to our own young men of unquestioned loyalty, and

*Whereas*, It is admitted that practically all of the Japanese-Americans to whom higher education is to be afforded are physically fit and capable of performing services which would be useful to the war effort, where their patriotism might be demonstrated without placing them in a position where possible disloyalty might be perilous,

*Therefore Be It Resolved by the Senate, the House Concurring*: 1. That no discrimination be shown in the matter of educational advantages, between America's young citizens, of whatever race or nationality—in short, while young men of undoubted loyalty and Caucasian extraction are required to serve in the armed forces, that these young men of Japanese ancestry and less certain loyalty be given opportunity to serve the war effort in ways in which their racial extraction will prove no impediment.

2. That steps be taken, through executive intervention or order, or by means of legislation if necessary, to prevent allowing Japanese-American youths the privilege of leaving concentration centers and securing an education in American colleges and universities, while the same privilege is denied to loyal American young men called to military service.

3. That if any Japanese-American youths have already been given the privilege of attending colleges and universities, they be returned to their relocation camps, and

*Be It Further Resolved*, That a copy of this resolution be sent to the President of the United States, also to the two Iowa senators, and to the eight Iowa members of the House of Representatives, and that they thus be petitioned to use their influence and best offices that the injustices mentioned may be avoided.

The motion prevailed and the resolution was adopted.

Senator Stewart asked and received unanimous consent to withdraw Senate Concurrent Resolution 19 and to substitute in lieu thereof the following House concurrent resolution:

#### HOUSE CONCURRENT RESOLUTION 19

*Whereas*, In the present emergency which exists relative to the limited supply of food in our country, it has been intimated by members of our administration that the United States might permit the importation into this country of livestock products infected with foot-and-mouth disease; and

*Whereas*, Millions of dollars have been spent and thousands of animals have been killed in the United States to free this country from the ravages of this dreaded disease, and laws in the interest of public health have been enacted by federal and state governments to



require farmers to eliminate such disease from their farms and prevent its spread; and

*Whereas*, This dreaded contagious disease can be transmitted by fresh and frozen meats as well as by live animals, and strictest regulations and restrictions should be maintained to prevent infection of our domestic herds from such contagious disease now present in foreign countries; and

*Whereas*, There has been no treatment effective yet conceived in foreign countries to combat and prevent the spread of this disease; and

*Whereas*, In as much as rigid inspection of slaughtering and sale of meat for human consumption is required of our citizens, such condition should also apply to any meat or meat products brought into this country from foreign lands; now

*Be it Resolved by the Senate, the House Concurring:*

That for the reasons stated in the preamble of this resolution, the Congress of the United States is respectfully requested to continue the embargo against foreign countries now in force until such countries are free from, and have established, and have in force adequate sanitary conditions to prevent the spread of the foot-and-mouth disease; and

*Be it Further Resolved:* That a copy of this preamble and resolution be forwarded to the Secretary of Agriculture Claude R. Wickard, to the United States Senate and House committees on foreign relations, to Vice President Henry A. Wallace, to the Honorable George A. Wilson, and Honorable Guy M. Gillette, United States Senators from Iowa, and the eight Iowa members of the House of Representatives.

Senator Stewart moved the adoption of the resolution.

The motion prevailed and the resolution was adopted.

### UNFINISHED BUSINESS

On motion of Senator Berg, the Senate resumed consideration of Senate File 240, a bill for an act to provide for the protection of the lives and property of the people of the state of Iowa and to contribute to the national defense; to repeal chapter 75 of the acts of the Forty-ninth General Assembly; to provide for the creation of the legislative committee on national defense coordination; to provide for the creation of the Iowa industrial and defense commission and defining its powers and duties; to provide for the creation of the office of coordinator of civilian defense; to provide for the creation of county and local defense councils and defining their powers and duties; to authorize county boards of supervisors and cities and towns, including special charter cities and cities under the commission form of government to appropriate money for civilian

defense and to carry out the purposes of this act; to provide for limitation of liability of the state, cities, towns and counties and officials thereof; to legalize acts and expenditures of the Iowa industrial and defense commission and cities, towns, counties and school districts; to provide emergency war powers for the governor, to empower governing bodies of cities and towns, including special charter cities and cities under the commission form of government to enact ordinances pertaining to defense and the war effort; to provide for penalties for the unlawful display of lights and use of streets and alleys and highways without permission of the governor, state coordinator of defense or local defense corps ordering or proclaiming a blackout or practice blackout; to provide for increasing penalties for crimes committed during blackouts or practice blackouts and for larceny of property subject to rationing; to provide for coordination with regulations of the armed forces of the United States and providing for the appropriation of funds and the disbursement thereof to carry out the purposes of this act.

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate File 240, section seven (7), line twenty-nine (29) by striking the comma (,) after the word "State" and inserting in lieu thereof a semicolon (;) and the following words "for the promotion of the agricultural and industrial facilities of the State,".

The amendment was adopted.

Senator Faul offered the following amendment by Senators Faul and Goode, and asked and received unanimous consent to withdraw all of the amendment except the last paragraph.

Amend Senate File 240 by striking the comma (,) following the word "Governor" in line eight (8), section sixteen (16), and the remainder of said line eight (8), and all of lines nine (9), ten (10), eleven (11) and twelve (12), and by substituting therefor the following: "is hereby authorized and empowered:".

Further amend by striking lines thirty-four (34), thirty-five (35), thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40), forty-one (41), and forty-two (42) of subparagraph (g) of section sixteen (16) and by substituting therefor the following:

"(g) Whenever in the opinion of the governor it is necessary for the better prosecution of the war, or whenever actual or imminent attack makes such action necessary for the protection of the public, or whenever requested by the President of the United States or War or Navy Department, the Governor may,".

Further amend by adding to subparagraph (g) of section sixteen (16)

the following: "The taking and using of any such property shall be with the right on the part of the owner thereof, or any person having an interest therein, to have reasonable compensation for the said property or for his interest therein or for the use thereof."

Senator Faul moved that the amendment be adopted.

The amendment was adopted.

Senator Henningsen offered the following amendment and moved its adoption:

Amend Senate File 240 by inserting in section sixteen (16), line thirty-six (36) after the word "Committee" the following: "and a majority of the membership of the Iowa Industrial and Defense Commission" and in section sixteen (16), line forty-two (42), by striking the comma after the word "Committee" and adding the following: "and a majority of the membership of the Iowa Industrial and Defense Commission,".

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 240 by striking section twenty-two (22).

Further amend by renumbering the succeeding sections.

The amendment was adopted.

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate File 240 by inserting after the comma (,) following the word "disaster" in line 6 of section 16, the following: "the governor is authorized and empowered to perform any act essential to the national and state defense,".

Further amend Senate File 240 by adding after the comma (,) after the word "withstanding" in line 8 of section 16, the word "and".

The amendment was adopted.

Senator Lundy asked and received unanimous consent to withdraw the amendment filed by him to Senate File 240 and found on page 515 of the Senate Journal.

Senator Goode offered the following amendment and moved its adoption:

Amend section twenty (20) of Senate File 240, by striking the word "Any" in line two (2) and inserting in lieu thereof the following: "Except as otherwise provided by this act any".

The amendment was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 240 by striking the word "annual" in line 9, section eleven (11) and inserting in lieu thereof the word "biennial".

The amendment was adopted.

Senator Lundy moved that the Senate reconsider the vote by which the amendment filed by him to Senate File 240 and found on pages 561 of the Senate Journal was adopted, which motion prevailed.

Senator Lundy asked and received unanimous consent to withdraw the amendment filed by him to Senate File 240 and found on page 561 of the Senate Journal.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 240 by adding to section eleven (11) the following:

"The legislative committee on national defense coordination shall from time to time advise with the Iowa industrial and defense commission and shall have control of and supervision over the funds appropriated herein. It shall in its discretion allocate from time to time to the Iowa industrial and defense commission by certification of allocation to the comptroller, such portion of the appropriation herein made as may be required for the expenses of the commission, disbursement from the funds so allocated to be made by the comptroller upon certification of the chairman and secretary of the commission."

The amendment was adopted.

Senator Findlay moved that Senate File 240 be engrossed and printed in the Senate Journal before it is voted on, which motion prevailed.

**SENATE FILE 240**  
**(As Engrossed February 25, 1943)**

**By National Defense Coordination Committee**

A bill for an act to provide for the protection of the lives and property of the people of the State of Iowa and to contribute to the National Defense; to repeal Chapter 75 of the Acts of the Forty-ninth General Assembly; to provide for the creation of the Legislative Committee on National Defense Coordination; to provide for the creation of The Iowa Industrial and Defense Commission and defining its powers and duties; to provide for the creation of the office of Coordinator of Civilian Defense; to provide for the creation of County and local Defense Councils and defining their powers and duties; to authorize County Boards of

Supervisors and cities and towns, including special charter cities and cities under the commission form of government to appropriate money for Civilian Defense and to carry out the purposes of this Act; to provide for limitation of liability of the State, cities, towns and counties and officials thereof; to legalize acts and expenditures of the Iowa Industrial and Defense Commission and cities, towns, counties and school districts; to provide emergency war powers for the Governor, to empower governing bodies of cities and towns, including special charter cities and cities under the commission form of government to enact ordinances pertaining to defense and the war effort; to provide for penalties for the unlawful display of lights and use of streets and alleys and highways without permission of the Governor, State Coordinator of Defense or local Defense Corps ordering or proclaiming a blackout or practice blackout; to provide for increasing penalties for crimes committed during blackouts or practice blackouts and for larceny of property subject to rationing; to provide for coordination with regulations of the Armed Forces of the United States and providing for the appropriation of funds and the disbursement thereof to carry out the purposes of this Act.

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

Section 1. Short Title.

This Act shall be known and may be cited as the "Iowa Emergency War Act of 1943".

Sec. 2. Declaration of Policy.

On account of the war in which the United States of America is now engaged, it is hereby declared that it is necessary to grant to the Governor, and to other branches of government, the emergency war powers and authorities hereinafter set forth. It is declared to be the purpose of this Act, and the policy of the State of Iowa, to assist the President of the United States as Commander in Chief of its armed forces in the successful prosecution of the war; to cooperate with the Federal Government and the several other States in the war effort; to meet the extraordinary conditions and problems arising in this State as a result of the war; and to establish and maintain such organized effort as is necessary and proper generally to defend the State of Iowa, procure the peace, health and safety, and preserve the lives and property of its citizens.

Sec. 3. Iowa Industrial and Defense Commission.

Chapter 75 of the Acts of the Forty-ninth General Assembly is hereby repealed and there is hereby created and established, The Iowa Industrial and Defense Commission for the general purposes of providing for the defense of the persons and property of the citizens of this State, and the promotion and coordination of all activities relating to the war effort, to the end that the lives and property of the citizens of this State may be made more secure and their maximum cooperation toward winning the war may be obtained.

Sec. 4. Membership.

The Iowa Industrial and Defense Commission shall be composed of fifteen representative citizens of the State, appointed by the Governor, who shall name one of them as Chairman of said Commission; and in addition the Attorney General, the Adjutant General; and a Legislative

Coordinating Committee from the membership of the 50th General Assembly, of whom two shall be the Chairmen of the National Defense Committees of the House and Senate, and one additional member shall be selected each by the Speaker of the House of Representatives and the President of the Senate. All members of the Commission, with the exception of those from the Legislature, and the Attorney General and Adjutant General, shall serve at the pleasure of the Governor. In case of a vacancy in the Legislative Committee, the presiding officer of the Legislature in which such vacancy occurs, shall fill such vacancy. The Governor may appoint technical advisors for the Commission, upon request of the Commission Chairman, or whenever he deems it necessary.

**Sec. 5. Compensation.**

The members of the Commission shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in connection with the attendance of meetings of the State Commission; or in the discharge of their duties as members thereof away from their respective places of residence; as designated by the Chairman of the Commission.

**Sec. 6. Office and Equipment.**

The Iowa Industrial and Defense Commission shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing, in the same manner as other State offices are supplied.

**Sec. 7. Powers and Duties.**

The Iowa Industrial and Defense Commission shall have the following powers and duties:

(a) To determine the time and places of its own meetings and to prescribe its own rules of procedure.

(b) To cooperate with the President of the United States and with all branches and agencies of the Federal Government having to do with civilian or military defense or preparedness.

(c) To cooperate with similar defense agencies of other States of the United States.

(d) To establish, regulate, assist in the maintenance of and to cooperate with County and Local Defense Councils in the several communities within the State.

(e) To supervise and approve the establishment and maintenance of an adequate Citizens Defense Corps and a Citizens Service Corps in the several communities within the State.

(f) To correlate all civilian war activity throughout the State in order to avoid duplication and to provide the greatest degree of efficiency.

(g) To establish plans for the defense of the lives, health and welfare of the citizens of this State, and to safeguard them from attack, and for the protection of the property of the State and its citizens; including plans for the evacuation of residents from any area and to care for evacuees and other victims of disaster; to plan for the mobilization and interchange of police, fire and other protective services between communities of the State; for the promotion of the agricultural and industrial facilities of the State, and in general any and all other plans which may be deemed proper or necessary to effect the purposes of this Act.

(h) To direct the making of studies and surveys on all matters within the State of Iowa which are or may be directly related to or necessary to National Defense, including but not limited to; natural resources, raw materials, industrial materials, manufacturing facilities, agriculture, food and war supplies, consumers protection, Emergency Medical Service, mobilization and coordination of police, fire, sanitary services and utilities, maintenance of law and order, sabotage, subversive activities and all other subjects which may be deemed relevant to the war effort by the State Commission.

(j) To create committees either within or without its membership to aid it in the discharge of its duties.

(k) To require and receive the assistance of any branch of the State or local government or their officers or employees in carrying out the provisions of this act.

(l) In general to take over, continue and supersede the work and services of the Iowa Industrial and Defense Commission, created by the 49th General Assembly, and to take over any unexpended balances in the appropriation made by the 49th General Assembly for said Iowa Industrial and Defense Commission, from the time this act takes effect. Any balances still remaining unexpended in aforesaid appropriation on June 30, 1943, shall revert to the general fund of the State.

(m) To promulgate such orders, rules and regulations in cooperation with the military authority of the Federal Government and with the Office of Civilian Defense, as may be deemed necessary to organize, maintain and operate complete protective services including aircraft warning, observation and listening posts, information and control centers, air raid warning facilities, the planning and execution of blackouts, practice blackouts, air raid drills and all precautionary and protective measures under actual conditions of enemy attack, and to promulgate such orders, rules and regulations as may be deemed necessary to carry out the purposes of this Act in time of actual or imminent attack, or in preparatory drills affecting the conduct of civilians during such attacks or drills, and in the movement or cessation of traffic by them.

(n) To employ and maintain such staff of necessary employees and assistants as may be necessary to carry out the provisions of this Act, and to fix their compensation.

#### Sec. 8. Coordinator of Civilian Defense.

There is hereby created the office of Coordinator of Civilian Defense, who shall be named by the Commission and shall hold office subject to removal at its will. Said Coordinator shall also be the Secretary of the Commission. Said Coordinator shall receive such salary as the Commission shall determine, together with reimbursement for his necessary expenses. It shall be his duty, under the direction of the Commission and in cooperation with the Federal Government, to enforce and carry out the orders, rules and regulations of the State Commission, to act as State Coordinator of the Citizens Defense Corps and the Citizens Service Corps, to coordinate and cooperate with County and Local Defense Councils and to advise and inform the Commission with respect to all matters coming under its jurisdiction.

**Sec. 9. County Defense Council.**

There is hereby created in each County in the State, a County Defense Council, whose jurisdiction shall apply to the County in which it is located and which shall be designated as "\_\_\_\_\_County Defense Council", each such Council bearing the name of its own County. A Defense Council having already been created in each of the Counties and in certain cities of the State, through the efforts of the Iowa Industrial and Defense Commission, in cooperation with the Office of Civilian Defense of the United States, each of such County and Local Councils shall continue their existence under the provisions of this Act, but if it has not already done so, it shall increase its membership to include the Chairman of the Board of Supervisors of such County and the Mayor of each city and incorporated town within such County. The membership otherwise shall be determined in size by the County Council itself and shall include such representative citizens of such County as may be deemed necessary to represent all parts of the County, its citizenry and its interests. Any member of a County Defense Council may be removed by its Chairman or by the Council itself for failure or refusal to act, and the Chairman of any County or Local Defense Council may be removed by the Governor for his failure or refusal to act, or neglect of his duties, or misconduct in office. In the event of a vacancy in the office of Chairman of a County or Local Defense Council, the Governor shall fill such vacancy. The members of County and Local Defense Councils shall serve without pay or remuneration of any kind.

**Sec. 10. Powers and Duties of County Defense Councils.**

A County Defense Council shall, under the direction of the State Commission, within its County, be authorized and empowered:

(a) To cooperate with the Commission, with the President of the United States, and with any Federal Department or agency having to do with civilian or with military defense or preparedness.

(b) To cooperate with similar defense agencies of other counties or States.

(c-1) To supervise the establishment of an adequate Citizens Defense Corps within the County, and for each separate city or town in the County, which in the opinion of the County Defense Council has a sufficient personnel to justify its maintenance as an active and efficient unit, or it may determine to organize and maintain such Defense Corps upon a County basis if such appears to be most advantageous.

(c-2) The County Defense Council may request a city or town within such County to organize a separate municipal Defense Council having jurisdiction over such municipality, when in the opinion of the County Defense Council such municipality has adequate facilities to maintain and support a separate Council. In the event no such municipal Council is organized, the County Defense Council shall designate a Coordinator of Defense for such municipality, who shall be responsible to the County Defense Council for the functioning of defense activities in such municipality.

(c-3) To provide and maintain for the Citizens Defense Corps within



its jurisdiction, such adequate Control Centers, Air Raid Warning Systems, and facilities for the transmission of Air Raid Warnings, as may meet with the approval of the State Coordinator.

(d) To organize and maintain an adequate Citizens Service Corps for war services and activities other than those rendered by the Defense Corps.

(e) To coorelate all Defense activities within the County in order to avoid duplication of effort to bring about efficiency.

(f) In conjunction with and under the direction of the State Defense Commission to carry out within the County the provisions in subsections (g) and (h) of Section (7) hereof.

(g) To carry out and enforce such rules, orders and regulations as may be directed by the State Commission for the protection and defense of the lives and property of the citizens of Iowa in air raids, blackouts, practice blackouts, and any and all other precautionary and protective measures relating to Civilian Defense.

(h) To maintain an office for its headquarters and for the preservation of its records and property, and to employ such full time clerical help or other assistance as may be necessary for the proper functioning of the Council, to fix the compensation of such employees and to make such other expenditures for services, supplies, rent and expenses as may be necessary.

(i) To have and receive property, or the use of property which it may acquire by purchase or gift or by loan, from any individual or from any other branch of the County, State or Federal Government. When the need of such property is passed, then it may be disposed of according to the terms of its acceptance.

#### Sec. 11. Appropriation.

There is hereby appropriated for the biennium beginning July 1, 1943, and ending June 30, 1945, for the use of the Iowa Industrial and Defense Commission, the sum of One Hundred and Thirty Thousand Dollars (\$130,000.00), or so much thereof as may be necessary for it to perform its duties; and there is also appropriated the further sum of One Hundred Thousand Dollars (\$100,000.00) as an emergency fund to be drawn on to supplement such biennial appropriation, upon proof of emergency need shown by the Iowa Industrial and Defense Commission and upon a finding of the Executive Council that such biennial appropriation is inadequate. Any unexpended or unobligated balances remaining in the foregoing appropriation on June 30, 1945, shall revert to the general fund of the State.

The legislative committee on national defense coordination shall from time to time advise with the Iowa industrial and defense commission and shall have control of and supervision over the funds appropriated herein. It shall in its discretion allocate from time to time to the Iowa industrial and defense commission by certification of allocation to the comptroller, such portion of the appropriation herein made as may be required for the expenses of the commission, disbursement from the funds so allocated to be made by the comptroller upon certification of the chairman and secretary of the commission.

**Sec. 12. Local Budget and Appropriation.**

The budget and control law to the contrary notwithstanding, each County of the State is hereby authorized in its discretion, upon request of the County Defense Council, to appropriate from any fund, or funds, which it may have on hand from time to time, such sums as are necessary to pay the costs and expenses of County Defense Councils, and of any Citizens Defense Corps or Citizens Service Corps established on a County basis, and necessary expenditures of County War Bond Committees, provided however, that all requests for such funds shall first bear the approval of the County Defense Council.

**Sec. 13. Municipal Appropriations.**

The budget and control law to the contrary notwithstanding, any municipality as defined in Section 369, Code, 1939, including special charter cities and cities under the commission form of government, is authorized in its discretion, upon the request of the Local Defense Council, to appropriate from any fund, or funds, which it may have on hand, such sums as are necessary to pay the costs and expenses of maintaining Defense Councils, units of Citizens Defense Corps and Citizens Service Corps established within and for such city or town.

**Sec. 14. Limitation on Liability.**

Nothing herein contained shall be construed to authorize any County Defense Council or Municipal Defense Council, or any local unit of the Citizens Defense Corps or Citizens Service Corps, to incur an indebtedness or to bind the State or any city, town or County therefor.

**Sec. 15. Legalizing Expenditures.**

All expenditures which have heretofore been made by any city, town, county or school district out of any public fund for the establishment or maintenance of a Local Defense Council or of a Citizens Defense Corps or Citizens Service Corps, under the auspices of the Iowa Industrial and Defense Commission and the Office of Civilian Defense of the United States, or in assisting in the organization or carrying out of any other war activity instituted by any branch of the Federal Government, are hereby legalized. Any use and expenditure by the Iowa Industrial and Defense Commission of its funds for any of the purposes set forth in this section is hereby legalized.

**Sec. 16. Emergency Powers to the Governor.**

Upon the request of the President of the United States, or the Secretary of War or the Secretary of Navy, officially stating that such request is vital to the defense of the nation, and/or in the event of actual or imminent attack, invasion, riot, sabotage or disaster, any statute, franchise, law, rule or regulation within the State of Iowa to the contrary notwithstanding, the Governor, upon the decision of the necessity therefor by three members of the Executive Council other than the Governor himself, and by a majority of the Legislative Coordinating Committee, and upon their direction, is hereby authorized and empowered:

(a) To regulate, limit, restrict or close to traffic and public use any public highway or waterway within the State, including streets in cities and towns.

(b) To use the property and resources of the State for the war effort.

(c) To use the facilities of the State government, including the services of every officer and employee of the State of Iowa in the performance of any service or duty relating to the war effort.

(d) To lease or lend to the United States of America any of the property of the State.

(e) To authorize the temporary transfer of employment of any of the officers and employees of the State of Iowa to the Federal Government.

(f) Whenever in the opinion of three members of the Executive Council, other than the Governor himself, and a majority of the Legislative Coordinating Committee and a majority of the membership of the Iowa Industrial and Defense Commission, it is necessary for the better prosecution of the war, or whenever actual or imminent attack makes such action necessary for the protection of the public, or whenever requested by the President of the United States or War or Navy Department, the Governor may, with the approval of three members of the Executive Council, other than himself, and a majority of the Legislative Coordinating Committee and a majority of the membership of the Iowa Industrial and Defense Commission, in the name of the State of Iowa, take immediate possession of any real or personal property within the State and may use and employ the same for such time and in such manner as he shall deem best to accomplish the purposes of national defense. The taking and using of any such property shall be with the right on the part of the owner thereof, or any person having an interest therein, to have reasonable compensation for the said property or for his interest therein or for the use thereof.

(g) Expend in the interest of the defense and security of the citizens of the State of Iowa such monies as may be appropriated for that purpose.

#### Sec. 17. Appropriation.

There is hereby appropriated for the purposes set forth in the preceding section to be expended by the Governor, the sum of Twenty-five Thousand Dollars (\$25,000.00).

#### Sec. 18. Ordinances.

The governing bodies of cities and towns, including special charter cities and cities under commission form of government, are authorized and empowered to enact ordinances not in conflict with the provisions of this Act pertaining to defense and the war effort.

#### Sec. 19. Violations and Penalties.

Whenever by order of the Governor or the State Coordinator of Defense, or any local Defense Corps, a blackout or practice blackout is proclaimed in any city, County or other area in the State, during the designated period and in the designated area, it shall be unlawful for any person to display any light or to use any street, alley or highway without the permission of the Governor, State Coordinator of Defense or local Defense Corps ordering and proclaiming the blackout or practice blackout, and the willful display of any light without such permission, and the willful use of any street, alley or highway without

such permission shall constitute a misdemeanor and shall be punishable by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment in jail for not more than thirty days, and if such unlawful act herein prohibited is perpetrated in time of actual invasion or attack, it shall constitute the crime of treason and shall be punishable as such as defined by the statutes of the State of Iowa.

**Sec. 20. Violation and Penalties.**

Except as otherwise provided by this act, any person violating any provision of this act, or any rule, order or regulation made pursuant to and under authority of this act, shall be guilty of committing a misdemeanor and upon conviction thereof be punished by a fine of not exceeding One Hundred Dollars (\$100.00) or imprisonment not exceeding thirty days or both.

**Sec. 21 Penalties Increased for Certain Crimes.**

Whosoever shall be convicted of the crime of robbery, larceny from a building, larceny from the person, breaking and entering a building for the purpose of committing a crime, assault with a deadly weapon, grand larceny, arson, rape or assault with intent to commit a felony, when such crime has been committed in an area in which a blackout, or practice blackout is in effect, or during an actual air raid or enemy attack, shall be sentenced to penitentiary for life, or to a term of years at the discretion of the court. Sentence for any term of years may be imposed under this act, provisions of the indeterminate sentence law, to the contrary notwithstanding.

**Sec. 22. Immunity.**

(a) Neither the State nor any political subdivision thereof, nor the agents or representatives of the State or any political sub-division thereof, shall be liable for personal injury or property damage sustained by any person appointed or acting as a Civilian Defense worker, or as a member of any agency engaged in any Civilian Defense activities.

(b) Neither the State nor any political sub-division thereof, nor, except in case of willful misconduct, shall the personnel of the Iowa Industrial and Defense Commission, Local and County Defense Councils, members of Citizens Defense Corps or agents or representatives of the State, or any political sub-division thereof, be held civilly liable for the death or injury to persons or damage to property arising out of the performance of their duties in conducting any actual, or authorized practice or drill in preparation for air raid attacks, invasion, riots, insurrection or sabotage.

**Sec. 23. Coordination With Armed Forces of the United States.**

Anything in this Act to the contrary notwithstanding, no action shall be taken under this Act, and no order, rule, or regulation made pursuant thereto which is inconsistent with any relevant order, rule, or regulation of the Armed Forces of the United States.

**Sec. 24. Liberality of Construction.**

This Act shall be construed liberally in order to effectuate its purposes.

**Sec. 25. Severability.**

If any provision of this Act, or the application thereof to any person

or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 26. Effective Date and Termination.

This Act, being deemed of immediate importance, shall take effect from and after its publication as provided by law in the Council Bluffs Nonpareil, a newspaper published at Council Bluffs, Iowa, and the State Center Enterprise, a newspaper published at State Center, Iowa, and this Act shall remain in force until June 30, 1945.

## EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate in executive session confirmed the following appointments:

Joseph H. Bodine, of Johnson county, as a member of the board of examiners in the basic sciences, for the term ending July 4, 1949.

Charles Carter, of Jefferson county, as a member of the board of examiners in the basic sciences, for the term ending July 4, 1949.

Charles R. Fischer, of Monona county, as commissioner of insurance, for the term ending June 30, 1947.

Dick R. Lane, of Scott county, as a member of the liquor control commission, for the term ending June 30, 1949.

Karl W. Fischer, of Benton county, as commissioner of public safety, for the term ending July 1, 1947.

The Senate arose from executive session and resumed regular session.

## PRESENTATION OF VISITORS

Senator Bensen asked and received unanimous consent to present to the Senate the junior members of the American Legion Auxiliary of Boone, who were present in the Senate chamber.

Senator Hill asked and received unanimous consent to present to the Senate the Jensen triplets, June, Jean and Joan, from Webster City who, with their mother, were visiting in the Senate chamber.

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

## AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

## INTRODUCTION OF BILLS

Senate File 319, by committee on agriculture 1, a bill for an act to appropriate funds to the agricultural experiment station of the Iowa State College of Agriculture and Mechanic Arts to be used in experimentation and research (1) for increasing the profitable utilization of crops and products of Iowa agriculture by development of new and better methods of processing and industrial utilization; (2) for the breeding, production and distribution of corn, grain and forage crops better adapted to Iowa; (3) for improving feeding, nutrition and management of live-stock; and (4) for the development of a more profitable utilization of muck, peat and sand lands of Iowa, particularly for the production of vegetable crops.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

## SIFTING COMMITTEE APPOINTED

In accordance with the rules of the Senate, the President appointed the following Senators on the sifting committee: Hart, chairman; Hunt, ranking member; Hattery, Lynes, Keir, Watson, Emerson, Dykhous, Byers, Clark and Johnson.

## SENATE FILE 240 PRINTED AS ENGROSSED

Senator Berg asked and received unanimous consent that 500 copies of Senate File 240 be printed as engrossed.

## BILLS ASSIGNED TO COMMITTEES

President Blue announced the following assignment of bills to committees:

Bill No.	Committee Assignment
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S. F. 279	Public Utilities.
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## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 184 and House Files 7, 50, 56, 136, and 215.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 184 and House Files 7, 50, 56, 136, and 215.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on February 24th he had approved the following:

Senate File 34 relating to use of the poor fund by boards of supervisors.

Senate File 221 relating to powers of the state conservation commission.

#### REPORTS OF COMMITTEES

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 219, a bill for an act providing for blood or urine tests of one charged with operating a motor vehicle while intoxicated, begs leave to report it has had the same under consideration and recommends the same do pass.

E. K. BEKMAN, *Chairman.*

Ordered passed on file.

Senator Hunt submitted the following report:

MR. PRESIDENT: Your committee on educational institutions, to which was referred Senate File 278, a bill for an act to amend section four thousand two hundred sixty-seven and one-tenth (4267.1), Code, 1939, relating to education in junior colleges and their establishment and continuance, begs leave to report it has had the same under consideration and recommends the same do pass.

G. W. HUNT, *Chairman.*

Ordered passed on file.

Senator Miller submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred Senate File 87, a bill for an act to amend sections one hundred twenty-four (124) and one hundred twenty-four and one-tenth (124.1),

Code, 1939, relating to audits of cities and school districts and providing for filing of reports with the auditor of state, begs leave to report it has had the same under consideration and recommends the same do pass.

AI MILLER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred Senate File 125, a bill for an act to amend section thirteen thousand nine hundred eighty-six (13986), Code, 1939, relating to the erection of a scaffold and the direction of the manner of execution of a condemned person, begs leave to report it has had the same under consideration and recommends the same do pass.

AI MILLER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred Senate File 180, a bill for an act to amend chapter 65 (Senate File 472), acts of the Forty-ninth General Assembly, relating to compensation of county, municipal and school examiners and their assistants, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

AI MILLER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred House File 88, a bill for an act to amend section two thousand eight hundred seventy-four (2874), Code, 1939, relating to state fair board convention delegates, begs leave to report it has had the same under consideration and recommends the same do pass.

AI MILLER, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 191 by striking all after the enacting clause and inserting in lieu thereof the following:

Section one thousand five hundred thirty-six (1536) of the Code is amended by adding at the end of line twelve (12) the following:

except as hereinafter provided.

Persons over fifteen (15) years of age may be employed in a bowling alley as a pin setter, except when the operator thereof has a beer permit, dispenses beer or operates a billiard room in connection therewith, by obtaining written approval from the public school superintendent and chief of police of the city or town in which said place is located.

E. K. BEKMAN.



Amend Senate File 299, section one (1), line 7, by striking the words "any general hospitals" and changing the comma following the word "homes" in line 7, to a period.

Amend Senate File 299, section two (2), line 13, by changing the period to a comma (,) following the word "control" and inserting the words "nor any general hospital".

C. V. FINDLAY.

Amend Senate File 300 by striking the figures "1894" in line thirty (30) of Sec. 4 and by inserting in lieu thereof the figures "189.4".

A. J. SHAW.

Amend Senate File 233 by inserting after the words "agricultural seeds," in line six (6) in Section one (1), "(as defined in Section three thousand one hundred twenty-seven, (3127), Code, 1939."

COMMITTEE ON AGRICULTURE I.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 26, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. Warren Hile, pastor of the First Church of Christ, Perry.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shaw for the day on request of Senator Findlay; Senator Sjulín for the day on request of Senator Faul.

## INTRODUCTION OF BILLS

Senate File 320, by committee on judiciary 2, a bill for an act to clarify and make consistent the law regarding the payment and control of money into and out of the state treasury in co-ordination with the budget and financial control act and to this end to amend various sections of the code relating to the deposit and withdrawal of funds in the state treasury.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 321, by committee on judiciary 2, a bill for an act to amend chapter two hundred ninety-six (296), acts of the Forty-ninth General Assembly, relating to the expenses of judges of the district court.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 322, by committee on judiciary 2, a bill for an act to amend section seven thousand two hundred seventy-one (7271), Code, 1939, relating to the cancellation of certificate of purchase.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 323, by committee on ways and means, a bill for an act to amend, revise and codify chapter two hundred fifty-

one and three-tenths (251.3), Code, 1939, including sections five thousand ninety-three and one one-hundredth (5093.01) to five thousand ninety-three and thirty-nine one-hundredths (5093.39), both inclusive, and all acts and laws amendatory of said chapter and sections relating to the collection of license fees or taxes on motor vehicle fuel, including fuel oil and liquefied gas used or otherwise disposed of in the state of Iowa; to define motor vehicle fuel, motor fuel, fuel oil, liquefied gas, and other terms used in this act; to impose a license fee or tax of three cents (3c) per gallon or fraction thereof on motor vehicle fuel sold or used in the state of Iowa; to provide for reports for payment and collection of said license fee or tax; to provide for the licensing of distributors, dealers, retailers, station operators and transporters and the revocation of such licenses; to provide for the keeping of records and the making of reports on the part of persons handling said fuels and transporting same; to provide for refunding the license fee or tax paid under certain conditions when fuel is not used in propelling vehicles on the highways; to provide as to the purposes and objects for which the license fee or taxes collected shall be used, and to provide penalties for the violation of the provisions of this act.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 324, by committee on cities and towns, a bill for an act to amend paragraph thirty-two (32) of section six thousand two hundred eleven (6211), Code, 1939, relating to the police department maintenance fund in certain cities, including cities under special charter, and the levy of taxes therefor.

Rear first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 325, by committee on income tax reduction, a bill for an act to extend the provisions of Senate File one hundred fifty-seven (157), acts of the Fiftieth General Assembly, to individual income tax payers asking a return on a fiscal year basis.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 326, by committee on income tax reduction, a bill for an act to amend section six thousand nine hundred forty-

three and ninety-two thousandths (6943.092), Code, 1939, as amended by chapter two hundred thirty-four (234), acts of the Forty-ninth General Assembly, and permitting the making of photostat or microfilm copies of the tax commission's records and the destruction of original records preserved photographically, and providing for the use of said photographic copies in evidence, when properly certified.

Rear first and second times, is ready for commitment and amendment, 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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 20, relating to educational privileges of Japanese-American youths.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 64, a bill for an act relating to time of election and term of office of boards of supervisors. A. C. GUSTAFSON, *Chief Clerk*.

Senator Faul called up the following concurrent resolution and moved its adoption:

### SENATE CONCURRENT RESOLUTION 14

*Whereas*, The people of the State of Iowa have steadfastly and sacrificially, in peace and in war, manifested their devotion to the ideals of democracy; and

*Whereas*, A vigilant citizenry is the best safeguard of the democratic way of life; and

*Whereas*, It is held by the people of Iowa to be a fundamental right of the people to know their duly elected representatives in the General Assembly vote on the final passage of all measures affecting the people, and to protect this right have impressed the Constitution of Iowa with the following provision:

"Passage of bills. Article 3, Sec. 17. No bill shall be passed unless by the assent of a majority of all the members elected to each branch of the General Assembly, and the question upon the final passage shall be taken immediately upon its last reading, and the yeas and nays entered on the journal." and

*Whereas*, Measures of grave concern to the people of Iowa and of the nation are not infrequently passed by the Congress of the United States without a recorded vote of its members on final passage, thus

depriving the people of Iowa of a fair opportunity of knowing how their duly elected members in the national legislature voted thereon; and

*Whereas*, A fair opportunity on the part of the people of Iowa to scrutinize the acts and conduct of the members of Congress is essential to the fulfillment of the ideal of democracy, and

*Whereas*, Men and women on the fighting fronts, on land and sea, and those held in enemy prisons in distant places in the world, are entitled, upon their return to the homeland, to have a record of the votes cast by their representatives in the national legislature, on the final action on all important measures during this critical period of the nation's history;

*Therefore Be It Resolved by the Senate of the Fiftieth General Assembly of Iowa, the House Concurring*: That the Congress of the United States be memorialized to forthwith take such action as may be appropriate to require a recorded vote of all the members of the Congress on the final passage of all bills and all measures of general public interest.

*Be It Further Resolved*: That the secretary of state be and he hereby is directed to forward a certified copy of this resolution to the vice president of the United States and to the speaker of the House of Representatives of the United States, and to each member of the Congress (Senate and House of Representatives) of the United States from the state of Iowa.

The motion prevailed and the resolution was adopted.

Senator Stewart called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 18

*Whereas*, Apparently there has been no determination made by responsible officers of the government of the total required production of essential food and fiber for the duration of the war and for the reconstruction period following the war; and

*Whereas*, Food and fiber goals have thus far been established only on a short time basis; and

*Whereas*, The war manpower commission was created for the purpose of analyzing and giving proper weight to the minimum manpower requirements of all war industries including agriculture, the armed forces and the necessary civilian economy, and

*Whereas*, Although several months have elapsed since the creation of said manpower commission, the drain of agriculture's trained manpower into industry and the armed forces through the selective service system, continues at substantially the previous rate, notwithstanding the fact that thousands of auction sales have been held and that breeding herds of sheep, hogs and both beef and dairy cattle continue to be reduced through shipment to market as a result of the manpower shortage already existing throughout this area, and

*Whereas*, Notwithstanding the fact that agriculture in the great plains area, normally renews completely its mechanized equipment every ten

years and the further fact that the whole middle west has just come through a ten year period of depressed times which made normal replacement difficult, thus multiplying the minimum requirements for both new machinery and repair parts, and

*Whereas*, Notwithstanding the recent increase over previous allocations of iron and steel for farm equipment granted by the war production board, there may reasonably be reduced acreage as compared to 1942 for the combined reasons of manpower shortage and inadequate machinery and repair parts, and

*Whereas*, Iowa now has thousands of its young men serving in the armed forces and being almost wholly an agricultural state it is self-evident that a very large percentage of any subsequent drains on our manpower have and must come from our farms, and

*Whereas*, If Iowa is to contribute her best in the prosecution of this total war, it can only be done through maximum utilization of its one great resource, namely, "agriculture", and

*Whereas*, This can be done only if immediate and realistic consideration, followed by positive action, be given to the minimum requirements of our farmers in the fields. Manpower, machinery, repair parts, tires, gasoline, credit availability, credit cost, non-recourse production, loans, equitable relationship between price floors and ceiling to production costs to the added risks incident to the efforts to meet expanding production goals under wartime conditions, the apparent necessity for lifting all acreage restrictions on wheat and other commodities as has been done for corn.

*Now, Therefore, Be It Resolved by the House of Representatives, the Senate Concurring:* That we earnestly recommend and ask that the Senate committee on agriculture and forestry make an immediate and thorough investigation of all the agricultural "musts" to the end that the requirements of sufficient manpower, sufficient current credit, proper price relationship between production costs, ceilings and floors, sufficient farm machinery and repair parts, gasoline, rubber, fertilizer and other necessary supplies be definitely determined on a long-time basis, not only for the war years, but for the reconstruction period following the war and allotted to agriculture so that sufficient food and fiber may be forthcoming to meet increasingly expanding goals and to supply the requirement of our armed forces, the civilian population, the lease-lend commitments to the allied nations and food for occupied countries and that such investigation include the careful weighing and consideration of the inter-relationship and division of authority and responsibility among the following agencies in connection with such determination: United States department of agriculture, office of price administration, war production board, war manpower commission, office of petroleum co-ordinator.

*Be It Further Resolved:* That a copy of this resolution be transmitted to each member of Congress from Iowa, presiding officer of the Senate, speaker of the House of Representatives, secretary of the United States department of agriculture, office of price administration, chairman of the Senate committee on agriculture and forestry.

The motion prevailed and the resolution was adopted.

Senator Evans called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 20

*Be It Resolved by the House, the Senate Concurring:* That the following bills, authorized by legislative action, are hereby approved and ordered paid as provided by chapter 26 of the Forty-ninth General Assembly: Des Moines Rubber Stamp Works, Senate.....\$ 15.45  
M. and M. Sales Co., rental adding machine for the Senate..... 5.00  
Storey-Kenworthy Co., supplies for Secretary of the Senate..... 131.21  
W. J. Scarborough, Secretary of the Senate, postage..... 10.00  
John Christenson, typewriter for Chief Clerk of the House..... 35.00  
Des Moines Rubber Stamp Works, House ..... 113.80  
O'Dea Hardware Co., repairs House loud speaker..... 1.44  
Radio Trade Supply Co., repairs House loud speaker..... 133.41  
Carmi Till, engineer (repairs House loud speaker)..... 10.00  
Leland Nelson, engineer (repairs House loud speaker)..... 5.00  
Younkers, coats for pages..... 201.81

The state comptroller is hereby authorized and directed to issue warrants for amounts above listed and to the persons and firms to whom such amounts are due.

The motion prevailed and the resolution was adopted.

#### BILLS REFERRED TO SIFTING COMMITTEE

Senator Hunt moved that upon adjournment today, Friday, February 26, 1943, all bills on the calendar and in committees be referred to the sifting committee, excepting bills brought in by the appropriations committees carrying a direct appropriation, claims, and bills under the order of unfinished business, which motion prevailed.

#### SENATE FILES WITHDRAWN

Senator Hill asked and received unanimous consent to withdraw Senate File 18 from the further consideration of the Senate.

Senator Pine asked and received unanimous consent to withdraw Senate File 27 from the further consideration of the Senate.

#### UNFINISHED BUSINESS

On motion of Senator Berg, the Senate resumed consideration of Senate File 240, a bill for an act to provide for the protection of the lives and property of the people of the state of Iowa and to contribute to the national defense; to repeal chapter 75 of the acts of the Forty-ninth General Assembly; to provide

for the creation of the legislative committee on national defense coordination; to provide for the creation of the Iowa industrial and defense commission and defining its powers and duties; to provide for the creation of the office of coordinator of civilian defense; to provide for the creation of county and local defense councils and defining their powers and duties; to authorize county boards of supervisors and cities and towns, including special charter cities and cities under the commission form of government to appropriate money for civilian defense and to carry out the purposes of this act; to provide for limitation of liability of the state, cities, towns and counties and officials thereof; to legalize acts and expenditures of the Iowa industrial and defense commission and cities, towns, counties and school districts; to provide emergency war powers for the governor, to empower governing bodies of cities and towns, including special charter cities and cities under the commission form of government to enact ordinances pertaining to defense and the war effort; to provide for penalties for the unlawful display of lights and use of streets and alleys and highways without permission of the governor, state coordinator of defense or local defense corps ordering or proclaiming a blackout or practice blackout; to provide for increasing penalties for crimes committed during blackouts or practice blackouts and for larceny of property subject to rationing; to provide for coordination with regulations of the armed forces of the United States and providing for the appropriation of funds and the disbursement thereof to carry out the purposes of this act.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 240 as engrossed, by striking from lines five (5) and six (6) of section four (4) the words "Legislative Coordinating Committee" and by substituting therefor the words "Legislative Committee on National Defense Coordination".

The amendment was adopted.

Senator Berg moved that the bill be read a third time, which motion prevailed, and the bill was read a third time.

The President announced that he had received a telegram from Senator Sjulín requesting to be recorded as voting "aye" on Senate File 240.

The request was granted.

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



**Ayes, 44:**

Bekman	Foster	Keir	Pine
Benson	Goode	Leo	Reilly
Berg	Hart	Long	Schluter
Byers	Harvey	Love	Sjulin
Clark	Hattery	Lundy	Stewart
Clem	Henningsen	Lynes	Vittetoe
Cromwell	Hess	Martin	Vrba
Dykhouse	Hill	Mercer	Watson
Emerson	Hunt	Miller	Whitehill
Evans	Johnson	Mowry	Zastrow
Faul	Jones	Pelzer	Zeigler

**Nays, 2:**

Findlay                      Turner

**Absent or not voting, 4:**

Augustine              Elthon                      Fuller                      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.

On motion of Senator Faul, the Senate resumed consideration of House File 214, a bill for an act to amend section nine thousand one hundred forty-four (9144), Code, 1939, relating to the payment of expenses of the department of banking of the state of Iowa, and the following amendment by Senator Faul:

Amend House File 214 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section nine thousand one hundred thirty-six (9136), Code, 1939, is hereby amended by striking from lines eight (8) to twelve (12) inclusive, of the second paragraph thereof: 'Such additional examiners or employees shall be paid out of current or accumulated earnings of the banking department, their salaries to be not greater than those of other similar employees authorized by law.'

"Sec. 2. Section nine thousand one hundred thirty-seven (9137), Code, 1939, is hereby repealed.

"Sec. 3. Section nine thousand one hundred forty-three (9143), Code, 1939, is hereby amended by striking from lines four (4) and five (5) thereof the words 'superintendent of banking' and inserting in lieu thereof the following: 'treasurer of state for the general fund'.

"Sec. 4. Sections nine thousand one hundred forty-four (9144), nine thousand one hundred forty-five (9145) and nine thousand one hundred forty-nine (9149), Code, 1939, are hereby repealed.

"Sec. 5. Section nine thousand one hundred fifty (9150), Code, 1939, is hereby amended by striking from line nine (9) thereof the words 'superintendent of banking' and by inserting in lieu thereof the following: 'treasurer of state for the general fund'. Said section is further amended by striking out the last sentence thereof.

"Sec. 6. Section nine thousand one hundred fifty-four-a-five (9154-a5), Code, 1939, is hereby repealed.

"Sec. 7. This act shall become effective July 1, 1943, following its publication in Wright County Monitor, Clarion, Iowa, and the Hamburg Reporter, Hamburg, Iowa."

Amend the title by striking therefrom the following: "to amend section ninety-one hundred forty-four (9144), Code, 1939, relating to the payment of expenses of the department of banking of the state of Iowa", and substituting in lieu thereof the following: "repealing standing-appropriation provisions in Code sections of the Code, 1939, for the state banking department and state banking board, as follows: Sections nine thousand one hundred thirty-six (9136), nine thousand one hundred thirty-seven (9137), nine thousand one hundred forty-three (9143), nine thousand one hundred forty-four (9144), nine thousand one hundred forty-five (9145), nine thousand one hundred forty-nine (9149), nine thousand one hundred fifty (9150), and nine thousand one hundred fifty-four-a-five (9154-a-5) relating to banking and the banking department.

Senator Faul offered the following amendment to the amendment by Senator Faul and moved its adoption:

Amend the Faul amendment to House File 214 by striking section six (6) thereof and substituting therefor the following:

"Sec. 6. Section nine thousand one hundred fifty-four and eight one-hundredths (9154.08), Code, 1939, is hereby repealed."

Amend the amendment to the title by striking from line nine (9) thereof the following words and figures: "fifty-four-a-five (9154-a-5)" and substituting therefor the following: "fifty-four and eight one-hundredths (9154.08)".

The amendment to the amendment was lost.

Senator Augustine raised the point that the amendment was out of order in that it was not germane to the main bill and sought to repeal rather than amend.

The Chair held the point well taken, and the amendment out of order.

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	Dykhouse	Harvey	Jones
Bekman	Emerson	Hattery	Keir
Benson	Evans	Henningsen	Leo
Byers	Findlay	Hess	Long
Clark	Foster	Hill	Love
Clem	Fuller	Hunt	Lundy
Cromwell	Hart	Johnson	Lynes

Mercer  
Miller  
Mowry

Reilly  
Schluter  
Stewart

Turner  
Vittetoe  
Vrba

Watson  
Whitehill  
Zastrow

Nays, 2:

Faul

Goode

Absent or not voting, 8:

Berg  
Elthon

Martin  
Pelzer

Pine  
Shaw

Sjulin  
Zeigler

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 Stewart, Senate File 233, a bill for an act to amend section six thousand nine hundred forty-three and one hundred twenty-eight thousandths (6943.128), Code, 1939, relating to exemptions from chain store taxation by adding thereto agricultural seeds, fertilizer and twine, was taken up and considered.

The following committee amendment was considered:

Amend Senate File 233 by inserting after the words "agricultural seeds," in line six (6) in section one (1), "(as defined in section three thousand one hundred twenty-seven (3127), Code, 1939."

The amendment was adopted.

Senator Stewart offered the following amendment and moved its adoption:

Amend Senate File 233 by striking from line four (4) of section one (1) the word and figure "fourteen (14)" and inserting in lieu thereof "three (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, 37:

Augustine  
Bekman  
Benson  
Berg  
Byers

Clark  
Clem  
Cromwell  
Dykhous  
Emerson

Faul  
Findlay  
Foster  
Fuller  
Hart

Harvey  
Hess  
Hill  
Hunt

Jones	Martin	Reilly	Vittetoe
Leo	Miller	Schluter	Vrba
Long	Mowry	Stewart	Watson
Love	Pelzer	Turner	Whitehill
Lundy	Pine		

Nays, 2:

Goode                      Lynes

Absent or not voting, 11:

Elthon	Henningsen	Mercer	Zastrow
Evans	Johnson	Shaw	Zeigler
Hattery	Keir	Sjulin	

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 Hunt, Senate File 235, a bill for an act to amend section nine thousand one hundred thirty-seven (9137), Code, 1939, relating to the method of determining salaries in the department of banking of the state of Iowa, was taken up and considered.

Senator Hart offered the following amendment and moved its adoption:

Amend Senate File 235 by inserting after the word "the" in line three (3) of section two (2) the words "Keokuk Daily Gate City."

Also amend section two (2) by inserting after the word "at" in line four (4) the word "Keokuk" and at the beginning of line five (5) the words "Burlington Hawkeye Gazette."

Also after the word "at" in line six (6) the word "Burlington."

The amendment was adopted.

Senator Bekman took the chair at 11:28 a. m.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 235 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section nine thousand one hundred and thirty-seven (9137), Code, 1939, is amended by adding thereto the following: "The salary of the superintendent of banking shall not exceed a maximum of six thousand dollars (\$6,000) per year."

Amend the title to Senate File 235 by striking all after the word "the"

in line two (2) and substituting therefor the following: "salary of the superintendent of banking."

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 12:**

Faul	Hess	Love	Pine
Foster	Jones	Lynes	Schluter
Goode	Long	Pelzer	Turner

**Nays, 30:**

Augustine	Findlay	Johnson	Stewart
Bekman	Fuller	Keir	Vittetoe
Byers	Hart	Leo	Vrba
Clark	Harvey	Lundy	Watson
Clem	Hattery	Mercer	Whitehill
Cromwell	Henningsen	Miller	Zastrow
Emerson	Hill	Mowry	Zeigler
Evans	Hunt		

**Absent or not voting, 8:**

Benson	Dykhouse	Martin	Shaw
Berg	Elthon	Reilly	Sjulin

The amendment was lost.

Senator Hunt moved that the bill be read a third time, 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, 26:**

Augustine	Fuller	Hunt	Reilly
Bekman	Hart	Johnson	Vittetoe
Byers	Harvey	Lundy	Vrba
Clark	Hattery	Mercer	Whitehill
Cromwell	Henningsen	Miller	Zastrow
Emerson	Hess	Mowry	Zeigler
Evans	Hill		

**Nays, 20:**

Berg	Foster	Long	Pine
Clem	Goode	Love	Schluter
Dykhouse	Jones	Lynes	Stewart
Faul	Keir	Martin	Turner
Findlay	Leo	Pelzer	Watson

**Absent or not voting, 4:**

Benson	Elthon	Shaw	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 Hunt moved that the 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 147, a bill for an act to amend section six thousand one hundred forty-seven (6147) of the Code relating to trustees for public utilities, 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 one hundred forty-seven (147), by striking all after the enacting clause, and by substituting in lieu thereof the following:

Section 1. Section six thousand one hundred forty-seven (6147), Code, 1939, is hereby amended by striking from line five (5) thereof the words "a board of", and by inserting after the period following the word "years" in line eleven (11) thereof the following: "In addition to the three (3) trustees so appointed, the mayor and one (1) councilman elected by a majority vote of the council, shall be trustees, and the mayor and said councilman, together with the three (3) trustees appointed by the mayor shall constitute the board of trustees.

Section six thousand one hundred forty-seven (6147) is further amended by striking therefrom all that part of said section, following the period following the word "made" in line thirteen (13) thereof and by inserting in lieu thereof the following: "Each trustee shall receive as compensation not more than one hundred dollars per year and the said mayor and councilman as members of the board, shall receive said compensation in addition to such compensation as they may receive as mayor and councilman of said city or town. Each member of the board of trustees shall execute and furnish to the city or town, as the case may be, an official bond in the sum of twenty-five hundred dollars, to be approved by the city or town council and filed with the city or town clerk."

The amendment was adopted.

President Blue took the chair at 11:50 a. m.

Senator Long offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment by committee on cities and towns to Senate File 147 by inserting after the word "year" in line five (5) of paragraph two (2) of section one (1) the following:

"as fixed by the council by ordinance and be paid out of the public utility plant funds,".

Senator Whitehill moved that the Senate reconsider the vote by which the committee amendment was adopted, which motion prevailed.

The amendment by Senator Long to the committee amendment was adopted.

The committee amendment as amended was adopted.

Senator Pine offered the following amendment and moved its adoption:

Amend Senate File 147 by adding thereto a new paragraph as follows: "This act shall not apply to special charter cities."

Senator Hill moved the previous question on the amendment and the main bill, which motion prevailed.

The amendment by Senator Pine 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.

Rule 8 was invoked.

Senator Pine asked and received unanimous consent to be excused from voting on Senate File 147.

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

**Ayes, 24:**

Augustine	Findlay	Long	Pelzer
Benson	Hattery	Love	Reilly
Berg	Henningsen	Lundy	Schluter
Byers	Hunt	Martin	Stewart
Dykhouse	Johnson	Mercer	Whitehill
Elthon	Leo	Mowry	Zastrow

**Nays, 17:**

Bekman	Evans	Hess	Lynes
Clark	Foster	Hill	Turner
Clem	Hart	Jones	Vrba
Cromwell	Harvey	Keir	Zeigler
Emerson			

**Absent or not voting, 8:**

Faul	Goode	Shaw	Vittetoe
Fuller	Miller	Sjulin	Watson

**Excused, 1:**

Pine

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Bekman 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 Lundy, Senate File 168, a bill for an act to amend section seven hundred seventy-one (7171), Code, 1939, relative to annual levies, 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 Senate File 168 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section seven thousand one hundred seventy-one (7171), Code, 1939, is hereby amended by striking all of said section following the word 'revenue,' in line nine thereof and inserting in lieu thereof the following: 'not to exceed three mills on a dollar in counties having an assessed valuation of less than sixteen million dollars (\$16,000,000.00), not to exceed two and one-half mills on a dollar in counties having an assessed valuation of sixteen million dollars (\$16,000,000.00) or more and less than twenty-six million dollars (\$26,000,000.00), not to exceed two mills on a dollar in counties having an assessed valuation of twenty-six million dollars (\$26,000,000.00) or more and less than thirty-two million dollars (\$32,000,000.00), and not to exceed one and one-half mills on a dollar in counties having an assessed valuation of thirty-two million dollars (\$32,000,000.00) or more.'"

Senator Clark asked and received unanimous consent to withdraw the amendment filed by him to Senate File 168 and found on page 415 of the Senate Journal.

Senator Goode moved that action be deferred on Senate File 168, which motion prevailed.

Senator Whitehill asked and received unanimous consent that the following address of Judge Ray P. Scott, president of the Pioneer Law Makers Association of Iowa, be printed in the journal:

#### INDEPENDENT LEGISLATIVE AND JUDICIAL GOVERNMENT

When the constitutional convention was called in 1787 to frame a new form of government for this country, the republican form was an untried experiment. Men had dreamed throughout the ages, of a country where the great mass of the people would have a voice in selecting the men who were to conduct the affairs of state, but all attempts made, as a result of those dreams, came to nothing. They were either



crushed by outside forces or broken asunder from internal dissensions.

It was the executive who was always feared, and he had, so often in other countries, turned out to be a tyrant, that they had good reasons to distrust him. For many years, the Republic of Rome had two consuls with equal powers, as they were afraid that one would proclaim himself a king. In spite of all these precautions, a king did mount the throne and bloodthirsty tyrants reigned for hundreds of years.

Under our articles of confederation, there was no executive, but a committee of congress exercised some of those functions and made as poor a job of it as could well be imagined. Opinions differed widely about what should be the powers of the executive. Some feared that he would be too powerful and would crush out all liberty while others realized that unless there was a strong central government, it would soon be torn asunder by internal factions.

They finally agreed, that the people were not capable of electing an executive, so they provided that the voters would select electors, who should choose proper men for the positions of president and vice-president. This plan was carried out during Washington's two terms, but as soon as political parties were organized, the choosing by the electors was abolished in practice. Now, the electors are nominated by each political party and they always vote for the nominees of their party without exercising any discretion in the matter. So the constitution has been changed in practice, though not in wording.

The president of the United States is the most powerful executive in the world. No modern monarch or prime minister has had the power that even approaches that of our president.

He is the commander-in-chief of the army and navy. He may grant reprieves and pardons, he appoints ambassadors, ministers and consuls, judges of the supreme court and all other officers of the United States, whose appointments are not otherwise provided for. When you reflect that this includes thousands of the highest officers we have, you realize that the powers and the responsibilities of the president are very great.

There was very little fear in the minds of the delegates to the constitutional convention, concerning the powers of the legislative branch of the government. The members had to go back to the voters so often for re-election, there was not much show for them to usurp powers.

The judicial branch of the government worried the constitutional committee the least of any. The following is the language of the constitution which established the United States courts:

"The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior; and shall at stated times, receive for their services a compensation, which shall not diminish during their continuance in office."

When the supreme court was established, no one thought of it overthrowing a law of congress, but now it may declare a law unconstitutional, thereby rendering it powerless. It has thus become the more

powerful of the two departments of government, outside of the executive branch. The supreme court is presumed to be non-partisan, but in spite of that, its opinions have reflected the doctrine of the party to which the members belong.

From this brief review of the three departments of government, we get some idea of the monumental task performed by the men who framed the constitution during the summer of 1787. They produced what Gladstone called "The most wonderful document ever conceived by the mind of man."

Every American should know the story of the manifold functions of his government. It can but make him a better citizen and more proud than ever of his birthright. And every alien who comes to these shores should be taught the story, for nothing could do more toward fitting him for citizenship. It is a well recognized fact, that this country is no longer a melting pot in the sense that it was during the first 50 years of the life of the republic. During that time, the peoples who came from other countries were attracted here, in most part, through their desire to enjoy the blessings of freedom, liberty, and justice in a larger measure than was possible in their native lands. Upon their arrival they began to learn our language and to study our form of government. Their highest ambition was to become assimilated and to lose their distinctive foreign characteristics, as rapidly as possible. Their success produced the typical American.

In more recent years, however, there has been a great change, not only in the character of the peoples who have come here from other countries, but more so in their habits and customs after their arrival. Instead of casting off their old traditions and native characteristics, as their predecessors did, they have become congregated in distinctive groups, for the very purpose of perpetuating the same modes of life to which they were accustomed before they came to the United States.

They continue to speak and read their native languages, they make little or no effort to familiarize themselves with our form of government, and it goes without saying that their ignorance of it, inevitably, will breed unrest, prejudice, and discontent—fertile soil for the seed sown by agitators and apostles of change, who would supplant our time-tried institutions, with political vagaries and half-baked economic theories. The foreigner who understands the government of the United States will not become its enemy.

Through all the ages, humankind has struggled constantly against the tyranny of despots or the savagery of mobs. The American government was born out of the agonies and the aspirations of the oppressed, and consecrated to liberty, to equality, and to justice. It is a government for the people. Its institutions are enduring, its principles imperishable.

Governments derive their just power only from the consent of the governed—never from one man or nine men or 531 men, but from the whole people.

The American people for 150 years have been governed under a compact of specific and enumerated powers. This compact provides checks

and balances, against abuse of power by any one of the three departments of government.

Government in its best sense is the art of adjustment of the majorities and minorities in an organized society. The constitution of the United States is the finest document designed by the mind of man, to adjust minority and majority viewpoints, in a free republic.

Disregard of minorities in other countries, and in our own, has produced revolution and bloodshed throughout world history. Failure of statesmanship to adjust the minority and majority viewpoints in America gave us a tragic war between the states in 1861, after forty years of debate.

Today we have a conflict of view, which goes to the root of constitutional government itself.

Normal relationships among the three coordinate branches of the federal government have been almost destroyed.

Increased responsibilities of the executive branch, at the expense of the legislative, form one of the distinguishing characteristics of the new pattern of government. It represents a distinct departure from the American form of government prescribed by the constitution.

First excused under a plea of emergency, the extraordinary powers remain in effect, despite partisan assertions that recovery has been accomplished. The executive branch persists in its efforts to dominate the legislative and to appropriate its constitutional prerogatives.

Obliteration of the constitutional dividing lines, between coordinate branches, lays the foundation for a potential dictatorship. The destruction of the checks and balances in the division of powers is part of a movement toward centralized government.

Following are significant facts with respect to the increased executive authority:

Legislative power, far beyond any in the past, has been delegated to the executive branch of the government in more than a dozen important laws, virtually all of which, except as nullified by the supreme court, remain in effect.

Control of industry, agriculture and the monetary system have been attempted by executive agencies along lines uncharted by statute.

Delegation of legislative power to the executive has even invaded fields reserved to the states under the constitution.

The supreme court until recently has been emphatic in condemnation of the unrestricted delegation of legislative power in such instances as have reached a final adjudication.

Legislative and judicial powers as well have been delegated to regulatory agencies, commissions and bureaus, created or strengthened by laws enacted on the recommendation of the administration.

A huge new payroll, largely exempt from civil service and including many important officials for whom no Senate confirmation is required, has been established by executive authority.

New projects of an unprecedented character, visionary and impractical, have been entered upon, by the executive, without submission to congress.

Executive power has been used for experimentation with theories neither sanctioned by congress nor approved by authorities most competent to pass judgment.

The purpose of a separation of the powers of government is to prevent the exercise of autocratic authority by any single unit. The framers of the constitution thus sought to guard against too great a concentration of power. Through a system of checks and balances, it was intended that the three branches, the executive, legislative and judicial, each independent and with coordinate separate powers, should restrain excesses of authority by each of the other two branches. Thus the executive was given the power of appointment of judges and the right to veto acts of congress. The congress was authorized to enact the laws to be administered by the executive branch, to control the funds to be expended by executive agencies and to impeach either executive officials or judges. The judiciary had the right to pass on the constitutionality of laws enacted by congress and upon the legality of administrative acts of the executive branch.

It is difficult to draw hard and fast lines between the prerogatives of the separate divisions of government. Courts have upheld the delegation of legislative powers to the executive branch, when definite limitations are provided. The practice of delegating legislative power has steadily increased.

According to a report of a special committee on administrative law of the American Bar Association, published in July, 1936, there were 19 instances of the delegation of legislative power to executive officials in the first volume of the federal statutes covering a period of about ten years. Now, according to the committee, the federal statutes show about 1,500 separate instances where the power to write law has been transferred from congress to the executive branch of the government.

The committee of the American Bar Association summarizes recent findings of the supreme court, with respect to limitations imposed by the constitution on the delegation of legislative power as follows:

A. There must be an adequate definition of the subject to which the delegated power is addressed.

B. There must be adequate declaration of a "policy" or "standard" by Congress, to guide the exercise of the delegated power.

C. There must be a requirement of a finding, by the administrative agency, in the exercise of the authority delegated.

In general the American system of government requires determination of basic policies by the congress, a limited amount of administrative discretion being allowed to the executive branch, in actions taken under the authority of law.

Much of the so-called administrative law is, in fact, executive law, applied without the protection of judicial procedure and restraints. It is significant that all overlapping of the three coordinate branches of the government invariably results in greater power for the executive, at the expense of the legislative or judicial divisions.

Congress in the first instance delegates legislative power to the executive. The second step is a redelegation of legislative power by

the president through executive orders. Next, the officials to whom power is redelegated, issue administrative orders with the force of law.

Whatever the people may have been willing to accept for an emergency, they have given no mandate for a permanent breaking down of checks and balances which, if zealously guarded, will make dictatorship impossible. The sweeping delegation of legislative power to the executive clearly is in conflict with the constitutional system.

Centralization of the powers of government is changing the respective roles, prescribed by the constitution for the federal government and the states. The federal government is reaching for more power, at the expense of the state sovereignty. The trend involves a modification of the dual form of government, to the extent of an increase in the economic and social fields, in which the federal government is sovereign, and a narrowing of the scope of power of the states.

Centralized power is consistent with and encourages the European idea of a totalitarian state, which recognizes no sphere of individual life as immune from governmental authority. Only so long as the courts and the people remain firm against laws which break down the system of dual sovereignty and destroy other checks and balances of the constitution, the United States will be spared the sacrifice of democracy, for dictatorship.

One of the just causes of complaint against the tyranny of King George, as set forth in the Declaration of Independence was: "He has erected a multitude of new offices, and set hither swarms of officers, to harass our people and eat out their substance". Since that same condition exists today, have we not the same right, yea, the same duty to object?

The solution of our governmental problems, the secret of the maintenance of the checks and balances as determined by our fathers is simple. It is embodied in the first three words of our constitution, "*We, the people*". All of the benevolences of our government are bestowed upon *the people*. All of the powers of government are derived from *the people*. All of the responsibilities of government rest upon *the people*. "The People" is the aggregate of all the citizens of the United States. The attitude and the power of the people is good in direct proportion to the manner in which every person assumes his individual duty to his country and to his country's constitution.

Throughout the history of democratic governments, bureaucracy has been a lurking menace. By the term bureaucracy, is meant government by bureaus and commissions. The menace lies in an excessive multiplication of power, which results in official interference in the private affairs of individuals, and in the conduct of business. Bureaucracy involves the accumulation of power in the executive branch of the government, at the expense of the legislative branch. The issue of bureaucracy, in a broad sense, concerns the extent to which the government properly may apply its regulatory powers over the life and property of individuals.

For a decade last past, the executive branch of government has so dominated the legislative branch that the latter has sunk to probably

the lowest level in our history. Its independence and its initiative practically vanished. With few exceptions, hardly a bill or resolution which the executive opposed, was passed. Congress practically gave up. As has been well said, "The executive absorbed its power and to an unprecedented degree operated as though he owned it, as indeed he did".

The investigation of governmental departments is one of the basic functions of congress, the exercise of which is of great value to the nation, and without which there is no check upon waste, incompetence, or dishonesty.

John Stuart Mill states in his book on representative government:

"The proper office of a representative assembly is to *watch and control the government*; to throw the light of publicity on its acts, to compel a full exposition and justification of all of them which anyone considers questionable; to censure them if found condemnable, and if the men who compose the government abuse their trust, or fulfill it in a manner which conflicts with the deliberate sense of the nation, to expel them from office and either expressly or virtually appoint their successors."

No stronger condemnation of bureaucracy rule has come to my attention, than in the words of the Honorable Hatton W. Sumners, present member of congress from Texas, when he said on February 1, 1943, this very month, as follows:

"When you begin thinking, it becomes clear that we have been traveling away from the representative democracy toward centralized bureaucracy."

Sumners, who is chairman of the house judiciary committee, asserted that while Americans are fighting for democracy there are unmistakable signs that Americans back home are reawakening to the peril to democratic government in the United States.

"You can't see your sons and brothers go out to risk their lives for a set of principles without some impetus to think about where we ourselves are headed in relation to those principles", he said.

"We have been tapping the sources of state revenue and sending the revenue to Washington. Then Washington has been sending it back to the states—loaded down with federal power. That's the trick by which we are destroying our democracy. Thank God the people are beginning again to look at the labels on the handouts.

"Do I think there is real danger that our democracy may be destroyed? I don't think it, I know it. It is axiomatic that whoever controls the purse strings controls the government.

"You can see this same axiom working through the period of democratic progress. Beginning in the 13th century, when the kings and lords of England needed money they asked that the people send some representatives who could talk it over and kick in.

"But through a long period of time these outsiders kept increasing their power. How? By increasing the amount of money they contributed—and controlled.

"Finally, the former outsiders became the government. The house of

commons took all the power away from the king, and the house of lords continued to exist only by a sort of sufferance."

Sumners said that approximately 2½ million government appointees draw salaries of about 5 billion dollars a year, and added:

"Many appointees have the power to make rules that have the force of law. They have the power to construe the rules and to enforce them. Those are all the powers any king ever did have.

"The problem is so fundamental and so simple it is remarkable to me every one can't see it. We can't go in two opposite directions at the same time. Either we decentralize government or we have to make up our minds to be governed by the kind of government we are supposed to be opposed to.

"The law of cause and effect applies to government as to everything else. We can't do the things that inevitably cause destruction of democracy and then expect democracy to continue.

"Reestablishment and maintenance of our government as a democratic government is the most vital problem our country is facing. We are doing a good deal of fighting to preserve democracy—and we should not lose it at home.

"The fundamental reason why the trend toward centralization grows dangerously is that a federal government can't possibly function in the business of the states and do too much interference to private business which no government should touch, without ending up as a bureaucracy."

We are indebted to a celebrated son of Iowa for a lucid interpretation of the functions of the three departments of government. Mr. Justice Samuel F. Miller delivered the opinion of the Supreme Court of the United States, in the case of the United States vs. Lee, 106 U. S. 196. In this case the defendants were certain agents of the President of the United States. It appeared a descendant of Martha Washington had started an action to recover possession of the land, which is now the Arlington cemetery. The defendants were certain agents of the President of the United States, and had seized the land under certain claimed rights, arising from the failure of the owner to appear personally, and pay the taxes.

The legal questions included that of immunity of the defendants from suit, since they were acting for the President and the United States Government. The opinion by Justice Miller, in a certain clarity and forcefulness of expression, pointed out the supremacy of the law, and the binding force of its restrictions upon all citizens, from the highest to the lowest. He said:

"No man in this country is so high that he is above the law. No officer of the law may set that law at defiance, with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it.

"It is the only supreme power in our system of government, and every man who, by accepting office, participates in its functions, is only the more strongly bound to submit to the supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives.

"Courts of justice are established not only to decide upon the controverted rights of the citizens as against each other, but also upon rights in controversy between them and the government, and the docket of this court is crowded with controversies of the latter class.

"Shall it be said, in the face of all this, and of the acknowledged right of the judiciary to decide in proper cases, statutes which have been passed by both branches of congress and approved by the President, to be unconstitutional, that the courts cannot give remedy when the citizen has been deprived of his property by force, his estate seized and converted to the use of the government without any lawful authority, without any process of law and without any compensation, because the President has ordered it and his officers are in possession?

"If such be the law of this country, it sanctions a tyranny which has no existence in the monarchies of Europe, nor in any other government which has a just claim to well regulated liberty and the protection of personal rights.

"It cannot be, then, that when, in a suit between two citizens for the ownership of real estate, one of them has established his right to the possession of the property according to all the forms of judicial procedure, and by the verdict of a jury and the judgment of the court, the wrongful possessor can say successfully to the court: *'Stop here; I hold by order of the President, and the progress of justice must be stayed'*. That though the nature of the controversy is one peculiarly appropriate to the judicial function; though the United States is no party to the suit; though one of the three great branches of the government, to which by the Constitution this duty has been assigned, has declared its judgment after a fair trial, the unsuccessful party can interpose an absolute veto upon that judgment by the production of an order of the Secretary of War, which that officer had no more authority to make than the humblest private citizen."

Then in his concluding paragraphs, in a manner not equalled in quality even by a corresponding discussion in the *Federalist*, he pointed out the weakness and also the strength of the judicial department of the government:

"While by the Constitution the judicial department is recognized as one of the three great branches among which all the powers and functions of the government are distributed, it is inherently the weakest of them all.

"Dependent as its courts are for the enforcement of their judgments, upon officers appointed by the executive and removable at his pleasure, with no patronage and no control of purse or sword, *their power and influence rest solely upon the public sense of the necessity* for the existence of a tribunal to which all may appeal for the assertion and protection of rights guaranteed by the Constitution and by the laws of the land, and on the confidence reposed in the soundness of their decisions and the purity of their motives.

"From such a tribunal no well founded fear can be entertained of injustice to the government, or purpose to obstruct or diminish its just authority."



It is contrary to our scheme of government to place supreme power in the hands of a single individual, as has been done in European countries, where parliamentary bodies have become nonentities. Encroachment by the executive upon legislative prerogatives, in violation of the letter or even of the intent of the Constitution, smacks of autocracy and despotism. It is subversive of popular government.

While "our country and its institutions" should be the burden of every morning prayer and evening supplication, to the King of Kings, the only sovereignty that will be tolerated in the American republic is the sovereignty of law. This principle should be written in deathless letters above the portals of every abode of official power that stands within the territorial limits of the United States.

What I have said, are merely reminders of things you know. But repetition here is as important as repeating the Lord's prayer and the Sermon on the Mount.

Notwithstanding depressions and recessions and wars, we look at our own native land and see a free, united and mighty people, secure in their constitutional liberties, confident in their destiny and devoted to the great instrument, which is both the source and guardian of our happiness.

We have but recently celebrated the birthday of the immortal Lincoln; therefore, let us now "highly resolve" that we shall have "a new birth of freedom"; that we shall return to a government of law, enacted by *lawmakers* in the exercise of their constitutional authority as *law-makers*. THE GOVERNMENT OF THE PEOPLE, BY THE PEOPLE AND FOR THE PEOPLE. May it never perish from this earth.

#### REPORT OF SENATOR WHITEHILL ON COMMISSIONING OF BATTLESHIP "IOWA"

Senator Cromwell asked and received unanimous consent that the following remarks of Senator Whitehill be printed in the journal:

Your committee, consisting of Governor and Mrs. Hickenlooper, Adjutant General Grahl, J. R. Gardner, chairman of military affairs committee in the House, and myself as chairman of the Senate military affairs committee, were met promptly at 10:30 a. m. on the morning of February 22nd by Lieutenant Glad, representing the ship's commander, and conducted to the Brooklyn navy yard, where the ceremony of commissioning the great ship was to take place.

While winding through the streets of the navy yard, many strange sights met our eyes; massive cranes were unloading heavy equipment from great trucks and lowering it gently onto the decks of great boats tied up to the docks, and workmen were bustling about like busy ants. To our left, just before we reached our destination, we were shown the great French battleship, "The Richelieu", which had just completed a long, slow voyage from Dakar, to be repaired and thoroughly overhauled, ready to fight on the side of the Allies.

On arriving at the "Iowa", we were escorted up the huge gangplank, and were delightfully surprised to meet most of the Iowa congressional delegation, who, with their wives, had come up from Washington that morning. It seemed good to see the smiling faces of John Gwynne, Fred Gilchrist, Tom Martin, Ben Jensen, and also Charlie Hoeven, the youngest member of the delegation, who will be remembered by many of the Senators of this chamber.

The ceremony of commissioning the ship was short. Secretary of the Navy Knox read the official order from the Commander-in-Chief, Franklin D. Roosevelt, naming the "Iowa" as one of the ships of the United States Navy, under the command of Commander McCrea. That official immediately stepped forward, called the Captain of the deck, ordered the colors hoisted, and the flag was run up to the top amid to the strains of The Star Spangled Banner, played by the band. The next order was to "Man the Watch" and the officer of the watch was named, the bugle sounded, and down through the length of the ship we could hear the boatswain's whistles as the watches were placed.

Commander McCrea then read his speech of acceptance, which was addressed mainly to the officers and men of the crew who were lined up on the after deck, all within hearing distance. He stressed three particular points: first, that this must be a *clean* ship, second, that it must be a *smart* ship, meaning that every officer and man must be 100 per cent proficient in whatever job he was assigned to, and third, most important of all, it must be a *fighting* ship, and he expected every one on board to fight to the very last, in any engagement they were in.

The ship's Chaplain then gave a prayer and the Admiral of the navy yard followed with a short report of the building of the ship, dating back to when the keel was laid in August, 1940. He reported that the work was now seven months ahead of schedule.

This ended the official part of the ceremony, but Commander McCrea called on Secretary of the Navy Knox for a few remarks, and among other things, Secretary Knox said that no one knew when the ship would go to sea or where it would go, and we wouldn't tell you if we did know.

Governor Hickenlooper was then called on and gave a splendid talk, brief and to the point, stressing the interest that the people of Iowa were now taking and would take in the future of this great fighting ship, named after our commonwealth.

The meeting then broke up and we were introduced to many of the notables present, including Secretary of the Navy Knox; J. Pierpont Morgan, Franklin Roosevelt, Jr., and many admirals, some of whom are now retired. Among others was a very interesting officer who had spent seventeen years on the old battleship "Iowa".

We were then conducted to the commander's cabin where a buffet lunch was served, after which, under the guidance of Lieutenant Glad, we made a tour of the ship. He was very gracious and obliging to explain everything we could see, but under the strict navy censorship, could not tell us anything regarding many things that were held as a navy secret. We were not allowed inside the gun turrets or below the decks. The New York papers published nothing whatsoever regarding the com-

missioning, and though there was an army of photographers present during the ceremony, their pictures were mainly for navy records.

The ship is 840 feet in length, and 108 feet in width, has a double turret forward and a single turret aft, manning three 16-inch guns in each turret, and all over the ship, in every available space, are anti-aircraft guns pointing skyward.

The super-structure is so high that the top of it could not be completed until after the ship had been moved out below the Brooklyn bridge.

Listening devices have prominent places on the ship and are so powerful that they will pick up the noise of airplane motors long before they can be seen with the strongest telescopes.

Throughout the ship are many listening devices to detect the approach of submarines, capable of picking up the noise of their motors miles away and giving the exact direction from which the sound is approaching. Some of the hatches were open and we could look down 100 feet to the bottom of the ship. Down there were huge storage spaces for supplies, ammunition, repairs, etc., also huge refrigerated rooms that would hold supplies of provisions and meat for a year's cruise.

After we had completed our inspection of the ship, we watched Secretary Knox and his party depart amid the blare of bugles, and between lines of marines with guns at a present. We wandered to the very back part and then turned and looked forward over the entire length of the ship, and what a sight it was, and how thankful I was that I was one of those chosen to represent Iowa at that ceremony, and I want to express my deepest appreciation to you men of the Senate and House for this trip, the memory of which I shall always cherish. I was glad, as I walked those decks, that I was an Iowan, and that impression became stronger as we prepared to leave.

Our state of Iowa is probably as far from our coast line as any other state, yet the greatest fighting ship the world has ever known is named after our commonwealth and I hope that every one of its thousands of citizens will feel the same pride in its namesake that I did and will watch with the keenest interest in the days to come, her every maneuver, every salvo of her mighty guns and every turn of her helm, in her part of the great struggle for freedom and liberty throughout the world for a just and everlasting peace.

Before getting into our car, we all turned for one final look at the great monster, 45,000 tons of steel, fabricated into the greatest fighting machine that has ever sailed the sea and through my mind ran these lines:

Humanity, with all its fears,  
With all its hopes of future years,  
Is hanging breathless on thy fate.  
Sail on, nor fear to breast the sea,  
Our hearts, our hopes, are all with thee,  
Are all with thee.

### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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: House File 49.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 49.

### BILLS SENT TO THE GOVERNOR

Senator Reilly, 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 February, 1943, sent to the governor for his approval, Senate File 184.

ROBERT C. REILLY, *Chairman.*

Passed on file.

### PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present to the Senate a group of Cub Scouts from Den 4, Pack 42, City of Des Moines, who were present in the Senate chamber.

### REPORTS OF COMMITTEES

Senator Lynes submitted the following report:

**MR. PRESIDENT:** Your committee on dairying, to which was referred House File 235, a bill for an act to amend chapter one hundred thirty-four and one tenth (134.1), Code, 1939, relating to cold storage locker plants, begs leave to report it has had the same under consideration and recommends the same do pass.

J. K. LYNES, *Chairman.*

Ordered passed on file.

Senator Clark submitted the following report:

**MR. PRESIDENT:** Your committee on income tax reduction, to which was referred Senate File 272, a bill for an act to amend section 6943.040 relating to gross income in the personal income tax law, begs leave to report it has had the same under consideration and recommends the same do pass.

C. L. CLARK, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 315 by striking from line ten (10) thereof the words "in general, provided"; and inserting in lieu thereof the following: "or war production facilities in general, or for any other purpose, to the extent that".

Further amend the title by striking from line five (5) thereof the word "provided" and inserting in lieu thereof the following: "or war production facilities in general, or for any other purpose, to the extent that".  
STANLEY L. HART.

Amend Senate File 170 as follows: Strike sections 7, 8, 9 and 10.  
FRED CROMWELL.

On motion of Senator Hunt, the Senate adjourned in accordance with Senate Concurrent Resolution 15.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 8, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. Frank G. Bean, pastor of the Grace Methodist Episcopal church, Sioux City.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Vittetoe for the day on request of Senator Hart; Senator Fuller for the day on request of Senator Zastrow.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Findlay, from residents of Webster county, in opposition to proposed legislation relative to seasonal employees.

By Senator Bekman, from residents of Wapello county, in opposition to proposed legislation relative to seasonal employees.

By Senator Keir, from residents of Emmet county, in opposition to proposed legislation relative to seasonal employees.

By Senator Hill, from residents of Hamilton county, favoring the establishment of pensions and annuity retirement systems for employees other than policemen and firemen in cities and towns having a population of 1,000 or more.

By Senator Berg, from residents of Black Hawk county, favoring the establishment of pensions and annuity retirement systems for employees other than policemen and firemen in cities and towns having a population of 1,000 or more.

By Senator Reilly, from residents of Dubuque county, favoring adoption of the new school code.

Senator Pine asked and received unanimous consent that the following resolution be printed in the Journal:

## A RESOLUTION WITH REFERENCE TO THE DEVELOPMENT OF AIRPORTS IN THE STATE OF IOWA

*Whereas*, The development of airports in the State of Iowa is necessary in order to provide proper facilities for handling and promoting airborne commerce; and

*Whereas*, Under the existing Iowa law cities and towns are so limited in the amount of money they may expend as to make it impossible and impracticable to develop modern airports; and

*Whereas*, The State of Iowa has no Aeronautics Commission charged with the development of airports and aeronautical commerce;

*Now, Therefore Be It Resolved by the City Council of the City of Muscatine, Iowa:*

Section 1. That the attention of the governor of the state of Iowa, and the various members of the legislature of the State of Iowa be directed to the need for a state aeronautics commission charged with the promotion and development within the state of Iowa of aeronautical commerce and the facilities for handling planes engaged in such commerce. That it is the judgment of this city council that such a commission should be charged with developing a state plan for the purpose of promoting aeronautical commerce and that such a plan is necessary for the orderly development of ports and other facilities for the handling of such commerce.

Sec. 2. That the state of Iowa provide for the means of developing and financing an adequate system of ports and other facilities for the handling of aeronautical commerce, to the end that the state may keep abreast with other states in the development of aeronautical facilities.

Sec. 3. That the city recorder of the city of Muscatine, Iowa, is directed to furnish copies of this resolution to the governor of the state of Iowa and to members of the legislature representing Muscatine county, of the legislature now in session, and to such other members of the legislature as are interested in the matter of aeronautics.

Proposed and adopted this 18th day of February, 1943.

(Signed) R. E. DUNKER, Mayor.

Attest:

H. H. HANSON, City Recorder.

## 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 File 192 and House Files 37, 54, 27, 4, 57, 61 and Senate Files 325, 312, 309, 253 and 297.

STANLEY L. HART, Chairman.

## THIRD READING OF BILLS

On motion of Senator Evans, Senate File 192, a bill for an act to provide for the postponement of the issuance and publication

of a new code as provided for in section one hundred seventy (170), Code, 1939, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 39:**

Augustine	Findlay	Leo	Reilly
Bekman	Foster	Long	Schluter
Berg	Goode	Love	Shaw
Byers	Hart	Lynes	Sjulin
Clem	Harvey	Martin	Stewart
Cromwell	Henningsen	Mercer	Watson
Elthon	Hill	Miller	Whitehill
Emerson	Hunt	Mowry	Zastrow
Evans	Johnson	Pelzer	Zeigler
Faul	Jones	Pine	

**Nays, none.**

**Absent or not voting, 11:**

Benson	Fuller	Keir	Vittetoe
Clark	Hattery	Lundy	Vrba
Dykhouse	Hess	Turner	

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

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

On motion of Senator Hunt, House File 37, a bill for an act to repeal chapter two hundred forty-nine (249), Code, 1939, relating to registration of highway routes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hunt moved that the bill be read a third 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	Elthon	Henningsen	Love
Bekman	Emerson	Hill	Lynes
Benson	Evans	Hunt	Martin
Clark	Findlay	Jones	Mercer
Clem	Hart	Leo	Miller
Cromwell	Harvey	Long	Mowry



Pelzer	Schluter	Stewart	Whitehill
Pine	Shaw	Turner	Zastrow
Reilly	Sjulin	Watson	Zeigler

Nays, none.

Absent or not voting, 14:

Berg	Foster	Hess	Lundy
Byers	Fuller	Johnson	Vittetoe
Dykhouse	Goode	Keir	Vrba
Faul	Hattery		

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

On motion of Senator Clark, House File 54, a bill for an act to amend section one thousand seven hundred ninety-four and forty-five thousandths (1794.045), Code, 1939, relating to the closed season on frogs, was taken up and considered.

Senator Clark moved that the bill be read a third 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	Findlay	Leo	Reilly
Bekman	Foster	Long	Schluter
Benson	Goode	Love	Shaw
Byers	Hart	Lynes	Sjulin
Clark	Harvey	Martin	Stewart
Clem	Henningsen	Mercer	Turner
Cromwell	Hess	Miller	Watson
Elthon	Hunt	Mowry	Whitehill
Emerson	Johnson	Pelzer	Zastrow
Evans	Jones	Pine	Zeigler
Faul			

Nays, none.

Absent or not voting, 9:

Berg	Hattery	Keir	Vittetoe
Dykhouse	Hill	Lundy	Vrba
Fuller			

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

On motion of Senator Hunt, House File 27, a bill for an act to repeal chapter two hundred forty-three (243), Code, 1939, relating to the road maintenance patrol, was taken up and considered.

Senator Goode offered the following amendment and moved its adoption:

Amend House File 27 by adding thereto a new section as follows:

"Sec. 2. Section four thousand six hundred sixty (4660), Code, 1939, is amended by adding thereto the following:

'In addition to the above they shall specifically:

1. Keep all sluices, culverts, and bridges, and the openings thereof, and all side ditches of the road, free from obstructions;
2. Provide such side ditches with ample outlets;
3. Remove loose stones and other impediments from the traveled part of the highway;
4. Fill depressions and keep the road free from ruts, water pockets, and mud holes;
5. Repair the approaches to bridges and culverts and keep such approaches smooth and free from obstruction.'

Also amend the title by substituting in lieu thereof the following:

"An act to repeal chapter two hundred forty-three (243) and to amend section four thousand six hundred sixty (4660), all of the Code, 1939, relating to the maintenance and supervision of roads by county officers."

Senator Berg asked and received unanimous consent that action on House File 27 be deferred and that it retain its place on the calendar.

On motion of Senator Dykhouse, House File 4, a bill for an act to amend section four thousand four hundred eighty-seven and one-tenth (4487.1), Code of Iowa, 1939, relating to investment of permanent school funds, 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 4 by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. When any county has on hand permanent school funds, which in the opinion of its board of supervisors cannot be safely invested in real estate mortgages as provided by law, its board of supervisors may invest such funds in bonds of the United States, and said bonds shall be registered in the name of the county purchasing the same.

The interest chargeable by the comptroller to the county so investing any such funds, shall not exceed on such funds the rate of interest collected on the bonds purchased as herein provided, notwithstanding the provisions of section four thousand five hundred seven (4507).

The amendment was adopted.

Senator Dykhouse moved that the bill be read a third 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	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lynes	Stewart
Clark	Hattery	Martin	Turner
Clem	Henningsen	Mercer	Vrba
Cromwell	Hess	Miller	Watson
Dykhouse	Hill	Mowry	Whitehill
Elthon	Hunt	Pelzer	Zastrow
Emerson	Johnson	Pine	Zeigler
Evans	Jones		

Nays, none.

Absent or not voting, 4:

Faul	Fuller	Lundy	Vittetoe
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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 Dykhouse moved that the 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 Love, House File 57, a bill for an act to amend section six thousand one hundred and forty-five (6145), Code, 1939, providing for notice of election and time of holding election, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Love moved that the bill be read a third 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	Faul	Keir	Reilly
Bekman	Findlay	Leo	Schluter
Benson	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lynes	Stewart
Clark	Hattery	Martin	Turner
Clem	Henningsen	Mercer	Vrba
Cromwell	Hess	Miller	Watson
Dykhouse	Hill	Mowry	Whitehill
Elthon	Hunt	Pelzer	Zastrow
Emerson	Johnson	Pine	Zeigler
Evans	Jones		

Nays, none.

Absent or not voting, 4:

Foster	Fuller	Lundy	Vittetoe
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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 Clark, Senate File 325, a bill for an act to extend the provisions of Senate File one hundred fifty-seven (157), acts of the Fiftieth General Assembly, to individual income tax payers asking a return on a fiscal year basis, was taken up and considered.

Senator Clark offered the following amendment and moved its adoption:

Amend Senate File 325 by adding the following as section 2:

"This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Times Republican, a newspaper published at Corydon, Iowa, and the Seymour Herald, a newspaper published at Seymour, Iowa.

The amendment was adopted.

Senator Clark moved that the bill be read a third 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	Evans	Jones	Pine
Bekman	Findlay	Keir	Reilly
Benson	Goode	Leo	Schluter
Berg	Hart	Long	Shaw
Byers	Harvey	Love	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Cromwell	Hess	Mercer	Vrba
Dykhouse	Hill	Miller	Watson
Elthon	Hunt	Mowry	Whitehill
Emerson	Johnson	Pelzer	Zeigler

Nays, none.

Absent or not voting, 6:

Faul	Fuller	Vittetoe	Zastrow
Foster	Lundy		

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

On motion of Senator Bekman, Senate File 312, a bill for an act to preserve state aid to county and district fair societies who do not hold fairs or file reports during and by reason of the war emergency, 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, 42:

Augustine	Faul	Keir	Pine
Bekman	Findlay	Leo	Reilly
Benson	Goode	Long	Schluter
Berg	Hart	Love	Shaw
Byers	Harvey	Lynes	Sjulin
Clark	Hattery	Martin	Stewart
Clem	Henningsen	Mercer	Turner
Cromwell	Hess	Miller	Vrba
Elthon	Hill	Mowry	Watson
Emerson	Johnson	Pelzer	Zeigler
Evans	Jones		

Nays, none.

Absent or not voting, 8:

Dykhouse	Fuller	Lundy	Whitehill
Foster	Hunt	Vittetoe	Zastrow

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 Miller, Senate File 309, a bill for an act to legalize the proceedings by the board of supervisors of Guthrie county, Iowa, in submitting to the voters of said county at the general election on November 3rd, nineteen hundred forty-two (1942) the question of increasing the membership of the board of supervisors of said county from three (3) to five (5) and the said election, was taken up and considered.

Senator Miller moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 43:

Augustine	Faul	Keir	Schluter
Bekman	Findlay	Leo	Shaw
Benson	Goode	Long	Sjulin
Berg	Hart	Love	Stewart
Byers	Harvey	Lynes	Turner
Clark	Hattery	Martin	Vrba
Clem	Henningsen	Miller	Watson
Cromwell	Hess	Mowry	Whitehill
Dykhouse	Hill	Pelzer	Zastrow
Emerson	Johnson	Pine	Zeigler
Evans	Jones	Reilly	

Nays, none.

Absent or not voting, 7:

Elthon	Fuller	Lundy	Vittetoe
Foster	Hunt	Mercer	

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

On motion of Senator Bekman, Senate File 253, 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 renewed articles of incorporation of the Saul-Edmund Furniture Company and to provide for the renewal of the charter of said company, 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, 43:

Augustine	Faul	Jones	Schluter
Bekman	Findlay	Keir	Shaw
Benson	Goode	Leo	Sjulin
Berg	Hart	Love	Stewart
Byers	Harvey	Lynes	Turner
Clark	Hattery	Martin	Vrba
Clem	Henningsen	Mercer	Watson
Cromwell	Hess	Miller	Whitehill
Dykhause	Hill	Pelzer	Zastrow
Elthon	Hunt	Pine	Zeigler
Evans	Johnson	Reilly	

Nays, none.

Absent or not voting, 7:

Emerson	Fuller	Lundy	Vittetoe
Foster	Long	Mowry	

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 Faul, Senate File 297, a bill for an act making an appropriation for the purpose of aiding in defraying the expenses of a national encampment of the Grand Army of the

Republic to be held in this state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Paul moved that the bill be read a third 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	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lynes	Stewart
Clark	Hattery	Martin	Turner
Clem	Henningsen	Mercer	Vrba
Cromwell	Hess	Miller	Watson
Dykhouse	Hill	Mowry	Whitehill
Elthon	Hunt	Pelzer	Zastrow
Evans	Johnson	Pine	Zeigler
Faul	Jones		

Nays, none.

**Absent or not voting, 4:**

Emerson	Fuller	Lundy	Vittetoe
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The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Johnson, Senate File 293, 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 appropriations committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Goode offered the following amendment and moved its adoption:

Amend section one (1) by striking the words "Primary Road" in line 2 and inserting in lieu thereof the word "General".

Also amend section two (2), line 5 by striking the words "Primary Road" and inserting in lieu thereof the word "General".

The amendment was adopted.

Senator Johnson moved that the bill be read a third 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	Findlay	Long	Schluter
Benson	Goode	Love	Shaw
Berg	Hart	Lynes	Sjulin
Byers	Harvey	Martin	Stewart
Clark	Hess	Mercer	Turner
Clem	Hunt	Miller	Vrba
Cromwell	Johnson	Mowry	Watson
Dykhouse	Jones	Pelzer	Whitehill
Elthon	Keir	Pine	Zastrow
Evans	Leo	Reilly	Zeigler

**Nays, none.**

**Absent or not voting, 10:**

Bekman	Foster	Henningsen	Lundy
Emerson	Fuller	Hill	Vittetoe
Faul	Hattery		

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

On motion of Senator Johnson, Senate File 294, a bill for an act to make appropriations to M. D. Synhorst, Orange City, Iowa; James Babcock, Drakesville, Iowa; Esther Deahl, Centerville, Iowa; Ben Brasser, Cherokee, Iowa; Dr. James McKenzie, Baxter, Iowa; M. W. Ellis, receiver of the American Trust and Savings Bank, LeMars, Iowa, with report of appropriations committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Johnson asked and received unanimous consent that action be deferred on Senate File 294 and that it retain its place on the calendar.

On motion of Senator Johnson, Senate File 302, 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 appropriations committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Goode offered the following amendment and moved its adoption:

Amend section one (1), line 2 by striking the words "Primary Road" and inserting in lieu thereof the word "General".



Also amend section two (2), line 5 by striking the words "Primary Road" and inserting in lieu thereof the word "General".

The amendment was adopted.

Senator Johnson moved that the bill be read a third 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	Goode	Leo	Reilly
Bekman	Hart	Long	Schluter
Benson	Harvey	Love	Sjulin
Berg	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vrba
Cromwell	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Findlay	Jones	Pine	Zeigler
Foster	Keir		

Nays, none.

Absent or not voting, 8:

Byers	Elthon	Fuller	Shaw
Dykhouse	Faul	Lundy	Vittetoe

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

On motion of Senator Johnson, Senate File 303, a bill for an act to make appropriations to Foster Funeral Home, Webster City, Iowa; W. O. Carson Funeral Home, Essex, Iowa; Robert & Evans, Funeral Directors, Knoxville, Iowa, with report of appropriations committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Johnson moved that the bill be read a third 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	Elthon	Harvey	Leo
Bekman	Emerson	Hattery	Love
Benson	Evans	Henningsen	Lynes
Berg	Faul	Hess	Mercer
Clark	Findlay	Hill	Miller
Clem	Foster	Hunt	Mowry
Cromwell	Goode	Johnson	Pelzer
Dykhouse	Hart	Keir	Pine

Reilly  
Schluter  
Shaw

Sjulin  
Stewart  
Turner

Vrba  
Watson  
Whitehill

Zastrow  
Zeigler

Nays, none.

Absent or not voting, 7:

Byers  
Fuller

Jones  
Long

Lundy  
Martin

Vittetoe

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

On motion of Senator Johnson, Senate File 304, a bill for an act to make appropriations to Mrs. Anna Clark, Des Moines, Iowa; John R. Gardner, Lisbon, Iowa; Herman W. Walters, Council Bluffs, Iowa; F. J. Pine, Columbus Junction, Iowa; Sanford Zeigler, Jr., Fairfield, Iowa; B. C. Whitehill, Marshalltown, Iowa; J. Kendall Lynes, Plainfield, Iowa, with report of appropriations committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Johnson moved that the bill be read a third 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  
Benson  
Berg  
Byers  
Clark  
Cromwell  
Dykhouse  
Elthon  
Emerson  
Evans

Findlay  
Foster  
Hart  
Harvey  
Hattery  
Henningsen  
Hess  
Hill  
Johnson  
Jones

Keir  
Leo  
Long  
Love  
Martin  
Mercer  
Miller  
Mowry  
Pelzer

Reilly  
Schluter  
Shaw  
Sjulin  
Stewart  
Turner  
Vrba  
Watson  
Zastrow

Nays, none.

Absent or not voting, 12:

Bekman  
Clem  
Faul

Fuller  
Goode  
Hunt

Lundy  
Lynes  
Pine

Vittetoe  
Whitehill  
Zeigler

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

#### COMMITTEE TO PREPARE MEMORIAL RESOLUTION

Senator Pelzer moved that a committee of three be appointed to prepare a suitable resolution commemorating the life of Senator Charles D. Booth, which motion prevailed.

## PROOF OF PUBLICATION

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

Senate File 309, a proposed bill to legalize the proceedings of the board of supervisors of Guthrie county in submitting to the voters the question of increasing the membership of the board.

W. J. SCARBOROUGH, *Secretary*.

## BILL SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on February 27th he had approved the following bill:

Senate File 184, relating to the legal method of handling beaver property damage.

## EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

## REPORT OF THE SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

House Files 114, 14, 81, 47 and 53; Senate Files 217, 289, 165, 296, 326, 307; House File 217; Senate Files 305, 249 and 102.

STANLEY L. HART, *Chairman*.

## REPORTS OF COMMITTEES

Senator Evans submitted the following report:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 317, 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.

K. A. EVANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 318, a bill for an act to make appropriations to

A. J. Evans, undertaker, Knoxville, Iowa; Johnson Brothers, undertakers, Lisbon, Iowa; Watts Funeral Service, Murray, Iowa; McGregor Brothers & Coens, undertakers, Creston, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred House File 361, a bill for an act to appropriate from the general fund and from institutional industries of the state of Iowa for the biennium beginning July 1, 1943, and ending June 30, 1945, to the board of control for support of the institutions under said board of control, 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.

On Motion of Senator Hunt, the Senate adjourned until 10:00 a. m. Tuesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 9, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. Frank Jacobs, pastor of the Methodist church of Osceola.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Findlay, from residents of Webster county, in opposition to proposed legislation relative to seasonal employees.

By Senator Clem, from residents of Woodbury county, in opposition to proposed legislation relative to seasonal employees.

By Senator Harvey, from residents of Crawford county, favoring adoption of the new school code.

By Senator Martin, from farmer residents of Scott county, favoring a return to central standard time.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Lundy for the day on request of Senator Clark.

## INTRODUCTION OF BILLS

Senate File 327, by committee on judiciary 2, a bill for an act to clarify various amendments of the Forty-ninth (49th) General Assembly to the statutes relating to old-age assistance.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 328, by committee on judiciary 2, a bill for an act to amend sections four thousand seven hundred fifty-three and seventeen hundredths (4753.17) and four thousand seven hundred fifty-six (4756), Code, 1939, relating to secondary road bonds.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 329, by committee on judiciary 2, 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 Swedish Mutual Insurance Association of Polk County, Iowa, and to provide for the renewal of the charter of said Swedish Mutual Insurance Association of Polk County.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 330, by committee on judiciary 2, a bill for an act to legalize proceedings of the city of Burlington, Iowa, with respect to the acquisition by said city of a municipal water works plant and system and the issuance of revenue bonds to pay for same, and providing for the creation of a board of water commissioners to manage and control the operation of such system.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 331, by committee on judiciary 2, a bill for an act to amend, revise and codify the statutes relating to the debt limitation of counties or other political or municipal corporations.

Read first and second times, is ready for commitment and amendment, 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 indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 65, a bill for an act relating to the terms of office of county officers.

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

House File 325, a bill for an act relating to the compensation of certain county officials.

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

House Concurrent Resolution 23 extending an invitation to former

President Herbert Hoover to address a joint convention of the Fiftieth General Assembly on March 15. A. C. GUSTAFSON, *Chief Clerk*.

### HOUSE CONCURRENT RESOLUTION 23

*Whereas*, The Hon. Herbert Hoover, a native of Iowa and the only living ex-president of the United States, will be in Des Moines on March 15th,

*Now Therefore, Be It Resolved By The House, The Senate Concurring*: That a joint convention of the General Assembly be held at 11:00 a. m., March 15th, and that an invitation be extended to the Hon. Herbert Hoover to address this joint convention, and

*Be It Further Resolved*, That the President of the Senate and the Speaker of the House be directed to extend this invitation.

### HOUSE MESSAGES CONSIDERED

House File 325, a bill for an act to provide for increases in compensation for certain public officers and employees in counties and subdivisions thereof during the period from January 1st, 1943, to June 30th, 1945.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senator Emerson asked and received unanimous consent to take up the following concurrent resolution:

### HOUSE CONCURRENT RESOLUTION 23

*Whereas*, The Hon. Herbert Hoover, a native of Iowa and the only living ex-president of the United States, will be in Des Moines on March 15th,

*Now Therefore, Be It Resolved by the House, the Senate Concurring*: That a joint convention of the General Assembly be held at 11:00 a. m., March 15th, and that an invitation be extended to the Hon. Herbert Hoover to address this joint convention, and

*Be It Further Resolved*, That the President of the Senate and the Speaker of the House be directed to extend this invitation.

Senator Emerson moved that the resolution be adopted, which motion prevailed and the resolution was adopted.

Senator Faul offered the following resolution and moved its adoption:

### SENATE RESOLUTION 3

*Whereas*, Seat number 52 in the press gallery, regularly occupied by Cliff Millen, veteran Senate correspondent for the Des Moines Tribune

and one hundred per cent accurate political forecaster, is vacant as a result of his confinement to his bed by reason of affliction with parotitis, a specific infectious febrile disease characterized by a nonsuppurative inflammation of the parotid and sometimes other salivary glands, the same being a disease known to common folks as mumps, and

*Whereas*, Medical anticipation indicates that he will be absent for a period of ten days, and

*Whereas*, The atmosphere of the Senate is perceptibly not the same in the absence of his genial personality, smiling face and ready wit, and

*Whereas*, Since he has consistently been a source of cheer to us, especially when his typewriter taps out nice words about us which are published in the newspapers, and

*Whereas*, This body, in recognition of the unfortunate absence of our friend and to assure him that he is missed by all the members of the Senate, desires to make a formal expression of sentiment, therefore

*Be It Resolved by the Senate*: That our generous sympathy be extended to him, together with the hope that he may speedily recover and return to his accustomed place in the chamber.

*Be It Further Resolved*: That in order to preserve the purity and untainted character of seat 52 during his absence, all other members of the press are hereby prohibited from occupying the same.

*Be It Further Resolved*: That an enrolled copy of this resolution be forthwith transmitted to Mr. Millen.

The motion prevailed and the resolution was adopted.

### UNFINISHED BUSINESS

On motion of Senator Johnson, the Senate resumed consideration of Senate File 294, a bill for an act to make appropriations to M. D. Synhorst, Orange City, Iowa; James Babcock, Drakesville, Iowa; Esther Deahl, Centerville, Iowa; Ben Brasser, Cherokee, Iowa; Dr. James McKenzie, Baxter, Iowa; M. W. Ellis, receiver of the American Trust and Savings Bank, LeMars, Iowa.

Senator Johnson moved that the bill be read a third 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	Emerson	Hess	Lynes
Bekman	Evans	Hill	Martin
Benson	Faul	Hunt	Miller
Berg	Findlay	Johnson	Mowry
Clark	Foster	Jones	Pelzer
Clem	Fuller	Keir	Pine
Cromwell	Goode	Leo	Reilly
Dykhouse	Harvey	Long	Schluter
Elthon	Hattery	Love	Shaw



Sjulin  
Stewart  
Turner

Vittetoe  
Vrba

Watson  
Whitehill

Zastrow  
Zeigler

Nays, none.

Absent or not voting, 5:

Byers  
Hart

Henningsen

Lundy

Mercer

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

On motion of Senator Hattery, the Senate resumed consideration of House File 27, a bill for an act to repeal chapter two hundred forty-three (243), Code, 1939, relating to the road maintenance patrol, and the following amendment by Senator Goode:

Amend House File 27 by adding thereto a new section as follows:

"Sec. 2. Section four thousand six hundred sixty (4660), Code, 1939, is amended by adding thereto the following:

'In addition to the above they shall specifically:

1. Keep all sluices, culverts, and bridges, and the openings thereof, and all side ditches of the road, free from obstructions;
2. Provide such side ditches with ample outlets;
3. Remove loose stones and other impediments from the traveled part of the highway;
4. Fill depressions and keep the road free from ruts, water pockets, and mud holes;
5. Repair the approaches to bridges and culverts and keep such approaches smooth and free from obstruction.'

Also amend the title by substituting in lieu thereof the following:

"An act to repeal chapter two hundred forty-three (243) and to amend section four thousand six hundred sixty (4660), all of the Code, 1939, relating to the maintenance and supervision of roads by county officers."

The amendment was adopted.

Senator Hattery moved that the bill be read a third 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  
Benson  
Berg  
Clark  
Clem  
Cromwell  
Dykhouse

Emerson  
Evans  
Faul  
Findlay  
Fuller  
Goode  
Hart  
Harvey

Hattery  
Henningsen  
Hess  
Hill  
Hunt  
Johnson  
Jones  
Leo

Long  
Love  
Lynes  
Martin  
Mercer  
Miller  
Mowry  
Pelzer

Pine  
Schluter  
Shaw

Sjulin  
Stewart  
Turner

Vittetoe  
Vrba  
Watson

Whitehill  
Zastrow  
Zeigler

Nays, none.

Absent or not voting, 6:

Byers  
Elthon

Foster  
Keir

Lundy

Reilly

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

### THIRD READING OF BILLS

On motion of Senator Johnson, Senate File 317, 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 appropriations committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Johnson offered the following amendment and moved its adoption:

Amend Senate File 317 as follows:

Amend section one (1), line 2 by striking the words "Primary Road" and inserting in lieu thereof the word "General".

Also amend section two (2), line 5 by striking the words "Primary Road" and inserting in lieu thereof the word "General".

The amendment was adopted.

Senator Johnson moved that the bill be read a third 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  
Bekman  
Benson  
Berg  
Clark  
Clem  
Cromwell  
Dykhouse  
Emerson  
Evans

Faul  
Findlay  
Goode  
Hart  
Harvey  
Hattery  
Henningesen  
Hess  
Hunt  
Johnson

Leo  
Long  
Lynes  
Martin  
Mercer  
Miller  
Mowry  
Pelzer  
Pine  
Reilly

Schluter  
Sjulin  
Stewart  
Turner  
Vittetoe  
Vrba  
Watson  
Whitehill  
Zastrow  
Zeigler

Nays, none.

Absent or not voting, 10:

Byers	Fuller	Keir	Lundy
Elthon	Hill	Love	Shaw
Foster	Jones		

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

Senator Watson took the chair at 10:54 a. m.

On motion of Senator Johnson, Senate File 318, a bill for an act to make appropriations to A. J. Evans, undertaker, Knoxville, Iowa; Johnson Brothers, undertakers, Lisbon, Iowa; Watts Funeral Service, Murray, Iowa; McGregor Brothers & Coens, undertakers, Creston, Iowa, with report of appropriations committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Johnson moved that the bill be read a third 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	Findlay	Johnson	Schluter
Benson	Foster	Leo	Shaw
Clark	Fuller	Long	Sjulin
Clem	Goode	Lynes	Stewart
Cromwell	Hart	Martin	Turner
Dykhouse	Harvey	Mercer	Vittetoe
Elthon	Hattery	Miller	Watson
Emerson	Henningsen	Pelzer	Whitehill
Evans	Hess	Pine	Zeigler
Faul	Hill		

Nays, none.

Absent or not voting, 12:

Bekman	Hunt	Love	Reilly
Berg	Jones	Lundy	Vrba
Byers	Keir	Mowry	Zastrow

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

On motion of Senator Whitehill, House File 361, a bill for an act to appropriate from the general fund and from institutional industries of the state of Iowa for the biennium beginning July 1, 1943, and ending June 30, 1945, to the board of control for support of the institutions under said board of control, with

report of committee recommending 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, 40:**

Bekman	Faul	Johnson	Schluter
Benson	Findlay	Leo	Shaw
Berg	Fuller	Long	Sjulin
Clark	Goode	Lynes	Stewart
Clem	Hart	Martin	Turner
Cromwell	Harvey	Mercer	Vittetoe
Dykhouse	Hattery	Miller	Watson
Elthon	Henningsen	Mowry	Whitehill
Emerson	Hess	Pelzer	Zastrow
Evans	Hill	Pine	Zeigler

**Nays, none.**

**Absent or not voting, 10:**

Augustine	Hunt	Love	Reilly
Byers	Jones	Lundy	Vrba
Foster	Keir		

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

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

On motion of Senator Bekman, House File 114, a bill for an act to amend section eleven thousand eight hundred ninety (11890), Code, 1939, relating to the notice of the appointment of executors and administrators, 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, 41:**

Augustine	Cromwell	Findlay	Hess
Bekman	Dykhouse	Fuller	Hill
Benson	Elthon	Hart	Johnson
Berg	Emerson	Harvey	Leo
Clark	Evans	Hattery	Long
Clem	Faul	Henningsen	Lynes

Martin  
Mercer  
Miller  
Mowry  
Pelzer

Pine  
Reilly  
Schluter  
Shaw

Sjulin  
Stewart  
Turner  
Vittetoe

Watson  
Whitehill  
Zastrow  
Zeigler

Nays, none.

Absent or not voting, 9:

Byers  
Foster  
Goode

Hunt  
Jones

Keir  
Love

Lundy  
Vrba

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

On motion of Senator Elthon, House File 14, a bill for an act to amend chapter three hundred forty-five (345), Code, 1939, to establish a state institution fund in each county, to provide for the levy of taxes for said fund, the determination of the amount of said levy and the disbursement of said fund in discharge of expenses incurred by counties in maintaining patients, including cost of commitment and transportation of patients, at Mount Pleasant State Hospital for the Insane, Independence State Hospital for the Insane, Clarinda State Hospital for the Insane, Cherokee State Hospital for the Insane, the State Sanitorium for the treatment of Tuberculosis at Oakdale, the Glenwood State School for the Feeble-minded, the Hospital for Epileptics and School for Feeble-minded at Woodward, the Iowa Juvenile Home at Toledo, the Iowa Soldiers' Orphans Home at Davenport, the School for the Blind at Vinton, the School for the Deaf at Council Bluffs and the State Psychopathic Hospital at Iowa City, and to amend sections three thousand four hundred six (3406), three thousand four hundred eighty-two and twenty-one hundredths (3482.21), three thousand six hundred one (3601), three thousand seven hundred three (3703), three thousand seven hundred twenty (3720), four thousand seventy-four (4074), Code, 1939; and to repeal sections three thousand four hundred seventy-seven and seven tenths (3477.7), three thousand six hundred three (3603), Code, 1939, and to enact substitutes therefor; all relating to the payment of the expenses of maintaining persons at county expense in such state institutions and to provide that said costs shall be paid from the state institution fund herein created, was taken up and considered.

Senator Bekman offered the following amendment and moved its adoption:

Amend House File 14 as follows:

1. By inserting in line twelve (12) of section one (1) after the word "Oakdale" the following, "or any similar tuberculosis institution established and maintained by any county under the provisions of chapter 189.6, Code, 1931,";

2. By adding thereto a new section as follows:

"Sec. 10. Section three thousand eight hundred twenty-eight and one hundred twenty-eight thousandths (3828.128), Code, 1939, is hereby amended by striking the word 'poor' in line two (2) and inserting in lieu thereof the words 'state institution'."

Senator Bekman asked and received unanimous consent to correct the error at the end of paragraph 1 of the amendment to read "1939" instead of "1931".

The amendment as corrected was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend House File 14 by striking section two (2) and renumbering the following sections.

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend House File 14 by striking from line 20 of section one (1) the words "general county" and inserting in lieu thereof the words "county general".

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, 38:

Augustine	Foster	Leo	Sjulin
Bekman	Fuller	Lynes	Stewart
Benson	Goode	Martin	Turner
Berg	Hart	Mowry	Vittetoe
Clark	Harvey	Pelzer	Vrba
Clem	Hattery	Pine	Watson
Cromwell	Henningsen	Reilly	Whitehill
Elthon	Hill	Schluter	Zastrow
Emerson	Hunt	Shaw	Zeigler
Findlay	Jones		

Nays, 2:

Faul	Long
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Absent or not voting, 10:

Byers	Hess	Love	Mercer
Dykhouse	Johnson	Lundy	Miller
Evans	Keir		

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

Senator Cromwell asked and received unanimous consent to correct the title by striking the words and figures "three thousand four hundred and six (3406)".

Senator Bekman offered the following amendment to the title and moved its adoption:

Amend the title to House File 14 by inserting after the word "Oakdale" in line twelve (12) the following, "or any similar tuberculosis institution established and maintained by any county under provision of law"; also; by inserting in line twenty-three (23) after the comma (,) the following, "three thousand eight hundred twenty-eight and one hundred twenty-eight thousandths (3828.128)".

The amendment was adopted.

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 Blue took the chair at 11:30 a. m.

On motion of Senator Faul, House File 81, a bill for an act to amend section six thousand nine hundred forty-three and one hundred forty-three thousandths (6943.143), Code, 1939, relating to securing the benefits of homestead exemption credits for and on behalf of persons receiving old age assistance under chapter one hundred eighty-nine and one-tenth (189.1), 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	Clem	Evans	Goode
Bekman	Cromwell	Faul	Hart
Benson	Dykhouse	Findlay	Harvey
Berg	Elthon	Foster	Hattery
Clark	Emerson	Fuller	Henningsen

Hill	Lynes	Pine	Vittetoe
Hunt	Martin	Reilly	Vrba
Jones	Mercer	Schluter	Watson
Keir	Miller	Shaw	Whitehill
Leo	Mowry	Sjulin	Zastrow
Long	Pelzer	Stewart	Zeigler
Love			

Nays, none.

Absent or not voting, 5:

Byers	Johnson	Lundy	Turner
Hess			

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 Dykhouse, House File 47, a bill for an act to amend section one thousand seven hundred ninety-four and seventy-four thousandths (1794.074), Code, 1939, relating to the kinds of fish that may be taken by commercial fishermen, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhouse moved that the bill be read a third 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	Faul	Keir	Reilly
Bekman	Findlay	Leo	Schluter
Benson	Foster	Long	Shaw
Berg	Fuller	Love	Sjulin
Clark	Goode	Lynes	Stewart
Clem	Hart	Martin	Vittetoe
Cromwell	Harvey	Mercer	Vrba
Dykhouse	Henningsen	Miller	Watson
Elthon	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Evans	Jones	Pine	Zeigler

Nays, none.

Absent or not voting, 6:

Byers	Hess	Lundy	Turner
Hattery	Johnson		

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

On motion of Senator Bekman, House File 53, a bill for an act



to amend section three thousand seven hundred eighty-six (3786), Code, 1939, relating to the powers of the state board of parole to parole persons after committment to state penal institutions, 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.

The President announced that Senator Cromwell had left a written request at the desk to be recorded as voting "aye" on House File 53.

The request was granted.

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

Ayes, 44:

Augustine	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Sjulin
Clark	Hart	Lynes	Stewart
Clem	Harvey	Martin	Turner
Cromwell	Hattery	Mercer	Vittetoe
Dykhouse	Henningsen	Miller	Vrba
Elthon	Hill	Mowry	Watson
Evans	Hunt	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler

Nays, none.

Absent or not voting, 6:

Byers	Hess	Lundy	Whitehill
Emerson	Johnson		

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 Hattery, Senate File 217, a bill for an act to amend chapter two hundred fifty-one and one-tenth (251.1), Code, 1939, section five thousand one and eighteen hundredths (5001.18) of said chapter, Code, 1939, and section five thousand twelve and five hundredths (5012.05) of said chapter, Code, 1939, relating to the re-assignment of registration plates, the issuance of distinctive emblems in place of new registration plates and providing for the display of said emblems, and approving such emblems heretofore issued, was taken up and considered.

Senator Hattery moved that the bill be read a third 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	Goode	Leo	Schluter
Bekman	Hart	Long	Shaw
Benson	Harvey	Love	Sjulin
Berg	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Elthon	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
Faul	Johnson	Pelzer	Zastrow
Findlay	Jones	Pine	Zeigler
Foster	Keir	Reilly	

**Nays, none.**

**Absent or not voting, 7:**

Byers	Dykhouse	Fuller	Vrba
Cromwell	Emerson	Lundy	

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

#### BILL RECALLED FROM THE HOUSE

Senator Hill moved that the Senate recall House File 4 from the House, for the purpose of correcting the Senate amendment to the bill, which motion prevailed.

The Secretary announced that House File 4 had been returned to the Senate.

#### BILL REREFERRED TO COMMITTEE

Senator Mowry asked and received unanimous consent that Senate File 180 be rereferred to the committee on departmental affairs.

#### PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present to the Senate a group of students from Jefferson school, Des Moines, who were present in the balcony.

Senator Mowry asked and received unanimous consent to present to the Senate the civil government class from the Sully high school, who were present in the balcony.

Senator Mowry moved that the following report by Senator Cromwell be printed in the Journal, which motion prevailed:

REPORT OF ANNUAL MEETING OF COUNCIL OF  
STATE GOVERNMENTS

MR. PRESIDENT AND MEMBERS OF THE SENATE: I wish to submit the following as a report of the sixth annual meeting of the Council of State Governments at Baltimore, Maryland, in January of this year, attended by five delegates from the state of Iowa, including W. G. C. Bagley, treasurer of state and personal representative of the governor; John M. Rankin, attorney general; Prof. C. A. Iverson, of the dairy industry department of Iowa State College; C. F. Shimanek, member of the House of Representatives; and myself, as delegate from the Senate. Mr. J. C. Pryor, president of the National Conference of Commissioners on Uniform State Laws, a member, ex-officio, of the board of governors of the Council of State Governments, of Iowa, likewise was present. Forty-seven other states sent delegations from one to twelve in number.

The delegation met in Chicago and traveled to Baltimore together. They were joined by Capt. Edwin L. Hicklin, former member of the Senate, going to Washington, D. C., on his first assignment.

We arrived in Baltimore Sunday morning and registered at the meeting, held at Hotel Emerson. Before the session convened at eight o'clock in the evening the delegation was taken on an excursion across Chesapeake Bay. En route we saw the large shipbuilding yards, under management of the Bethlehem Steel Corporation, now producing Liberty ships for the United States government at the rate of three ships per week.

The host of the assembly was Governor Herbert R. O'Connor, of Maryland, who proved to be gracious and hospitable. The keynote address was given by Governor O'Connor. He brought out the part the Council of State Governments had played in the early formative stages of the war preparation, including the council's assistance in launching the selective service program and other measures, such as the adjustment of interstate boundary regulations in the transportation of vital materials of war. Governor O'Connor likewise outlined generally the part the states would have to take in cooperating with the federal program in facilitating the war effort.

The program for the two-day session included meetings in the morning, afternoon, and evening, of Monday and Tuesday respectively. As a resume of the program, Under Secretary of War Robert P. Patterson talked on Sunday evening. Monday morning United States Senator James E. Murray, of Montana, chairman of the special committee on small business, discussed the problem of small business in wartime. Monday afternoon Governor John Bricker, of Ohio, introduced the open panel on the war program, including Donald M. Nelson, chairman of the war production board; Wm. Jeffers, rubber administrator; Dean James N. Landis, United States director of civilian defense; Joseph B. Eastman, transportation director; and former Governor Paul V. McNutt, chairman of the war manpower commission. On Monday evening, at the council banquet, John J. Winant, United States Ambassador to Great

Britain, gave the main address. He was followed by Governor Harold E. Stassen, of Minnesota, who talked on the plan for peace.

Tuesday morning, Hon. Everett Lee De Golyer, assistant deputy of the petroleum co-ordination, substituting for Harold L. Ickes, discussed the fuel oil problem. On Tuesday afternoon Governor J. Melville Broughton, of North Carolina, addressed the council on state rights. Governor Broughton's address was followed by a discussion as to the necessity of legislative enactments to effectuate the nation's war effort. This discussion was led by Francis Biddle, attorney general of the United States.

Governor Leverett Saltonstall, of Massachusetts, closed the session with an address concerning the war program in the state of Massachusetts.

Throughout the sessions the delegates to the assembly were privileged to ask any questions and openly discuss any problems. With the exception of the Monday evening banquet, all the meetings were informal in character.

To refer more in detail to the various talks by the speakers on the program; at the opening meeting on Sunday evening, Judge Patterson, under secretary of war, discussed the war program as he saw it from the angle of the war department. As to the military program in general, he seemed to be quite optimistic. He stated that during the year preceding Pearl Harbor the standing army consisted of some two hundred thousand officers and men. This nucleus has now been mushroomed into an army of over five and one-half million, some units of which are scattered along fighting fronts in all parts of the world. Judge Patterson brought out the importance of the some three hundred thousand national guardsmen from the forty-eight states who have been assimilated into the army and who have proved most vital because of their initial training back in their home communities. He cited the national guard units from the middle western states who participated in the early clashes with the Japanese and who have been highly praised for their bravery in these campaigns. Judge Patterson emphasized the point that 1943 will be the training period for the campaigns to take place in 1944. The modern method of warfare had to be tuned to the tactics of the enemy. In other words, the old static form of trench warfare was abandoned to the fluid type of warfare as adopted by the mechanized units of the German army and the Indian-like methods of the Japanese. The old French 75 gun was displaced by the modern 105 mm Howitzer on a self-propelled mount. He concluded his remarks by saying that although the war news was good it should not give rise to complacency.

On Monday morning, Senator Murray outlined the plight of small business in the war program. In other words, the large war contracts favored big business with the small businesses in the small communities facing a grave future. Recognizing this, Senator Murray said Congress, by resolution, authorized the formation of a joint Senate and House committee to investigate and, if possible, encourage the diversion of war contracts to benefit small businesses. He discussed some steps taken to alleviate the harassing and expensive program of the federal government in the requiring of small businesses to make voluminous reports

to the various federal agencies. He said that a continual effort was being made by his committee to minimize the filing of these reports, questionnaires and other numerous forms. He stated that small businesses, faced with extinction or difficult problems, should make their appeal through his committee.

Immediately after the Monday luncheon, Donald M. Nelson, chairman of the war production board, informally reviewed the progress of his board, stating that at this time the early difficulties of coordination had been somewhat ironed out. The talk was so general that it was somewhat difficult to carry very much of it away.

On Monday afternoon, the open panel was conducted. This was presided over by Governor John Bricker, of Ohio. Joseph B. Eastman, Wm. Jeffers, Dean Landis and Paul McNutt participated. Discussions were prompted by questions from the delegates through the members of the panel. The most critical questions were directed to Mr. McNutt, especially as to the drafting of men into the armed service from the agricultural states. Mr. McNutt gave very little encouragement to the manpower situation, particularly in the farming states, and said that the time will come shortly when women will be asked to help out in the harvesting of crops and that Mexican labor may be imported to supplement the present labor supply. He concluded, rather unsatisfactorily, that as he had no solution, Secretary of Agriculture Wickard would have to answer the appeals from the farming states. As to the inquiry concerning curbing of strikes, he said that Congress alone, not his department, could settle this.

In this same panel, Wm. Jeffers criticized the so-called army and navy expeditors who were hindering rather than helping the program in the manufacture of synthetic rubber. Mr. Jeffers seemed to pull none of his punches in discussing the difficulties encountered in getting his rubber program going. Mr. Jeffers, incidentally, comes from Omaha in the middle west and seems to have a middle westerner's practical viewpoint of things. His statement immediately reverberated in the National Congress and the Senate promptly appointed an investigating committee to determine what was wrong. Dean Landis, of the civilian defense committee, and Joseph Eastman, made general remarks as to the activities in their departments.

On Monday evening, before an estimated banquet audience of eight hundred delegates and friends, Ambassador Winant, recently returned from London, talked on the organization of the war in England. He brought out the fact that England had been fighting a war for over three years with the enemy some eighteen miles from her shores, and that some sixty per cent of the food and materials of war were being imported from her colonies and allies, mainly the United States. From this discussion, the delegates could easily trace the origin for measures now being adopted in this country, including food rationing, manpower regulation, and civilian defense. He stated that manpower was most vital in war production and that early measures had to be taken to prevent the flow of such manpower into the military and to keep such skilled workers at home to take care of the supply. Early measures were taken to prevent the taking of skilled workers from one industry, or a com-

peting industry, and placing them in another. Nonessential plants were closed to divert the workers into war plants. No ceiling on wages or freezing of wages was followed in England. However, a very stringent control was exerted by the government. The government has subsidized products such as meat, milk, cheese, butter and potatoes, he said, so that such products could be purchased by those of modest incomes. He brought out the three different forms of rationing followed in Great Britain, which have been partially adopted in this country. Everything in England, Ambassador Winant stated, is compulsory and the public seemed to support such a program. Ambassador Winant's talk was not easy to follow and was somewhat disappointing because of the technical style.

Following Ambassador Winant's speech, Governor Stassen outlined his plan for peace. He stated that the important problem with winning the war was the winning of the peace following the termination of the war. His plan provided for a world-wide organization with delegates elected from the United Nations to meet somewhat as a state assembly, which meeting place was suggested as Panama. Governor Stassen stated that any successful far-reaching government could not be conceived of in a short time and that while the war was in progress, certain deliberate steps should be taken to formulate a lasting peace. His pattern for a United Nations Council was broken down into seven parts, including temporary government over the Axis nations, the setting up of national airports and airways, the patrolling of the seven seas, the increase of trade with all nations, the educations of the illiterate peoples of the world, the establishment of a court of justice, and the maintenance of a United Nations police force.

Harold Ickes was scheduled to appear on the program Tuesday morning. However, as he found it impossible to be present, he was represented by his first assistant deputy petroleum coordinator, Mr. De Golyer, who talked on the fuel oil problem. This talk seemed to be aimed at the fuel oil crisis in the east and was not of particular interest to the middle-west.

Governor J. Melville Broughton, of North Carolina, next succeeded on the program. He called attention to the inevitability of increased federal power and authority during wartime. He emphasized the state sovereignty and reviewed with some alarm the encroachment of the federal powers on state rights. He felt, however, that the increase of federal control during wartime seemed to be somewhat of a necessity. Unfortunately, there was a large and growing group of theorists, he said, who believed that our National Government should take over all control and authority, leaving only to the sovereign state the police power and other local regulations; that there should be one central power house in Washington. This sentiment and this group should be stifled and vigorously opposed, he concluded, or our national structure would collapse.

The Tuesday afternoon session contained two speakers, namely Francis Biddle, attorney general of the United States, and Governor Leverett Saltonstall of Massachusetts. Governor Saltonstall addressed the assembly on the subject of "Emergency Legislation for War", a timely subject

in which many were vitally interested. Saying that Main Street as well as Pennsylvania Avenue was playing a substantial part in the nation's war program, Governor Saltonstall brought out that state legislation during wartime is as important as federal legislation. Beyond actual emergency war legislation, as civilian defense regulations and the like, he said the foremost objective in the Massachusetts assembly was the legislation facilitating postwar readjustments, the planning of what to do on the completion of the war, the study of economic problems of conversion, the utilization of war plants for civilian production. Governor Saltonstall disclosed that emergency powers had been delegated to him as to blackout regulations, evacuation control, the handling of fuel oil shortage and other measures; all facilitating speedy handling of problems when the need asserted itself. The important thing, he said, is for the states to be free to act speedily by whatever method is necessary. In conclusion, he stated that good government begins at home in a strong family life. Any gesture towards permanent centralization of powers would be abhorrent to our democratic way of living.

In the concluding address, U. S. Attorney General Biddle discussed federal and state authority during wartime. The fundamental peacetime concept, he said, of government and state sovereignty should not change because of war. The waging of war is the responsibility of the federal authority, he stated, and modern war touches every phase of living; and therefore the result is the far-reaching effect of federal wartime influence. However, he disclosed that the states had many legislative duties to perform in these times, and twenty-seven war proposals for state legislation were being considered in some forty-four war legislatures. Attorney General Biddle urged more extensive joint federal-state cooperation.

This concluded the program with the exception of the business meeting in which the various committees reported. Mr. Bagley was a member of the resolutions committee.

The delegates to the assembly were guests on Wednesday of General Harris, commanding officer at the Aberdeen Proving Grounds, the largest ordnance proving ground of the United States army. Ordnance from the smallest to the 240 mm. gun were fired, including certain captured German guns, and the anti-aircraft rapid fire guns. The army brought out in review types of all the modern tanks and the delegates had an opportunity of seeing the celebrated "General Sherman" and "General Grant" tanks operate on the test roads. One South Carolina delegate remarked that with such an arsenal of heavy guns in the United States army, as disclosed, he didn't think there would be any attempt on the part of his southern states to secede from the Union.

On Thursday the Iowa delegation went to Washington and visited the National Congress briefly and called on the Iowa congressmen, including Congressman Charles Hoeven, former member of the Iowa Senate, and Senator George A. Wilson. Friday we were homeward bound, having spent a goodly part of the allotted appropriation.

Senator Augustine offered the following resolution:

## SENATE RESOLUTION 4

*Whereas*, House Concurrent Resolution 18 memorializes the Congress of the United States, asking them to do something about the manpower shortage, and

*Whereas*, This honorable body has voted to table Senate Resolution 2 which would have done something about the manpower shortage, and

*Whereas*, Both by Iowa law and custom it is required to fix your own fence first before asking your neighbor to fix his, and

*Whereas*, The Iowa Liquor Commission has now rationed liquor and it is reported sales have declined fifty per cent, and

*Whereas*, It is reported more pardons and paroles have been granted during the year 1942 than in any like period of history, and

*Whereas*, The state salary list reveals almost 1,900 employees worked for the State Conservation Commission during the fiscal year ending July 1, 1942, which is almost as many employees as there are rabbits,

*Therefore Be It Resolved by the Senate of the Fiftieth General Assembly of the State of Iowa:*

1. The State Liquor Commission shall reduce forthwith the number of employees by fifty per cent.

2. The state penal institutions shall reduce the number of employees forthwith, using as the base period for these calculations the month of January, 1939.

3. The State Conservation Commission shall forthwith reduce the number of employees and for the duration of the war shall not have in its employ at any one time more than 200 persons.

*Be It Further Resolved:* That a copy of this resolution shall be transmitted to each of the members of the Iowa state legislature, the governor of the state of Iowa, the presiding officer of the Senate, the Speaker of the House of Representatives, to each member of the State Liquor Commission, to each member of the Board of Control, and to each member of the State Conservation Commission.

## LEAVE OF ABSENCE

MR. PRESIDENT: Having been called into the service of the United States Army, I desire to obtain a leave of absence as page in the Senate, beginning March 8, 1943.

Respectfully submitted,

ROBERT L. SINCLAIR.

Senator Evans moved the adoption of the report.

The motion prevailed and 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:



Senate Files 239, 119 and 323, House File 113, Senate Files 103 and 218.  
STANLEY L. HART, *Chairman*.

#### APPOINTMENT OF COMMITTEE ON BOOTH MEMORIAL RESOLUTION

The president appointed the following Senators to prepare a suitable resolution commemorating the life of Charles D. Booth: Senators Pelzer, Watson and Harvey.

#### AMENDMENTS FILED

Amend House File 4 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section four thousand four hundred eighty-seven and one tenth (4487.1), Code, 1939, is amended by inserting a new paragraph before the last paragraph of said section as follows:

'The board of supervisors may also invest such funds in bonds of the United States and said bonds shall likewise be registered in the name of the county purchasing the same.'"

G. R. HILL.

Amend House File 151 by adding thereto a new section as follows:

"Sec. 2. This act shall apply to cities acting under special charter."

FRANK D. MARTIN.

Amend Senate File 102 by striking all of lines six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), and thirteen (13), and by substituting therefor the following:

"When real property upon which there is a lien for old age assistance, is sold during the life time of the owner and he is receiving, or has received, old age assistance, the State Board may permit him to receive and retain from the proceeds thereof an amount which, when added to the value of his personal property as described and determined by the provisions of section 3828.012, Code, 1939, shall not exceed the sum of three hundred dollars (\$300.00), if he is single, or the sum of four hundred fifty dollars (\$450.00) if he is married, and not legally separated from his spouse."

GEORGE FAUL.

JOHN BERG.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 10, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. Walter M. Scheuermann, minister of the First Methodist Church, Indianola.

## PETITIONS AND MEMORIALS

The following petition was presented and placed on file:

By Senator Findlay, from residents of Fort Dodge, favoring passage of Senate File 287 or House File 338, the companion bill, relating to pensions for municipal employees.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Vrba for the day on request of Senator Johnson; Senator Lundy for the day on request of Senator Zeigler; Senator Dykhouse for the day on request of Senator Byers.

## INTRODUCTION OF BILLS

Senate File 332, by committee on appropriations 2, a bill for an act to make an appropriation to the Iowa state tax commission in the sum of thirty thousand dollars (\$30,000.00) for salary, support and maintenance for the period ending June 30, 1943.

Read first and second times, is ready for commitment and amendment, and placed on calendar.

Senate File 333, by committee on private corporations, a bill for an act to amend section eight thousand four hundred forty (8440), Code, 1939, relating to annual reports of corporations.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 334, by committee on public schools, a bill for an act to amend section four thousand two hundred seventy-seven (4277), Code, 1939, relating to the payment of tuition for non-

resident pupils attending an approved public high school in another district and to repeal chapter one hundred fifty-nine (159), acts of the Forty-ninth (49th) General Assembly.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 335, by committee on public schools, a bill for an act to authorize junior colleges to enter into agreements for training aviation cadets and authorizing the issuance of anticipatory certificates.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 336, by committee on public schools, a bill for an act to amend section four thousand three hundred eighty-six (4386), Code, 1939, and chapter one hundred sixty-seven (167), acts of the Forty-ninth (49th) General Assembly of Iowa, relating to the amount that school districts may estimate for levy for the general fund of school districts.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 337, by committee on appropriations 1, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1943, and ending June 30, 1945, to the board of education for the support, repairs, replacement or alterations of institutions under said board of education.

Rear first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate Joint Resolution 3, by committee on appropriations 1, a joint resolution to provide for the investigation by the Iowa state conservation commission and the state department of health under the supervision of the attorney general, of the problem of maintenance and operation of the Iowa Great Lakes Sewage Disposal System, and reporting the results thereof, together with proposals for legislation to the Fifty-first General Assembly and providing funds therefor.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate Joint Resolution 4, by Senator Whitehill, a joint resolu-

tion providing for the re-presentation of the silver service presented to the old battleship Iowa and now in the possession of the state of Iowa to the new battleship Iowa commissioned on February 22, 1943.

Read first and second times, is ready for commitment and amendment, 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 26, a bill for an act relating to local budget law.

Also: That the House has concurred in Senate amendments to and passed House File 27, a bill for an act relating to the maintenance and supervision of roads by county officers.

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 relating to pulling or towing four-wheeled trailers behind trucks or farm tractors.

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 providing that time served in armed forces shall be included in period of service in police and fire departments.

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

House File 167, a bill for an act relating to the open season on quail.

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

House File 168, a bill for an act relating to the recording of certified copies of petitions in bankruptcy and of orders approving trustees' bonds.

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

House File 261, a bill for an act relating to signatures to nomination papers.

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 make permanent transfer of funds of Butler county, Iowa.

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

House File 295, a bill for an act to make permanent the transfer of funds of the Allison Independent School District, Allison, Iowa.

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

House File 449, a bill for an act relating to right of appeal by employer.

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

Senate File 108, a bill for an act relating to medical examination for life insurance policies.

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

Senate File 149, a bill for an act relating to free passes issued by railroad companies.

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

Senate File 325, a bill for an act relating to tax payers making return on a fiscal year basis.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 22, a bill for an act relating to the manner of making income tax returns and providing penalty for making fraudulent return.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 109, a bill for an act relating to investment of trust funds by fiduciaries.

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

House Concurrent Resolution 21 memorializing Congress to make more flexible the rules of the rent control division of O. P. A.

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

House Concurrent Resolution 22 amending the Joint Rules of the Fiftieth General Assembly.

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

House Concurrent Resolution 24 approving certain miscellaneous expenses of the Fiftieth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 22

Amend Senate File 22 by striking the period at the end of the title and inserting in lieu thereof the following: "; and to amend sections

six thousand nine hundred forty-three and forty-seven thousandths (6943.047) and six thousand nine hundred forty-three and fifty-four thousandths (6943.054), Code, 1939, by striking the provision that income tax returns be made under oath."

Further amend Senate File 22 by adding thereto the following sections after Sec. 5, and by changing Sec. 6 to Sec. 8:

Sec. 6. Section six thousand nine hundred forty-three and forty-seven thousandths (6943.047), Code, 1939, is amended by striking from lines sixteen (16) and seventeen (17) of subsection one (1) the words "under oath,"; by striking the last sentence of subsection two (2) of said section; and by striking from line one (1) of subsection three (3) of said section the following: ", under oath,".

Sec. 7. Section six thousand nine hundred forty-three and fifty-four thousandths (6943.054), Code, 1939, is amended by striking from line eight (8) of said section the following: ", under oath,".

#### HOUSE AMENDMENT TO SENATE FILE 109

Amend Senate File 109 by striking the period (.) after the word "trustees" in line six and adding the following " , in an amount not to exceed 25% of the value of the ward's property in possession of the fiduciary."

#### HOUSE CONCURRENT RESOLUTION 21

*Be It Resolved by the House, the Senate concurring:* That

*Whereas,* The application of arbitrary rules and regulations by the rent control division of the O. P. A. promulgated under the authority of federal legislation, has resulted in an unfair and inequitable imposition against landlords; and

*Whereas,* By virtue thereof substandard rentals cannot be brought to a fair parity with other rentals and undesirable tenants may not be ejected from property; and

*Whereas,* As a result property owners in many instances are compelled to accept rentals insufficient to maintain their properties and make a fair return on their investment; and

*Whereas,* Landlords are compelled to retain renters who are destructive to property and in some instances the health and welfare of other occupants of the premises; and

*Whereas,* The rent ceilings in Iowa are far below the parity of labor and commodities as a consequence of which an unjust burden is imposed against a landlord; and

*Whereas,* This situation is the result of national policy and not local administration:

*Now Therefore, Be It Resolved by the House of Representatives of the Fiftieth General Assembly of the State of Iowa, the Senate concurring:*

That the Congress of the United States be memorialized to forthwith take such action as may be necessary and appropriate to make more flexible the arbitrary rules of the rent control division of the

O. P. A. and provide the means through which unfair and inequitable impositions against landlords may be heard by an impartial tribunal on the merits of the case.

### HOUSE CONCURRENT RESOLUTION 22

*Be It Resolved by the House, the Senate concurring:* That Joint Rule 6 be stricken and the following adopted in lieu thereof:

"After the report, each bill shall be signed by the President of the Senate and by the Speaker of the House, in the presence of their respective houses, and shall be first signed in the house in which the bill originated."

### HOUSE CONCURRENT RESOLUTION 24

*Be It Resolved by the House, the Senate Concurring:* That the following bills, authorized by legislative action, are hereby approved and ordered paid as provided by Chapter 26 of the Forty-ninth General Assembly:

Des Moines Stationery Company, supplies, House.....	\$57.50
Younkers for Dictionary, House.....	37.25
Typewriter rental for House:	
Marion Craney .....	10.00
Gertrude I. Smith.....	10.00
Myrle Kramback .....	10.00
Jean McCord .....	10.00
Violetta Slade .....	10.00
Grace Foster .....	10.00
Marjorie Prentis .....	10.00
Roadside Settlement (2).....	20.00
A. C. Gustafson (3).....	30.00
Gaar Brothers Typewriter Co. (15).....	150.00
Gaar Brothers Typewriter Co. (typewriter ribbons).....	7.50
Storey-Kenworthy Co., supplies to secretary Senate.....	47.59
Burken Printing Co., Des Moines, stationery, Senate.....	10.00
Wallace-Homestead Co., printing, Senate.....	3.57
Typewriter rental for Senate:	
Kleinkopf Stationery Company.....	10.00
Angela Collins .....	10.00
Jane Morris .....	10.00
Cecil Hetrick .....	10.00
Florence Flynn .....	10.00
L. C. Smith & Corona Typewriters, Inc., service and ribbons, Senate	51.30
The state comptroller is hereby authorized and directed to issue warrants for amounts above listed and to the persons and firms to whom such amounts are due.	

## CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 24

Senator Henningsen asked and received unanimous consent to take up House Concurrent Resolution 24, and moved its adoption.

The motion prevailed and the resolution was adopted.

## HOUSE MESSAGES CONSIDERED

House File 26, a bill for an act to amend sections three hundred seventy (370), three hundred seventy-eight (378), three hundred eighty-five (385), and three hundred eighty-six (386), Code, 1939, all relating to the local budget law and powers and duties of the state board in respect thereto.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 116, a bill for an act to amend section five thousand twenty-four and fourteen hundredths (5024.14), Code, 1939, relating to the pulling or towing of four-wheeled trailers behind trucks or farm tractors.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 151, a bill for an act to amend section six thousand three hundred fifteen and one-tenth (6315.1) of chapter three hundred twenty-two (322), Code, 1939, relating to time served in the armed forces being included in period of service in police and fire departments of cities and towns.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 167, a bill for an act to amend section one thousand seven hundred ninety-four and eleven thousandths (1794.011), Code, 1939, to change the open season on quail and the time for shooting quail each day during the open season.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 168, a bill for an act to amend sections ten thousand sixty-six (10066), ten thousand one hundred six (10106) and ten thousand one hundred eleven (10111), Code, 1939, authorizing



and requiring the recording of certified copies of petitions in bankruptcy and of orders approving trustees' bonds in bankruptcy; and to provide for the indexing thereof.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 261, a bill for an act to amend section five hundred forty-six (546), Code, 1939, relating to the signatures to nomination papers.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 294, a bill for an act to make permanent a certain temporary transfer of funds of Butler county, Iowa, made by authority of the state comptroller.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 295, a bill for an act to make permanent a certain temporary transfer of funds of the Allison Independent School District, Allison, Iowa, made by authority of the state comptroller.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 449, a bill for an act to repeal House File twenty-one (21), acts of the Fiftieth General Assembly of Iowa, and to amend section fifteen hundred fifty-one and thirteen hundredths (1551.13), Code, 1939, as amended, relating to rate of contribution and method of determining rate, and providing for right of appeal by employer; amending chapter one hundred three (103) of the acts of the Forty-ninth General Assembly of Iowa, relating to the computation and assessment of contributions and procedures by which the employer may protest such assessments, and appeals from such assessments to the commission and to the court.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senator Hill asked and received unanimous consent to take up the following resolution by Senators Hill and Johnson, and moved its adoption:

## SENATE RESOLUTION 5

*Whereas*, There have been in the employ of the Senate two gracious and delightful committee clerks, heretofore known to the Senate as Miss Bette White and Miss Maxine Rector, who have been enrolled in the Senate records under those names, and

*Whereas*, There have appeared upon the horizon of the lives of these individuals two handsome young swains who, by the customary methods of entreaty and persuasion, have prevailed upon these young ladies to depart from the paths of single blessedness and enter into and participate in the age-old custom of matrimony, thereby completely capitulating to the wiles of Dan Cupid on the 5th day of March, 1943, when Miss Bette White became the bride of Maurice Morford and Miss Maxine Rector became the bride of Jerould Pedelty, and

*Whereas*, Both of these young men have since returned to their respective posts with the armed forces of the United States and have left these charming brides in our midst, and

*Whereas*, It is deemed wise in order to establish suitable safeguards for their welfare, to call this situation to the attention of the Senate and its members so that all future conduct may be weighed and governed accordingly and thereby place a cloak of protection around these young brides in the hours of solitude and loneliness;

*Be It Therefore Resolved*: That the Senate hereby extends to these two happy couples our congratulations and best wishes, and that the committee clerks referred to shall hereafter be known to us as Mrs. Maurice Morford and Mrs. Jerry Pedelty and the records shall show this change.

The motion prevailed and the resolution was adopted.

## HOUSE AMENDMENTS CONSIDERED

Senator Mowry called up for consideration Senate File 22, a bill for an act to amend section six thousand nine hundred forty-three and fifty-seven thousandths (6943.057), Code, 1939, by striking therefrom paragraph eight (8) referring to false or fraudulent returns of income, corporation, and sales tax, and providing for a substitute therefor pertaining to the penalty for making such false return and to amend section six thousand nine hundred forty-three and forty-five thousandths (6943.045), Code, 1939, pertaining to the making of an income tax return by every individual, to amend section six thousand nine hundred forty-three and forty-six thousandths (6943.046), Code, 1939, pertaining to the making of an income tax return by every fiduciary and to amend section six thousand nine hundred forty-three and sixty-eight thousandths (6943.068), Code, 1939, pertaining to the making of a corporation tax return by every corporation,

amended by the House, and moved that the Senate concur in the following House amendments:

Amend by striking the period at the end of the title and inserting in lieu thereof the following: "; and to amend sections six thousand nine hundred forty-three and forty-seven thousandths (6943.047) and six thousand nine hundred forty-three and fifty-four thousandths (6943.054), Code, 1939, by striking the provision that income tax returns be made under oath."

Further amend by adding thereto the following sections, after Sec. 5, and by changing Sec. 6 to Sec. 8:

"Sec. 6. Section six thousand nine hundred forty-three and forty-seven thousandths (6943.047), Code, 1939, is amended by striking from lines sixteen (16) and seventeen (17) of subsection one (1) the words 'under oath,'; by striking the last sentence of subsection two (2) of said section; and by striking from line one (1) of subsection three (3) of said section the following: ', under oath,'.

"Sec. 7. Section six thousand nine hundred forty-three and fifty-four thousandths (6943.054), Code, 1939, is amended by striking from line eight (8) of said section the following: ', under oath,'."

The motion prevailed and the Senate concurred in the House amendments.

Senator Hill moved that the bill, as amended by the House and concurred in by the Senate, be read a third 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	Findlay	Jones	Schluter
Bekman	Foster	Keir	Shaw
Benson	Goode	Leo	Sujlin
Berg	Hart	Love	Stewart
Byers	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Miller	Watson
Elthon	Hess	Mowry	Whitehill
Emerson	Hill	Pelzer	Zastrow
Evans	Hunt	Pine	Zeigler
Faul			

Nays, none.

Absent or not voting, 9:

Clark	Johnson	Lundy	Reilly
Dykhouse	Long	Mercer	Vrba
Fuller			

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

Senator Faul called up for consideration Senate File 109,

a bill for an act to amend section twelve thousand seven hundred seventy-two (12772), Code, 1939, relating to investment of trust funds by fiduciaries, amended by the House, and moved that the Senate concur in the following House amendment:

After the word "trustees" in line six of the bill, strike the period, insert a comma, and add the following: "in an amount not to exceed 25% of the value of the ward's property in possession of the fiduciary".

The motion prevailed and the Senate concurred in the House amendments.

Senator Faul moved that the bill, as amended by the House and concurred in by the Senate, be read a third 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	Findlay	Keir	Schluter
Bekman	Fuller	Leo	Shaw
Benson	Goode	Long	Sjulin
Berg	Hart	Love	Stewart
Byers	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Miller	Watson
Elthon	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Evans	Johnson	Pine	Zeigler
Faul	Jones		

**Nays, none.**

**Absent or not voting, 8:**

Clark	Foster	Lundy	Reilly
Dykhouse	Hess	Mercer	Vrba

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.

### THIRD READING OF BILLS

On motion of Senator Lynes, Senate File 289, a bill for an act to amend section five thousand ninety-five and two hundredths (5095.02), Code, 1939, relating to motor vehicle fuel specifications, was taken up and considered.

Senator Lynes moved that the bill be read a third 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	Findlay	Johnson	Schluter
Bekman	Foster	Jones	Shaw
Benson	Fuller	Leo	Sjulin
Berg	Goode	Love	Stewart
Byers	Hart	Lynes	Turner
Clem	Harvey	Martin	Vittetoe
Cromwell	Hattery	Miller	Watson
Elthon	Henningsen	Mowry	Whitehill
Emerson	Hess	Pelzer	Zastrow
Evans	Hill	Pine	Zeigler
Faul	Hunt	Reilly	

Nays, none.

Absent or not voting, 7:

Clark	Keir	Lundy	Vrba
Dykhouse	Long	Mercer	

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

Senator Lynes moved that the 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 Lynes asked and received unanimous consent that Senate File 289 be immediately messaged to the House, which request was complied with.

On motion of Senator Martin, Senate File 165, a bill for an act to amend section one thousand seven hundred ninety-four and sixty-nine thousandths (1794.069), Code, 1939, relating to seining for fish in the Mississippi river, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Martin offered the following amendment and moved its adoption:

Amend Senate File 165 by striking the period following the word "Iowa" in line thirteen (13) and insert in lieu thereof a semicolon and thereafter the following words: "that part of the Mississippi river known as 'Davenport Harbor of Refuge' covering an area between Credit Island and the Iowa shore, and between the causeway from the Iowa shore to Credit Island and the foot of Credit Island, and legally described as sections three (3), four (4) and nine (9), township seventy-seven (77) north, Range three (3) east of the fifth (5th) P. M., Scott county, Iowa."

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	Goode	Leo	Schluter
Bekman	Hart	Long	Shaw
Berg	Harvey	Lynes	Sjulin
Byers	Henningsen	Martin	Stewart
Clark	Hess	Mercer	Turner
Clem	Hill	Miller	Vittetoe
Cromwell	Hunt	Mowry	Watson
Elthon	Johnson	Pelzer	Whitehill
Emerson	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler
Fuller			

Nays, none.

Absent or not voting, 9:

Benson	Faul	Hattery	Lundy
Dykhouse	Foster	Love	Vrba
Evans			

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

On motion of Senator Bekman, Senate File 296, a bill for an act to provide for the release of powers of appointment and the manner in which such powers may be released, 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	Foster	Johnson	Pine
Bekman	Fuller	Jones	Reilly
Berg	Goode	Keir	Schluter
Byers	Hart	Leo	Shaw
Clark	Harvey	Long	Sjulin
Clem	Hattery	Lynes	Vittetoe
Cromwell	Henningsen	Martin	Watson
Emerson	Hess	Miller	Zastrow
Faul	Hill	Mowry	Zeigler
Findlay	Hunt	Pelzer	

Nays, none.

Absent or not voting, 11:

Benson	Evans	Mercer	Vrba
Dykhouse	Love	Stewart	Whitehill
Elthon	Lundy	Turner	

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 Clark, Senate File 326, a bill for an act to amend section six thousand nine hundred forty-three and ninety-two thousandths (6943.092), Code, 1939, as amended by chapter two hundred thirty-four (234), acts of the Forty-ninth General Assembly, and permitting the making of photostat or microfilm copies of the tax commission's records and the destruction of original records preserved photographically, and providing for the use of said photographic copies in evidence, when properly certified, was taken up and considered.

Senator Clark moved that the bill be read a third 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	Findlay	Jones	Reilly
Benson	Fuller	Leo	Schluter
Berg	Goode	Love	Shaw
Byers	Hart	Lynes	Sjulin
Clark	Harvey	Martin	Stewart
Clem	Hattery	Mercer	Vittetoe
Cromwell	Henningsen	Miller	Watson
Emerson	Hess	Mowry	Whitehill
Evans	Hill	Pine	Zeigler
Faul	Hunt		

**Nays, none.**

**Absent or not voting, 12:**

Bekman	Foster	Long	Turner
Dykhouse	Johnson	Lundy	Vrba
Elthon	Keir	Pelzer	Zastrow

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

Senator Clark moved that the 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 307, a bill for an act to amend section eleven thousand eight hundred eighty-four (11884) Code, 1939, to change the time of applying for letters of

administration from after the "burial of deceased" to after the "death of deceased", 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	Goode	Long	Shaw
Bekman	Harvey	Love	Sjulin
Berg	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Cromwell	Hess	Mercer	Vittetoe
Emerson	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
Findlay	Jones	Pelzer	Zastrow
Foster	Keir	Pine	Zeigler
Fuller	Leo	Schluter	

**Nays, none.**

**Absent or not voting, 11:**

Benson	Dykhouse	Hart	Reilly
Byers	Elthon	Johnson	Vrba
Clem	Faul	Lundy	

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

On motion of Senator Lynes, House File 217, a bill for an act to amend section three thousand two hundred sixty-seven (3267), Code, 1939, relating to inspection fees for scales for weighing, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Love offered the following amendment and moved its adoption:

Amend House File 217 by adding after the word "pounds" in line nine (9) of Section one (1) the word "beam".

The amendment was adopted.

Senator Lynes moved that the bill be read a third 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	Clark	Emerson	Foster
Bekman	Clem	Evans	Fuller
Berg	Cromwell	Faul	Hart
Byers	Elthon	Findlay	Harvey



Hattery  
Henningsen  
Hess  
Hill  
Hunt  
Jones  
Keir

Leo  
Long  
Lynes  
Martin  
Mercer  
Miller  
Mowry

Pelzer  
Pine  
Reilly  
Schluter  
Shaw  
Sjulin  
Stewart

Turner  
Vittetoe  
Watson  
Whitehill  
Zastrow  
Zeigler

Nays, none.

Absent or not voting, 7:

Benson  
Dykhouse

Goode  
Johnson

Love  
Lundy

Vrba

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

Senator Lynes moved that the 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 305, a bill for an act to amend chapter five hundred and eight (508) of the Code, 1939, 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, was taken up and considered.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 305 by striking from line six (6) the word "may" and inserting in lieu thereof the word "shall".

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 305 by inserting after the word "allow" in line one (1) of subsection 3 of section 1 (one) the word "additional".

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, 32:

Bekman  
Benson  
Berg  
Byers  
Clark

Clem  
Cromwell  
Elthon  
Findlay  
Hart

Harvey  
Hattery  
Henningsen  
Hill  
Hunt

Johnson  
Jones  
Keir  
Leo  
Martin

Mercer  
Miller  
Mowry

Pelzer  
Reilly  
Schluter

Shaw  
Stewart  
Turner

Vittetoe  
Watson  
Whitehill

Nays, 5:

Faul  
Fuller

Hess

Zastrow

Zeigler

Absent or not voting, 13:

Augustine  
Dykhous  
Emerson  
Evans

Foster  
Goode  
Long

Love  
Lundy  
Lynes

Pine  
Sjulin  
Vrba

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.

#### COMMITTEE TO ARRANGE FOR ADDRESS BY FORMER PRESIDENT HOOVER

Senator Hess moved that the President appoint a committee of three to make plans for the joint convention to hear the address of former President Hoover, which motion prevailed.

The President appointed on the committee Senators Emerson, Hunt and Love.

#### BILL REREFERRED TO COMMITTEE

Senator Henningsen moved that House File 61 be rereferred to the sifting committee, which motion prevailed and House File 61 was rereferred to the sifting committee.

#### COMMUNICATION FROM STATE APPEAL BOARD

STATE HOUSE  
Des Moines, Iowa

March 10, 1943.

MR. W. J. SCARBOROUGH,  
Secretary of the Senate,  
Building

Dear Mr. Scarborough:

We are submitting to you for transmittal to the chairman of the Claims Committee the following claims, which have been investigated by the attorney general's office, and upon which the Appeal Board has made certain recommendations in each case:

## General Claims

No. 63, S. E. Zink, Marshalltown, Iowa, claim for death of son by drowning, \$10,000.00. Not approved.

No. 66, D. V. Carr, Spencer, Iowa, flood damage to farm, \$748.25. Not approved.

No. 71, Primghar Savings Bank, Primghar, Iowa, claim for overpayment of assessment to sinking fund, \$73.94. Approved for \$73.94.

No. 72, Dr. J. W. Peterson, Waterloo, Iowa, claim for collision with highway patrol car, \$55.83. Approved for \$55.83.

No. 75, Oral C. Johnson, Hamburg, Iowa, claim for burial expense of old age recipient, \$127.50. Not approved.

No. 79, Earl R. Scherf and K. M. Rooker, Ottumwa, Iowa, legal fees defending false arrest charge, \$738.10. Approved for \$738.10.

No. 80, E. H. Fahrman, Hampton, Iowa, damage to plate glass window by member of Defense Commission in getting car out of garage, \$44.07. Approved for \$44.07.

No. 81, Standard Oil Company, Des Moines, Iowa, claim for various gas purchase items, \$17.45. Approved for \$17.45.

No. 82, Johnath Gauger, Boone, Iowa, claim for injury to left hand while a prisoner at State Reformatory, \$1500.00. Approved for \$1500.00.

## Highway Claims

H-126, Archie Bender, Monticello, Iowa, claim for damages to car when struck by Highway Commission truck, \$60.68. Not approved.

H-128, Clarence Kipper, Dubuque, Iowa, damage to car due to falling rocks on state highway, \$3.60. Not approved.

H-129, Will McMurray, Newton, Iowa, damage to car when struck by Highway Commission snow plow, \$20.12. Approved for \$20.12.

Yours very truly,

STATE APPEAL BOARD

C. FRED PORTER, *Chairman.*

W. G. C. BAGLEY,

C. B. AKERS,

*Members.*

## SENATE RESOLUTION 4

MR. PRESIDENT: I move that Senate Resolution 4 be laid on the table.

G. W. HUNT.

## PROOF OF PUBLICATION

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

Senate File 330, a proposed bill for the legalization of the proceedings of the city of Burlington, and for the issuance of revenue bonds.

W. J. SCARBOROUGH.

## 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 330, 329, 188, 262 and 272, House Files 88, 294, 295 and 296. Senate File 276 and House File 223.

STANLEY L. HART, *Chairman*.

## REPORTS OF COMMITTEES

Senator Evans submitted the following report:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 316, a bill for an act to make appropriations to the Independent School District of Muscatinee, Iowa; Cecil H. Grantham, state auditor's office, state house, Des Moines, Iowa; Hazel J. Smith, Clarinda, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 239, a bill for an act to provide for a system of aid to dependent childrent, etc., 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.

## AMENDMENTS FILED

Amend the amendment by Faul et al. to Senate File 239 by inserting in line 16 of section five (5) after the word "board" the following: "subject to the approval of the state department and in accordance with rules and regulations made by the state board,".

GEORGE FAUL.

1. Amend House File 325 by adding thereto as section six (6) the following:

"Sec. 6. Chapter two hundred one (201), acts of the Forty-ninth General Assembly, is amended by substituting a comma (,) for the period (.) in line six (6) of section two (2) of said chapter two hundred one (201) and adding thereto and within the quotation the following:

'and the compensation of two head deputy assessors shall be eighteen hundred dollars (\$1800.00) each per annum and that of field deputies shall be four dollars and fifty cents (\$4.50) per day for each day actually employed.'"

2. Further amend House File 325 by substituting a comma (,) for the period (.) at the end of the title and adding to the title the following:

"and to amend chapter two hundred one (201), acts of the Forty-ninth General Assembly relating to the salaries of deputy city assessors in certain cities of the first class."

3. Further amend House File 325 by renumbering the last section now numbered six (6) to number seven (7). J. BERG.

Amend Senate File 103 by striking the period (.) in line ten (10) and adding: "and the minimum need shall be established as forty dollars (\$40.00) per month." A. E. AUGUSTINE.

Amend Senate File 323 by striking the comma (,) in line seven (7) of section one (1) and by striking the following words from lines seven (7) and eight (8) of section one (1), "retaining the code section numbers as hereinafter set out".

Further amend by striking from line forty-six (46) of section fifteen (15) the word "shadl" and insert in lieu thereof the word "shall".

Further amend by striking from lines three (3), four (4) and five (5) of section twenty-four (24) the words "by the holder of a fuel oil permit where a certificate of purchase or certificate of redemption was received in connection with such sale," and inserting in lieu thereof the words: "for purposes other than use in propelling vehicles on the highway,".

Further amend by striking the word "of" in line fourteen (14) of section twenty-six (26) and inserting in lieu thereof the word "or".

Further amend by striking the word "issued" in line seventy-eight (78) of section twenty-nine (29), and inserting in lieu thereof the words "is used".

Further amend by striking the figures "5039.30" in line fifty-six (56) of section thirty-one (31) and inserting in lieu thereof the figures "5039.29", and by striking the figures "5093.29" in line fifty-eight (58) and inserting in lieu thereof the figures "5093.28".

Further amend by striking the word "employeee" in line five (5) of section thirty-three (33) and inserting in lieu thereof the word "employees".

SANFORD ZEIGLER, JR.

Amend Senate File 262 by striking from line four (4) the words and figures "twelfth (12th)" and inserting in lieu thereof the following: "thirteenth (13th)".

GEORGE FAUL.

Amend Senate File 256 by striking from lines twelve (12) and thirteen (13) of section two (2) the following: "fifty per cent of the budget requirements" and by inserting in lieu thereof "tax collections received from January 1st to and including June 30th". FRANK D. MARTIN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 11, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. A. T. Maberry, pastor of the Methodist Church of Buffalo Center.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Love, from a group of classroom teachers of Winterset, favoring adoption of the new school code.

By Senator Martin, from farmer residents of Scott county, favoring return to central standard time.

By Senator Clem, from residents of Woodbury county, in opposition to proposed legislation relative to seasonal employees.

By Senator Dykhouse, from the county officers of Osceola county, favoring an increase in salary for county officers.

By Senator Whitehill, from residents of Marshalltown, favoring the establishment of pensions and annuity retirement systems for employees other than policemen and firemen in cities and towns having a population of 1,000 or more.

By Senator Hattery, from residents of Ames, favoring the establishment of pensions and annuity retirement systems for employees other than policemen and firemen in cities and towns having a population of 1,000 or more.

By Senator Hill, from the county officers of Wright county, favoring an increase in salary for county officers; also from the Hamilton county association of American Legion Posts, favoring certain soldiers' relief tax legislation, and aid to dependent children.

## INTRODUCTION OF BILLS

Senate File 338, by committee on social security, a bill for an act to amend section one thousand five hundred fifty-one and fif-

teen hundredths (1551.15) in chapter seventy-seven and two-tenths (77.2), Code, 1939, relating to the control, management and use of the unemployment compensation fund; and to provide for the cancellation of outstanding warrants for the payment of benefits, and the issuance, in such cases, of warrants in lieu of the original warrants in the discretion of the commission.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 339, by committee on agriculture 2, a bill for an act to amend section three thousand one hundred sixty-nine and three hundredths (3169.03), Code, 1939, relating to narcotic drugs and license therefor, and to provide for the exemption of any persons engaged in producing or processing of hemp under contract from any license or fee.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 340, by committee on appropriations 2, a bill for an act to amend sections six thousand nine hundred forty-three and ninety-three one-thousandths (6943.093) and six thousand nine hundred forty-three and ninety-five one-thousandths (6943.095), Code, 1939, creating a revolving audit fund from the special tax fund, providing for its administration and the payment of the compensation and expenses of the field audit staff of the tax commission therefrom.

Read first and second times, is ready for commitment and amendment, and placed on calendar.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House File 217, a bill for an act relating to inspection fees for scales for weighing.

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

House Concurrent Resolution 25 memorializing Congress to lift priorities on dry cell batteries.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION 25

A concurrent resolution memorializing the Congress of the United States to lift the priorities and restrictions on dry cell batteries.

*Whereas*, Telephones and radios in rural and farm communities are of great convenience and of practical necessity in securing information relative to farm work, livestock marketing and community affairs necessary in the war effort and conserving rubber; and,

*Whereas*, The restrictions and priorities placed on these commodities by the federal government have resulted in great inconveniences to farms and residents of rural communities, thereby retarding the war effort; now, therefore,

*Be it Resolved by the House of Representatives of the State of Iowa, the Senate Concurring:*

Section 1. That we respectfully urge and memorialize Congress to lift the priorities and restrictions on batteries used for rural telephones, radios and electric fences to the end that a sufficient supply of such commodities may be made available to rural communities.

Sec. 2. That copies of this resolution be transmitted to the President of the Senate and the Speaker of the House of Representatives, the War Production Board, and to the Iowa members of the Senate and House of Representatives in Congress.

## THIRD READING OF BILLS

Senator Whitehill asked and received unanimous consent to take up and consider Senate Joint Resolution 4, a joint resolution providing for the re-presentation of the silver service presented to the old battleship Iowa and now in the possession of the state of Iowa to the new battleship Iowa commissioned on February 22, 1943.

Senator Whitehill 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, 50:

Augustine	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Sjulin
Byers	Hart	Lundy	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Mercer	Vrba
Dykhouse	Hess	Miller	Watson
Elthon	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Evans	Johnson	Pine	Zeigler
Faul	Jones		



Nays, none.

Absent or not voting, none.

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

Senator Whitehill asked and received unanimous consent that Senate Joint Resolution 4 be immediately messaged to the House, which request was complied with.

### UNFINISHED BUSINESS

On motion of Senator Lundy, the Senate resumed consideration of Senate File 168, a bill for an act to amend section seven thousand one hundred seventy-one (7171), Code, 1939, relative to annual levies, and the following amendment by Senator Lundy:

Amend Senate File 168 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section seven thousand one hundred seventy-one (7171), Code, 1939, is hereby amended by striking all of said section following the word 'revenue,' in line nine thereof and inserting in lieu thereof the following: 'not to exceed three mills on a dollar in counties having an assessed valuation of less than sixteen million dollars (\$16,000,000.00), not to exceed two and one-half mills on a dollar in counties having an assessed valuation of sixteen million dollars (\$16,000,000.00) or more and less than twenty-six million dollars (\$26,000,000.00), not to exceed two mills on a dollar in counties having an assessed valuation of twenty-six million dollars (\$26,000,000.00) or more and less than thirty-two million dollars (\$32,000,000.00), and not to exceed one and one-half mills on a dollar in counties having an assessed valuation of thirty-two million dollars (\$32,000,000.00) or more.'"

Senator Lundy asked and received unanimous consent that action be deferred on Senate File 168 and that it retain its place on the calendar as unfinished business.

### THIRD READING OF BILLS

On motion of Senator Lynes, Senate File 249, a bill for an act relating to the levying, under certain conditions, of a schoolhouse tax by school districts and the issuing of certificates or bonds in anticipation of the collection of such tax and providing for a special schoolhouse fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lynes asked and received unanimous consent that action be deferred on Senate File 249 and that it retain its place on the calendar as unfinished business.

On motion of Senator Berg, Senate File 102, a bill for an act to amend section three thousand eight hundred twenty-eight and twenty-three one thousandths (3828.023), Code, 1939, as amended by section one (1), chapter one hundred forty-seven (147), acts of the Forty-ninth General Assembly, relating to property upon which there is an old age assistance lien, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Berg offered the following amendment by Senators Berg and Faul, and moved its adoption:

Amend Senate File 102 by striking all of lines six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), and thirteen (13), and by substituting therefor the following:

"When real property upon which there is a lien for old age assistance, is sold during the life time of the owner and he is receiving, or has received, old age assistance, the State Board may permit him to receive and retain from the proceeds thereof an amount which, when added to the value of his personal property as described and determined by the provisions of section 3828.012, Code, 1939, shall not exceed the sum of three hundred dollars (\$300.00), if he is single, or the sum of four hundred fifty dollars (\$450.00) if he is married, and not legally separated from his spouse."

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, 43:

Augustine	Findlay	Leo	Schluter
Bekman	Fuller	Long	Shaw
Benson	Goode	Love	Stewart
Berg	Hart	Lundy	Turner
Byers	Harvey	Lynes	Vittetoe
Clark	Hattery	Martin	Vrba
Clem	Hess	Mercer	Watson
Cromwell	Hill	Miller	Whitehill
Dykhouse	Johnson	Mowry	Zastrow
Emerson	Jones	Pelzer	Zeigler
Faul	Keir	Reilly	

Nays, none.

Absent or not voting, 7: .

Elthon	Foster	Hunt	Sjulin
Evans	Henningsen	Pine	

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.

### UNFINISHED BUSINESS

Senator Hill called up House File 4, a bill for an act to amend section four thousand four hundred eighty-seven and one-tenth (4487.1), Code of Iowa, 1939, relating to investment of permanent school funds, which had been recalled from the House.

Senator Hill moved that House File 4 and the motion to reconsider the vote by which it passed the Senate be taken from the table.

A quorum being present, and there being no "No" votes the motion to take House File 4 from the table carried by a two-thirds majority.

Senator Hill moved that the vote by which House File 4 passed the Senate be reconsidered, which motion prevailed.

On the question "Shall the vote by which House File 4 passed the Senate be reconsidered?" the vote was:

**Ayes, 46:**

Augustine	Goode	Long	Schluter
Bekman	Hart	Love	Shaw
Benson	Harvey	Lundy	Sjulin
Byers	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Whitehill
Findlay	Jones	Pine	Zastrow
Foster	Keir	Reilly	Zeigler
Fuller	Leo		

**Nays, none.**

Absent or not voting, 4:

Berg	Dykhouse	Elthon	Faul
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The motion, having received a constitutional majority, prevailed.

Senator Hill moved that the vote by which House File 4 went to its third reading be reconsidered, which motion prevailed.

Senator Hill moved that the vote by which the committee amendment to House File 4 passed the Senate be reconsidered, which motion prevailed.

Senator Hill asked and received unanimous consent to withdraw the committee amendment to House File 4.

Senator Hill offered the following amendment and moved its adoption:

Amend House File 4 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section four thousand four hundred eighty-seven and one tenth (4487.1), Code, 1939, is amended by inserting a new paragraph before the last paragraph of said section as follows:

'The board of supervisors may also invest such funds in bonds of the United States and said bonds shall likewise be registered in the name of the county purchasing the same.'

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:

Augustine	Goode	Long	Schluter
Bekman	Hart	Love	Shaw
Benson	Harvey	Lundy	Sjulin
Byers	Hattery	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Whitehill
Findlay	Jones	Pine	Zastrow
Foster	Keir	Reilly	Zeigler
Fuller	Leo		

Nays, none.

Absent or not voting, 4:

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

### PRESENTATION OF VISITORS

Senator Foster asked and received unanimous consent to present the government class from the Girls Training School at Mitchellville, who were present in the balcony with their teacher.

Senator Mowry asked and received unanimous consent to present the junior and senior classes of the Monroe high school, who were present in the balcony.

### THIRD READING OF BILLS

On motion of Senator Pine, Senate File 119, a bill for an act to make an appropriation to Muscatine county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Pine moved that the bill be read a third 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	Faul	Keir	Reilly
Bekman	Findlay	Leo	Schluter
Benson	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hess	Mercer	Watson
Dykhouse	Hill	Mowry	Whitehill
Elthon	Hunt	Pelzer	Zastrow
Emerson	Johnson	Pine	Zeigler
Evans	Jones		

Nays, none.

#### Absent or not voting, 4:

Foster	Fuller	Miller	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 Pine moved that the 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 323, a bill for an act

to amend, revise and codify chapter two hundred fifty-one and three-tenths (251.3), Code, 1939, including sections five thousand ninety-three and one one-hundredth (5093.01) to five thousand ninety-three and thirty-nine one-hundredths (5093.39), both inclusive, and all acts and laws amendatory of said chapter and sections relating to the collection of license fees or taxes on motor vehicle fuel, including fuel oil and liquefied gas used or otherwise disposed of in the state of Iowa; to define motor vehicle fuel, motor fuel, fuel oil, liquefied gas, and other terms used in this act; to impose a license fee or tax of three cents (3c) per gallon or fraction thereof on motor vehicle fuel sold or used in the state of Iowa; to provide for reports for payment and collection of said license fee or tax; to provide for the licensing of distributors, dealers, retailers, station operators and transporters and the revocation of such licenses; to provide for the keeping of records and the making of reports on the part of persons handling said fuels and transporting same; to provide for refunding the license fee or tax paid under certain conditions when fuel is not used in propelling vehicles on the highways; to provide as to the purposes and objects for which the license fee or taxes collected shall be used, and to provide penalties for the violation of the provisions of this act, was taken up and considered.

Senator Byers moved that the Senate resolve itself into a committee of the whole for the purpose of considering Senate File 323, and that the bill be explained by Floyd Philbrick, first assistant attorney general of Iowa, which motion prevailed.

The committee of the whole arose and resumed regular session.

Senator Byers moved that the rule prohibiting the consideration of bills on the same day a public hearing is held, be waived, which motion prevailed.

Senator Ziegler offered the following amendment and moved its adoption:

Amend Senate File 323 by striking the comma (,) in line seven (7) of section one (1) and by striking the following words from lines seven (7) and eight (8) of section one (1), "retaining the code section numbers as hereinafter set out".

Further amend by striking from line forty-six (46) of section fifteen (15) the word "shadl" and insert in lieu thereof the word "shall".

Further amend by striking from lines three (3), four (4) and five (5)

of section twenty-four (24) the words "by the holder of a fuel oil permit where a certificate of purchase or certificate of redemption was received in connection with such sale," and inserting in lieu thereof the words: "for purposes other than use in propelling vehicles on the highway,".

Further amend by striking the word "of" in line fourteen (14) of section twenty-six (26) and inserting in lieu thereof the word "or".

Further amend by striking the word "issued" in line seventy-eight (78) of section twenty-nine (29), and inserting in lieu thereof the words "is used".

Further amend by striking the figures "5039.30" in line fifty-six (56) of section thirty-one (31) and inserting in lieu thereof the figures "5039.29", and by striking the figures "5093.29" in line fifty-eight (58) and inserting in lieu thereof the figures "5093.28".

Further amend by striking the word "employeee" in line five (5) of section thirty-three (33) and inserting in lieu thereof the word "employees".

Senator Ziegler asked and received unanimous consent to change the figures in line one (1) of paragraph six (6) of his amendment by striking the figures "5039.30" and inserting in lieu thereof the figures "5093.30".

Also by striking from line three (3) of said paragraph the figures "5039.29" and inserting in lieu thereof the figures "5093.29".

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	Findlay	Keir	Pine
Bekman	Foster	Leo	Reilly
Benson	Fuller	Long	Schluter
Berg	Goode	Love	Sjulin
Byers	Hart	Lundy	Stewart
Clark	Harvey	Lynes	Vittetoe
Clem	Hattery	Martin	Vrba
Cromwell	Henningsen	Mercer	Whitehill
Elthon	Hess	Miller	Zastrow
Evans	Hill	Mowry	Zeigler
Faul	Johnson	Pelzer	

Nays, none.

Absent or not voting, 7:

Dykhous	Hunt	Shaw	Watson
Emerson	Jones	Turner	

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

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

On motion of Senator Johnson, House File 113, a bill for an act to amend section five thousand eight hundred fifty (5850), Code, 1939, relating to donations to cities and towns for library purposes, and to amend section five thousand eight hundred fifty-eight (5858), Code, 1939, relating to the powers of library trustees, was taken up and considered.

Senator Cromwell offered the following amendment and moved its adoption:

Amend House File 113 by striking the word "for" in line 8 of section two (2) and inserting in lieu thereof the word "from".

The amendment was adopted.

Senator Johnson moved that the bill be read a third 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	Findlay	Johnson	Reilly
Bekman	Foster	Jones	Schluter
Benson	Fuller	Keir	Shaw
Berg	Goode	Long	Sjulin
Clark	Hart	Love	Stewart
Clem	Harvey	Lundy	Vittetoe
Cromwell	Hattery	Lynes	Vrba
Elthon	Henningsen	Martin	Whitehill
Emerson	Hess	Mercer	Zastrow
Evans	Hill	Mowry	Zeigler
Faul	Hunt	Pine	

Nays, none.

Absent or not voting, 7:

Byers	Leo	Pelzer	Watson
Dykhouse	Miller	Turner	

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

Senator Johnson moved that the 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 103, a bill for an act to repeal section three thousand eight hundred twenty-eight and



nine thousandths (3828.009), Code, 1939, and to enact a substitute therefor relating to old age assistance, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Augustine offered the following amendment and moved its adoption:

Amend Senate File 103 by striking the period (.) in line ten (10) and adding: "and the minimum need shall be established as forty dollars (\$40.00) per month."

Senator Mowry offered the following amendment to the amendment by Senator Augustine and moved its adoption:

Amend the amendment by Senator Augustine to Senate File 103 by striking the word "minimum" in line 2 and inserting in lieu thereof the word "maximum". Also by striking the words and figures "forty dollars (\$40.00)" and inserting the words and figures "thirty dollars (\$30.00)".

## EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

## SPECIAL ORDER

Senator Hunt asked and received unanimous consent that Senate File 239 be made a special order of business for Friday, March 12th, at 10:15 a. m.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 22, 108, 109, 149, and 325, and House Files 27, 37, 47, 53, 54, 57, 81, 114, 214, and 361.

ROBERT C. REILLY, *Chairman Senate Committee.*  
E. L. EDWARDS, *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 22, 108, 109, 149 and 325, and House Files 27, 37, 47, 53, 54, 57, 81, 114, 214 and 361.

**BILLS SENT TO THE GOVERNOR**

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

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 11th day of March, 1943, sent to the governor for his approval, Senate Files 22, 108, 109, 149, 325.

**ROBERT C. REILLY, Chairman.**

Passed on file.

**AMENDMENT FILED**

Amend Senate File 168 by adding the following new paragraph:

"In all counties having a population of thirty-five thousand (35,000), or more, and not more than forty thousand (40,000), and having an ordnance plant located therein owned by the United States government, the board of supervisors may, with the approval of the state comptroller, levy not to exceed two mills on a dollar under the provisions of this section."

**FRED CROMWELL.**

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 12, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. J. Theo. Alam, pastor of the First Presbyterian church, Des Moines.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Harvey, from the teachers of the Onawa public schools, favoring adoption of the new school code.

By Senator Vrba, from residents of Howard county, favoring restriction of sales of intoxicating liquor.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hess for the day on request of Senator Zastrow.

## INTRODUCTION OF BILLS

Senate File 341, by committee on ways and means, a bill for an act to amend section seven thousand seventy-six (7076), Code, 1939, relating to the collection of the tax levied on freight line and equipment companies.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 342, by committee on mines and mining, a bill for an act to amend section one thousand two hundred forty-two and one one-hundredth (1242.01), chapter sixty-eight (68), Code, 1939, relating to filling or sealing of abandoned mines to include "strip" mines.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 343, by committee on appropriations 1, a bill for an act authorizing expenditures by the state highway commission

from the primary road fund for the biennium beginning July 1, 1943, and ending June 30, 1945.

Read first and second times, is ready for commitment and amendment, 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 189, a bill for an act relating to form of license for public scales and gasoline pumps.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 240, a bill for an act providing for the Iowa emergency war act of 1943.

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

House File 354, a bill for an act relating to old age assistance.

Also: That the House has concurred in Senate amendments to and passed House File 14, a bill for an act providing for the establishment of a state institution fund in each county.

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

Senate Joint Resolution 4, providing for presentation of silver service to the new battleship Iowa.

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

House Concurrent Resolution 26 memorializing Congress to call a constitutional convention to propose an amendment prohibiting the president of the United States from serving more than two terms of four years each.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 240

Amend section 10 of Senate File 240 by adding to said section as paragraph (j) the following:

"To appoint air raid wardens and auxiliary police and that all air raid wardens and auxiliary police so appointed by the county defense council, and while on duty, shall have the power and authority to make arrest for any and all violations of this act."

#### HOUSE CONCURRENT RESOLUTION 26

*Be It Resolved by the House, the Senate Concurring:* That the Congress of the United States call a convention, in pursuance of the provisions

of article five (5) of the constitution of the United States, for the purpose of proposing an amendment to the said constitution, prohibiting the President of the United States from serving more than two terms of four years each; unless, in lieu thereof, the Congress, in its wisdom, shall elect to submit to the several states a proposed amendment to the said constitution, providing for the said limiting of the tenure of office of any President of the United States to two terms of four years each, subject to ratification by three-fourths of the states in manner provided.

That copies of this resolution be transmitted to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of Congress, and to the Iowa members in the Senate and House of Representatives of Congress.

Senator Stewart called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 25

A concurrent resolution memorializing the Congress of the United States to lift the priorities and restrictions on dry cell batteries.

*Whereas*, Telephones and radios in rural and farm communities are of great convenience and of practical necessity in securing information relative to farm work, livestock marketing and community affairs necessary in the war effort and conserving rubber; and,

*Whereas*, The restrictions and priorities placed on these commodities by the federal government have resulted in great inconveniences to farms and residents of rural communities, thereby retarding the war effort; now, therefore,

*Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring:*

Section 1. That we respectfully urge and memorialize Congress to lift the priorities and restrictions on batteries used for rural telephones, radios and electric fences to the end that a sufficient supply of such commodities may be made available to rural communities.

Sec. 2. That copies of this resolution be transmitted to the President of the Senate and the Speaker of the House of Representatives, the War Production Board, and to the Iowa members of the Senate and House of Representatives in Congress.

The motion prevailed and the resolution was adopted.

#### HOUSE AMENDMENTS CONSIDERED

Senator Berg called up for consideration Senate File 240, a bill for an act to provide for the protection of the lives and property of the people of the state of Iowa and to contribute to the national defense; to repeal chapter 75 of the acts of the Forty-ninth General Assembly; to provide for the creation

of the legislative committee on national defense coordination; to provide for the creation of the Iowa industrial and defense commission and defining its powers and duties; to provide for the creation of the office of coordinator of civilian defense; to provide for the creation of county and local defense councils and defining their powers and duties; to authorize county boards of supervisors and cities and towns, including special charter cities and cities under the commission form of government to appropriate money for civilian defense and to carry out the purposes of this act; to provide for limitation of liability of the state, cities, towns and counties and officials thereof; to legalize acts and expenditures of the Iowa industrial and defense commission and cities, towns, counties and school districts; to provide emergency war powers for the governor, to empower governing bodies of cities and towns, including special charter cities and cities under the commission form of government to enact ordinances pertaining to defense and the war effort; to provide for penalties for the unlawful display of lights and use of streets and alleys and highways without permission of the governor, state coordinator of defense or local defense corps ordering or proclaiming a blackout or practice blackout; to provide for increasing penalties for crimes committed during blackouts or practice blackouts and for larceny of property subject to rationing; to provide for coordination with regulations of the armed forces of the United States and providing for the appropriation of funds and the disbursement thereof to carry out the purposes of this act, amended by the House, and moved that the Senate concur in the following House amendment:

Amend section 10 of Senate File 240 by adding to said section as paragraph (j) the following:

"To appoint air raid wardens and auxiliary police and that all air raid wardens and auxiliary police so appointed by the county defense council, and while on duty, shall have the power and authority to make arrest for any and all violations of this act."

The Senate concurred in the House amendment.

Senator Berg moved that Senate File 240, as amended by the House and concurred in by the Senate, be read a third 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:

Bekman	Foster	Lundy	Shaw
Berg	Goode	Lynes	Sjulin
Byers	Hart	Martin	Stewart
Clark	Harvey	Mercer	Turner
Clem	Henningsen	Miller	Vittetoe
Cromwell	Hill	Mowry	Vrba
Dykhouse	Johnson	Pelzer	Watson
Elthon	Keir	Pine	Whitehill
Emerson	Leo	Reilly	Zastrow
Faul	Long	Schluter	Ziegler
Findlay	Love		

Nays, none.

Absent or not voting, 8:

Augustine	Evans	Hattery	Hunt
Benson	Fuller	Hess	Jones

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

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

#### SENATE FILE 240 PRINTED AS PASSED

Senator Berg asked and received unanimous consent that 1,000 copies of Senate File 240 be printed as finally passed.

#### THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Faul, Senate File 239, a bill for an act to provide for a system of aid to dependent children in the several counties of the state, together with state aid therefor; to prescribe the powers and duties of the state board of social welfare, the county board of social welfare, and of counties and their boards of supervisors with regard to such system of aid; to repeal sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one and one-tenth (3641.1), thirty-six hundred forty-two (3642), and thirty-six hundred forty-three (3643), Code of 1939, and any other acts or parts of acts in conflict with this act, and to make an appropriation to carry out the provisions of this act, with report of committee on child welfare returning the bill without recommendation and with report of the appropriations committee 1 recommending passage, was taken up, considered, and the reports of both committees adopted.

Senator Faul offered the following amendment by Senators Faul, Berg, Watson, Hill, Bekman, Hart, Hattery, Pine, Jones, Lundy, Fuller, Zastrow, Elthon, and Shaw, and moved its adoption:

Amend Senate File 239 by striking all after the enacting clause and by substituting therefor the following:

Section 1. Definitions. As used in this act:

1. "State department" means the state department of social welfare provided for in section thirty-six hundred sixty-one and three one-thousandths (3661.003), Code of Iowa, 1939.

2. "State board" means the state board of social welfare provided for in section thirty-six hundred sixty-one and four one-thousandths (3661.004), Code of Iowa, 1939.

3. "County board" means the county board of social welfare provided for in section thirty-six hundred sixty-one and ten one-thousandths (3661.010), Code of Iowa, 1939.

4. A "dependent child" means a needy child under the age of sixteen years, or under the age of eighteen years found to be regularly attending school, who has been deprived of parental support and care by reason of death, continued absence from home, or physical or mental incapacity or unfitness of either parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or their home.

5. "Assistance" means money payments with respect to a dependent child or children, including funeral expenses or any other payments made or payable under this act, or under any amendments hereto.

6. "Recipient" is the person to whom money payments with respect to a dependent child or children are made.

"Sec. 2. Eligibility for aid to dependent children. Assistance shall be granted under this act to any needy dependent child who:

1. Is living in a suitable family home meeting acceptable standards.

2. Has resided in the state for one year immediately preceding the application for such assistance; or was born within the state within one year immediately preceding the application, if the mother has resided in the state for one year immediately preceding the birth of said child, without regard to the residence of the person or persons with whom said child is living.

3. Is not in a public institution and because of a physical or mental condition, in need of continued care therein.

"Sec. 3. Application for Assistance. Application for assistance under this act shall be made to the county board of the county in which the dependent child will reside in the event assistance is granted. The application shall be in writing or reduced to writing in the manner and upon the prescribed form. Such application shall be made by an adult person with whom the dependent child will live and shall contain such information as may be required. One application may be made for several children of the same family if they reside or will reside with the same person.

"Sec. 4. Investigation of application. Whenever a county board re-



ceives a notification of the dependency of a child or an application for assistance, an investigation and record of the circumstances shall promptly be made in order to ascertain the dependency of the child and the facts supporting the application.

The investigations shall include visits to the home of the child and of the person with whom the child will live during the time assistance is granted.

"Sec. 5. Granting of assistance and amount of assistance. Upon the completion of an investigation the county board shall decide whether the child is eligible for assistance under the provisions of this act and determine the amount of such assistance. The county board shall, within thirty days, notify the person with whom the child is living or will be living, of the decision made. The county board may require, as a condition of granting assistance, that a legal guardianship be established over any child or children and in such cases the assistance payments shall be made to such guardian, when appointed, but no guardian shall be allowed to receive any assistance payments for any dependent child or children unless such guardian shall bear a relationship to the child or children embraced by paragraph four (4), section one (1) of this act. The dependent child for whom the grant is made shall be originally charged to the county in which such child resides when application is made.

The amount of assistance needed for any dependent child shall be fixed by the county board with due regard to the necessary expenditures of the family and the conditions existing in each case, taking into consideration any other income or resources of any child claiming assistance under this act and any private resources found to be available to such child. Such assistance when granted shall be sufficient, when added to all other income and support available to the child, to provide such child with a reasonable subsistence compatible with decency and health, provided, however, that no monthly assistance grant shall be made in excess of eighteen dollars per month for one child, or, if there is more than one dependent child who will receive assistance in the same home, the grant shall not exceed eighteen dollars per month for one child and an additional twelve dollars per month for each additional dependent child in the same home. Assistance, when granted, shall be paid monthly to an adult person within the specified degrees of relationship and with whom the child is living, from the fund for aid to dependent children established by this act, upon the order of the state department.

"Sec. 6. Periodic reconsideration, changes, and termination of grants. Any or all assistance grants made under this act shall be subject to reconsideration at any time the county board deems necessary and shall be reinvestigated and reconsidered by the county board as frequently as may be required. After any such further investigation, the county board shall make further report to the state department. Upon such report, assistance may be continued, renewed, suspended, changed in amount, or entirely withdrawn, as the findings of such reports warrant.

"Sec. 7. Appeal to the state board. If an application is not acted upon by the county board or the state department within a reasonable time after such application is made, if it is denied in whole or in part, or if any award of assistance is modified, suspended, or cancelled under any

provision of this act, the applicant or recipient may appeal to the board. The state board shall, upon receipt of such appeal, give appellant reasonable notice and opportunity for a fair hearing before the state board or its duly authorized representative or representatives.

"Sec. 8. Removal to another county. When any child for whose benefit an application for or grant of assistance has been made is removed to another county in this state, assistance shall continue to be paid with respect to such child. Such assistance shall be chargeable to the county from which the child has been removed until the child has resided continuously for six months in a new county, after which time assistance shall be charged to the new county in which the child has such continuous residence for six months. Final determination of such charges shall be made by the state department.

"Sec. 9. Funeral expenses. Upon the death of any child for whose benefit assistance payments are being made or have been authorized, a reasonable funeral expense for the burial of such child may be paid by the state department, provided such expenses do not exceed one hundred dollars, and the estate of the deceased or any life insurance or payments by any death or funeral benefit association or society paid by reason of the death of such child to the child's estate or to any person legally liable for his support, are insufficient to defray such funeral expenses. The person to whom such funeral expenses are paid as above provided is hereby prohibited from soliciting, accepting, or contracting to receive any further compensation for services rendered or articles furnished in connection with such funeral except on written approval of the county board of the county to which the assistance is chargeable and subject to such rules and regulations as the state board shall prescribe.

"Sec. 10. Confidential nature of records. All applications, investigations and records shall be privileged communications and shall be confidential. They shall be open to inspection and use only by persons properly authorized to inspect them in connection with their official duties directly connected with the administration of this act.

Any list or lists of names of applicants or recipients of assistance authorized by this act or other lists compiled by the state department of social welfare or its successors in the administration of this act are hereby declared to be the personal property of the state of Iowa; and no employee of the state of Iowa, or any other person shall give, sell or furnish such lists or list to any persons or person for any purpose except for use in the administration of this act, and as otherwise herein provided. No person shall buy, give, furnish, sell or use such list or lists, or any plate or card from which any such list could be prepared, belonging to or used in the administration of aid to dependent children in the state of Iowa for any commercial or political purpose, and the violation of any of the provisions hereof is hereby made a misdemeanor, punishable by a fine of not to exceed one thousand dollars, or by imprisonment in the county jail not to exceed one year, or by both such fine and imprisonment.

"Sec. 11. County appropriations. The county board of supervisors in each county in this state shall appropriate annually, and pay in the manner hereinafter specified from the county poor fund, such sum as shall

result in the payment by such county of that portion of all assistance and benefits payable with respect to dependent children chargeable to the county under this act, which shall equal one-half of all such assistance and benefits chargeable to the county exclusive of such receipts and contributions to such fund other than state or county funds, as may from time to time be legally received from any source and credited to the state department and shall include in the tax levy for such county the sum or sums so appropriated for that purpose. The sums necessary as above provided shall be originally determined upon the basis of an annual budget prepared by the county board and approved by the state department. Should the sum so appropriated, however, be expended or exhausted during the year for which it was appropriated, such additional sum shall be appropriated by the board of supervisors from the county poor fund as shall be sufficient to meet the obligation of the county to pay its share as heretofore provided of all assistance and benefits with respect to dependent children chargeable to the county. The appropriation provided in this section shall not exceed statutory tax limitations now or hereafter provided, except that in counties having a population of sixty thousand, or more, the board of supervisors may levy annually a tax not to exceed one-fourth mill to carry out the provisions of this act.

"Sec. 12. Fund for aid to dependent children; reimbursement to state. There is hereby established in the state treasury a fund to be known as the 'fund for aid to dependent children' to which shall be credited all funds appropriated by the state for the payment of administrative expenses, assistance and benefits under this act, all moneys received at any time for such purposes, and all funds paid by counties to the state department as provided by this act. All assistance and benefits under this act, and the administrative expenses incident thereto, except compensation and expenses paid to the county board members, shall be paid from said fund. The state department shall report to the county board quarterly the total amount of assistance and benefits paid during the preceding quarter to recipients chargeable to the county. The county board shall promptly report the same to the county board of supervisors which shall then order paid from the county poor fund a sum representing the county's share thereof determined in the manner heretofore provided, which payment shall be credited to the fund for aid to dependent children.

"Sec. 13. Assistance not assignable. Assistance granted under this act shall not be transferable or assignable at law or in equity, and none of the money paid or payable under this act shall be subject to execution, levy attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

"Sec. 14. Fraudulent acts. Whoever obtains, or attempts to obtain, or aids or abets any person to obtain, by means of a wilfully false statement or representation, or by impersonation, or any fraudulent device, any assistance under this act to which the recipient is not entitled, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punishable by fine, not exceeding five hundred dollars or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment.

"Sec. 15. Recovery of assistance obtained by fraudulent act. Whoever obtains, or attempts to obtain, or aids or abets any person to obtain, by means of a wilfully false statement or representation, or by impersonation or any fraudulent device, any assistance as defined in this act to which the recipient is not entitled, shall be personally liable for the amount of assistance thus obtained. Such amount may be recovered from the offender or his estate in an action brought or by claim filed in the name of the state, and upon recovery the state shall pay the county a portion thereof equal to the amount paid by the county with respect to such assistance and return the balance of such recovery to the 'fund for aid to dependent children'.

"Sec. 16. Questions of policy and control respecting administration of this act shall vest and remain in the state agency of the State of Iowa for the purposes of administering all provisions of this act. In order to provide a uniform state-wide program for aid to dependent children, the state board shall promulgate such rules and regulations as may be necessary to make the provisions of this act uniform in all of the counties of this state.

"Sec. 17. Constitutionality. If any portion of this act shall be held invalid, the remaining provisions shall be given full force and effect as if the part held invalid had not been included herein.

"Sec. 18. Commencement of assistance payments. This act shall take effect as provided by law except as hereafter stated, but assistance payments hereunder shall not begin until January 1, 1944.

"Sec. 19. Appropriation. There is hereby appropriated from the general fund of the state, for the purposes of this act, the sum of three hundred seventy-five thousand dollars for the year ending June 30, 1944, and the sum of seven hundred fifty thousand dollars for the year ending June 30, 1945.

"Sec. 20. Repeal. Sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one and one-tenth (3641.1), thirty-six hundred forty-two (3642) and thirty-six hundred forty-three (3643), Code of Iowa, 1939, are hereby repealed but it is provided that such repeal shall not take effect, and payment of widows' pensions under the repealed statutes shall not cease, until January 1, 1944. All other acts or parts of acts in conflict herewith are hereby repealed."

Further amend Senate File 239 by striking all of the title after the words "An Act to provide" and by substituting therefor the following: "a program of uniform state-wide aid to dependent children; to prescribe the powers and duties of the state board of social welfare; the state department of social welfare; the county board of social welfare; and all counties and their boards of supervisors with regard to the foregoing matters; to provide for the application and granting of aid and the amount thereof; to provide for reconsideration, changes and termination of aid; to provide for appeals to the state board; to provide for the removal to other counties; to provide for funeral expenses; to provide for the confidential nature of reports; to provide for county appropriations and for a fund for aid to dependent children; to provide against fraudulent acts and the assignment of payments and the recovery of payments fraudulently obtained; to provide for the com-

mencement of payments under this act; and to repeal sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one and one-tenth (3641.1), thirty-six hundred forty-two (3642), and thirty-six hundred forty-three (3643), Code of 1939, relating to widows' pensions; to repeal all other acts or parts of acts in conflict herewith; and to make an appropriation to carry out the provisions of this act."

Senator Byers took the chair at 11:37 a. m.

Senator Faul offered the following amendment to the amendment by Senator Faul et al. to Senate File 239 and moved its adoption:

Amend the amendment by Faul et al. to Senate File 239 by inserting in line 16 of section five (5) after the word "board" the following: "subject to the approval of the state department and in accordance with rules and regulations made by the state board,".

The amendment to the amendment was adopted.

Senator Long offered the following amendment to the amendment by Senator Faul et al. and moved its adoption:

Amend the amendment by Faul et al. to Senate File 239 by inserting in line five (5) of section seven (7) before the word "board" the following: "state".

The amendment to the amendment was adopted.

Senator Cromwell offered the following amendment to the amendment by Senator Faul et al. and moved its adoption:

Amend the amendment as filed February 23 to Senate File 239 as follows:

"Strike the period (.) at the end of section 11 and insert in lieu thereof a semicolon (;) and add the following: 'and in counties having a population of over thirty-five thousand and less than sixty thousand, the board of supervisors may levy annually an additional tax not to exceed one-eighth mill to carry out the provisions of this act.'"

The amendment to the amendment was adopted.

Senator Faul offered the following amendment to the amendment by Senator Faul et al. and moved its adoption:

Amend the amendment by Senator Faul to Senate File 239 by striking from section sixteen (16), line four (4) the word "administrating" and insert in lieu thereof the word "administering".

The amendment to the amendment was adopted.

Senator Faul offered the following amendment to the amendment by Faul et al. and moved its adoption:

That the Faul et al. amendment to Senate File 239 be amended as

follows: Strike the word "a" in line twenty-two (22) of section eleven (11) and substitute therefor the words "an additional".

The amendment to the amendment was adopted.

President Blue took the chair at 11:55 a. m.

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.

The President announced that Senator Benson had left a written request at the desk to be recorded as voting "aye" on Senate File 239.

The request was granted.

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

Ayes, 49:

Augustine	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Sjulin
Byers	Hart	Lundy	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Mercer	Vrba
Dykhouse	Hill	Miller	Watson
Elthon	Hunt	Mowry	Whitehill
Emerson	Johnson	Pelzer	Zastrow
Evans	Jones	Pine	Ziegler
Faul			

Nays, none.

Absent or not voting, 1:

Hess

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

#### SENATE FILE 239 PRINTED AS ENGROSSED

Senator Faul asked and received unanimous consent that Senate File 239 be engrossed and that 500 copies be printed as engrossed.

## UNFINISHED BUSINESS

On motion of Senator Lundy, the Senate resumed consideration of Senate File 168, a bill for an act to amend section seven thousand one hundred seventy-one (7171), Code, 1939, relative to annual levies, and the following amendment by Senator Lundy:

Amend Senate File 168 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section seven thousand one hundred seventy-one (7171), Code, 1939, is hereby amended by striking all of said section following the word 'revenue,' in line nine thereof and inserting in lieu thereof the following: 'not to exceed three mills on a dollar in counties having an assessed valuation of less than sixteen million dollars (\$16,000,000.00), not to exceed two and one-half mills on a dollar in counties having an assessed valuation of sixteen million dollars (\$16,000,000.00) or more and less than twenty-six million dollars (\$26,000,000.00), not to exceed two mills on a dollar in counties having an assessed valuation of twenty-six million dollars (\$26,000,000.00) or more and less than thirty-two million dollars (\$32,000,000.00), and not to exceed one and one-half mills on a dollar in counties having an assessed valuation of thirty-two million dollars (\$32,000,000.00) or more.'"

The amendment was adopted.

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate File 168 by adding the following new paragraph:

"In all counties having a population of thirty-five thousand (35,000), or more, and not more than forty thousand (40,000), and having an ordnance plant located therein owned by the United States government, the board of supervisors may, with the approval of the state comptroller, levy not to exceed two mills on a dollar under the provisions of this section."

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, 48:

Augustine	Emerson	Hattery	Love
Bekman	Evans	Henningsen	Lundy
Berg	Faul	Hill	Lynes
Byers	Findlay	Hunt	Martin
Clark	Foster	Johnson	Mercer
Clem	Fuller	Jones	Miller
Cromwell	Goode	Keir	Mowry
Dykhousé	Hart	Leo	Pelzer
Elthon	Harvey	Long	Pine

Reilly  
Schluter  
Shaw

Sjulin  
Stewart  
Turner

Vittetoe  
Vrba  
Watson

Whitehill  
Zastrow  
Zeigler

Nays, none.

Absent or not voting, 2:

Benson

Hess

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 Lynes, the Senate resumed consideration of Senate File 249, a bill for an act relating to the levying, under certain conditions, of a schoolhouse tax by school districts and the issuing of certificates or bonds in anticipation of the collection of such tax and providing for a special schoolhouse fund.

Senator Lynes moved that the bill be read a third 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  
Berg  
Byers  
Clark  
Clem  
Cromwell  
Dykhousc  
Elthon  
Emerson  
Evans  
Faul  
Findlay

Foster  
Fuller  
Goode  
Hart  
Harvey  
Hattery  
Henningsen  
Hill  
Hunt  
Johnson  
Jones

Keir  
Long  
Love  
Lundy  
Lynes  
Martin  
Mercer  
Miller  
Mowry  
Pelzer  
Pine

Reilly  
Schluter  
Shaw  
Sjulin  
Stewart  
Turner  
Vrba  
Watson  
Whitehill  
Zastrow  
Ziegler

Nays, none.

Absent or not voting, 5:

Bekman  
Benson

Hess

Leo

Vittetoe

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

Senator Lynes moved that the 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, the Senate resumed consideration of Senate File 103, a bill for an act to repeal section three thousand eight hundred twenty-eight and nine thousandths (3828.009), Code, 1939, and to enact a substitute therefor relating to old age assistance, with the following amendment by Senator Augustine:

Amend Senate File 103 by striking the period (.) in line ten (10) and adding: "and the minimum need shall be established as forty dollars (\$40.00) per month,"

and the following amendment to the amendment by Senator Augustine, by Senator Mowry:

Amend the amendment by Senator Augustine to Senate File 103 by striking the word "minimum" in line 2 and inserting in lieu thereof the word "maximum". Also by striking the words and figures "forty dollars (\$40.00)" and inserting the words and figures "thirty dollars (\$30.00)".

Senator Mowry asked and received unanimous consent to withdraw the amendment filed by him to Senate File 103.

Senator Byers moved the previous question on the amendment by Senator Augustine and the main bill, which motion prevailed.

Roll call was demanded on the amendment by Senator Augustine.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 11:**

Augustine  
Henningsen  
Johnson

Lundy  
Lynes  
Mercer

Mowry  
Pine  
Reilly

Vrba  
Watson

**Nays, 29:**

Berg  
Byers  
Clark  
Clem  
Cromwell  
Dykhous  
Elthon  
Emerson

Faul  
Findlay  
Goode  
Hart  
Harvey  
Hill  
Hunt

Keir  
Leo  
Long  
Love  
Martin  
Miller  
Schluter

Shaw  
Sjulin  
Stewart  
Turner  
Vittetoe  
Zastrow  
Zeigler

**Absent or not voting, 10:**

Bekman  
Benson  
Evans

Foster  
Fuller  
Hattery

Hess  
Jones

Pelzer  
Whitehill

The amendment was lost.

Senator Sjulín, who was absent from the Senate Chamber when the previous question on the amendment by Senator Augustine and the main bill was put, asked unanimous consent to file an amendment to the bill.

Objection was made.

Senator Sjulín moved that the vote by which the previous question on the main bill and the amendment was put be reconsidered.

The motion prevailed and the Senate reconsidered the vote by which the previous question prevailed.

Senator Sjulín offered the following amendment and moved its adoption:

Amend Senate File 103 by adding as section 2 the following:

"In no instance shall assistance be an amount which, when added to the income of the applicant from all other sources, exclusive of the exemptions hereinafter provided, exceed a total of twenty-five dollars a month. However a further allowance not to exceed five dollars per month may be allowed, when essential, to meet additional expenses due to the individuals mentioned and/or physical condition. In unusual cases additional aid other than just stated may be determined by the social welfare board.

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.

The President announced that Senator Benson had left a written request at the desk to be recorded as voting "aye" on Senate File 103.

The request was granted.

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

Ayes, 46:

Augustine  
Bekman  
Benson  
Berg  
Byers  
Clark  
Clem  
Cromwell  
Dykhousé  
Elthon  
Emerson  
Faul

Findlay  
Fuller  
Goode  
Hart  
Harvey  
Hattery  
Henningsen  
Hill  
Hunt  
Johnson  
Jones  
Keir

Leo  
Long  
Love  
Lundy  
Lynes  
Martin  
Mercer  
Miller  
Mowry  
Pelzer  
Pine

Reilly  
Schluter  
Shaw  
Sjulín  
Stewart  
Turner  
Vrba  
Watson  
Whitehill  
Zastrow  
Zeigler

Nays, none.

Absent or not voting, 4:

Evans

Foster

Hess

Vittetoe

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.

#### 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 119, a bill for an act providing for an appropriation to Muscatine, county, Iowa.

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

Senate File 233, a bill for an act relating to exemptions from chain store taxation.

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 motor vehicle fuel specifications.

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

House File 148, a bill for an act providing for the instruction of students on the effects of alcoholic stimulants and narcotics upon the human system.

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

House File 429, a bill for an act relating to the recodification of the laws of Iowa, pertaining to cities and towns.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 354, a bill for an act to amend section three thousand eight hundred twenty-eight and seven one-thousandths (3828.007), Code, 1939; to repeal subsection six (6) and to amend subsection eight (8) of section three thousand eight hundred twenty-eight and eight one-thousandths (3828.008), Code, 1939, as amended by section four (4), chapter one hundred forty-five (145) and

section three (3), chapter one hundred forty-six (146), Acts of the Forty-ninth General Assembly; to amend section three thousand eight hundred twenty-eight and twelve one-thousandths (3828.012), Code, 1939, as amended by section six (6), chapter one hundred forty-five (145), Acts of the Forty-ninth General Assembly; to amend section three thousand eight hundred twenty-eight and thirteen one-thousandths (3828.013), Code, 1939; to amend section three thousand eight hundred twenty-eight and eighteen one-thousandths (3828.018), Code, 1939, as amended by section nine (9), chapter one hundred forty-five (145), and sections eight (8) and nine (9), chapter one hundred forty-six (146), Acts of the Forty-ninth General Assembly; to amend section three thousand eight hundred twenty-eight and twenty-one one-thousandths (3828.021), Code, 1939, as amended by section twelve (12), chapter one hundred forty-five (145), and section nine (9), chapter one hundred forty-six (146), Acts of the Forty-ninth General Assembly; to amend section three thousand eight hundred twenty-eight and twenty-two one-thousandths (3828.022), Code, 1939, as amended by section ten (10), chapter one hundred forty-six (146), Acts of the Forty-ninth General Assembly; to amend section three thousand eight hundred twenty-eight and twenty-six one-thousandths (3828.026), Code, 1939, as amended by section fifteen (15), chapter one hundred forty-five (145), and section twelve (12), chapter one hundred forty-six (146), Acts of the Forty-ninth General Assembly; to amend section three thousand eight hundred twenty-eight and thirty-nine one-thousandths (3828.039), Code, 1939, as amended by section nineteen (19), chapter one hundred forty-five (145), Acts of the Forty-ninth General Assembly; relating to persons entitled to old-age assistance; relating to limitations on who may be granted old-age assistance; relating to property exclusions for the purpose of qualifying for old-age assistance; relating to sworn statements of applicants for old-age assistance; relating to renewal of old-age assistance certificates and residence requirements of old-age assistance recipients; relating to funeral benefits for persons who have received old-age assistance; relating to the repayment by the administrator or executor of funeral charges paid by the department of social welfare; relating to old-age assistance liens; relating to duty of an executor or administrator of a deceased recipient of old-age assistance to sell real estate, including homestead, for the purpose of paying the old-age assistance lien; re-

lating to the giving of notice of certain hearings and the sending of copy of an application, petition, claim, or any report, by registered letter to the state department of social welfare, in estates of old-age assistance recipients; relating to changing the name of old-age pension fund to the old-age assistance fund; relating to civil recovery of excess old-age assistance from responsible relatives; and relating to the payment of the old-age assistance head tax as a condition precedent to obtaining old-age assistance.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 148, a bill for an act to amend chapter one hundred ninety (190), Code, 1939, relating to education by adding a provision requiring the superintendent of public instruction to supply the public high schools, academies, and institutions ranking as secondary schools of the state with educational materials and supplies necessary for the instruction and education of students on the effects of alcoholic stimulants and narcotics upon the human system; and to employ competent assistants to instruct teachers and students on such matters, and to provide for an appropriation for such purpose.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 429, a bill for an act to authorize a commission for the purpose of making a re-codification of the laws of Iowa relating to all cities and towns; to authorize an appropriation for the carrying out of the provisions of the act; to authorize and direct the report of the commission to be given the governor of Iowa; to authorize and direct the printing of the same and placing of copies in the hands of members of the Fifty-first General Assembly Elect.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

#### PRESENTATION OF VISITORS

Senator Mowry asked and received unanimous consent to present Prof. S. T. Richards and a class from the Capital City Commercial College, who were present in the Senate balcony.

Senator Faul asked and received unanimous consent to present a class from the Urbandale high school, who were present in the Senate balcony.

Senator Hattery asked and received unanimous consent to present the high school class of Colo, who were present in the balcony.

Senator Hattery asked and received unanimous consent to present to the Senate, Ensign Peterson from Story county, who was present in the Senate chamber.

Senator Watson asked and received unanimous consent that the following be printed in the Senate Journal:

#### COMMUNICATION FROM CLIFF MILLEN

STATE SENATOR GEORGE FAUL

State House

Des Moines, Iowa

Dear Senator:

If I beat the usual recovery time for mumps it will be because of my great pleasure at the resolution which you so kindly offered and the Senate so kindly adopted. It is a magnificent resolution, full of nice words and adorned with a big gold seal and two beautiful ribbons. I keep it proudly on display in my sick-room.

As a constituent of yours I would like to petition you to express my deepest thanks to the Senate members. Their friendly resolution makes me more anxious than ever to get back to seat No. 52 as soon as my swollen jaws will permit.

Yours sincerely,

CLIFF MILLEN.

#### COMMITTEE ON MEMORIAL RESOLUTION

Senator Watson moved that the President appoint a committee of three to draft suitable resolutions expressing the sympathy of the Senate to Senator Hess, whose mother passed away Thursday, March 11th.

The President appointed as such committee Senators Watson, Harvey and Clem.

#### AMENDMENTS FILED

Amend section four (4) of House File 325 as amended by striking all of said section after the colon in line eight (8) and inserting in lieu thereof the following:

"Salaries of twelve hundred dollars (\$1,200.00) or less, fifteen per

cent (15%) increase; salaries over twelve hundred dollars (\$1,200.00) and not over twenty-five hundred dollars (\$2,500.00), ten per cent (10%) increase; salaries over twenty-five hundred dollars (\$2,500.00) and not in excess of thirty-five hundred dollars (\$3,500.00), five per cent (5%) increase."

J. T. DYKHOUSE.

Substitute the following amendment to Senate File 76 for the amendment by the ways and means committee filed February 18th:

Amend Senate File 76 by striking all after the enacting clause, and inserting in lieu thereof the following:

Section 1. That section seven thousand eighty-nine (7089), Code, 1939, be and it is hereby repealed and that there be enacted in lieu thereof the following:

"The word 'company' as used in this chapter and section six thousand nine hundred forty-four (6944), subsection twenty (20), shall be deemed and considered to mean and include any person, copartnership, association, corporation, syndicate, rural electric association or organization that shall own or operate transmission line or lines or rural electric lines for the conducting of electric energy located within the state and wholly or partly outside cities and towns, whether formed or organized in this state or elsewhere."

Sec. 2. That section seven thousand ninety-five (7095), Code, 1939, be repealed and that there be enacted in lieu thereof the following:

"1. Except as otherwise provided all electric transmission lines of which the state tax commission by this chapter is required to find the value, shall be assessed at sixty per cent of their actual value, provided however that existing electric transmission lines of less than thirteen thousand five hundred volts, used in serving farms and unincorporated villages, and all rural electric association lines shall be assessed at thirty per cent of their actual value, except that such transmission lines constructed after July 1, 1943, shall be exempt from taxation for a period of two years from the time such lines are energized."

Sec. 3. That section seven thousand one hundred two (7102), Code, 1939, be, and it is hereby repealed.

Sec. 4. That all acts or parts of acts in conflict herewith are hereby repealed.

Sec. 5. That assessments of electrical lines affected by this act made in the year 1943 and thereafter shall be made in accordance with the provisions hereof.

Sec. 6. That this act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Waterloo Daily Courier, a newspaper published at Waterloo, Iowa, and in the Atlantic News-Telegraph, a newspaper published at Atlantic, Iowa.

Amend the title to Senate File 76 by striking out the title and substituting in lieu thereof the following:

"An act to repeal section seven thousand eighty-nine (7089), Code, 1939, and to enact a substitute in lieu thereof; to repeal section seven thousand ninety-five (7095), Code, 1939, and to enact a substitute in lieu thereof; and to repeal section seven thousand one hundred two

(7102), Code, 1939, relating to the assessment of electrical transmission lines for taxation, and providing for the assessment thereof at certain fixed percentages of the actual value."

J. BERG.

Amend section one (1) of Senate File 295 by adding after the word "hospital" in line five (5) the following: "and taxes have been levied for additions or improvements thereto or are levied for its maintenance."

IRVING D. LONG.

On motion of Senator Hunt, the Senate adjourned until 10:00 a. m. Monday.



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 15, 1943.

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

Prayer was offered by the Rev. Russell Cole, pastor of the Methodist Church of Mt. Vernon.

## COMMITTEE TO ESCORT HERBERT HOOVER TO THE STATEHOUSE

The Chair appointed Senators Emerson, Schluter, Long, Love and Hunt to go to the hotel to meet the Honorable Herbert Hoover and escort him to the Statehouse.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Shaw, from the board of directors of the Pocahontas County Rural Electric Cooperative Association, favoring passage of rural electrification legislation.

By Senator Clem, from residents of Woodbury county, in opposition to proposed legislation relative to seasonal employess.

By Senator Whitehill, from residents of Marshall county, favoring the establishment of pensions and annuity retirement systems for employees other than policemen and firemen in cities and towns having a population of 1,000 or more.

By Senator Hattery, from residents of Story county, favoring adoption of the new school code.

By Senator Cromwell, from residents of Des Moines county, in opposition to proposed legislation relative to seasonal employess.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stewart for the day on request of Senator Berg; Senator Sjulín for the day on request of Senator Benson; Senator Johnson for the day on request of Senator Watson.

## INTRODUCTION OF BILLS

Senate File 344, by committee on appropriations 2, a bill for an act to amend section sixty-nine hundred forty-three point one hundred (6943.100), Code of Iowa, 1939, as amended by chapter two hundred thirty-seven (237), acts of the Forty-ninth General Assembly, relating to allocations of revenues of the income, corporations and sales tax collected under the provisions of chapter three hundred twenty-nine point three (329.3), Code of Iowa, 1939.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 345, by committee on appropriations 2, a bill for an act to provide for the disposition of the balance in the Iowa emergency relief fund, created in chapter one hundred forty-two (142), acts of the Forty-ninth General Assembly, by creating therefrom a general contingent fund and an Iowa emergency relief fund, both for the ensuing biennium and providing for the administration of said funds.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 346, by committee on appropriations 2, a bill for an act to appropriate from the general fund of the state for the biennium beginning July 1, 1943, and ending June 30, 1945, funds for the Iowa Cooperative Commission and the Council of State Governments.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 347, by committee on appropriations 2, a bill for an act relating to the approval of compensation of employees of the state during the biennial fiscal period beginning July 1, 1943, and ending June 30, 1945.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 348, by committee on appropriations 2, a bill for an act to appropriate funds from the primary road fund to the industrial commissioner for the payment of workmen's compensation claims of employees of the state highway commission.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 349, by committee on appropriations 2, a bill for an act to make appropriations from the liquor control fund to the industrial commissioner for the payment of claims of employees of the liquor control commission who are injured or killed, and to the department of public safety for use by the bureau of investigation in liquor control enforcement.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 350, by committee on appropriations 2, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1943, and ending June 30, 1945, funds for various departments and various divisions thereof, of the state of Iowa, for purposes provided by law.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 351, by committee on military affairs, a bill for an act to amend, revise and codify section four hundred sixty-seven and twenty-seven hundredths (467.27), Code, 1939, relating to the military and naval staff of the governor.

Read first and second times, is ready for commitment and amendment, 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 4, a bill for an act relating to levy of taxes for park purposes.

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

Senate File 5, a bill for an act providing for levy of taxes to maintain city park recreational program.

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 counties' liability for support of patients in state sanatorium.

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

Senate File 82, a bill for an act providing deduction for expense of medical care on income tax.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 167, a bill for an act relating to park commissioners.

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

House File 23, a bill for an act relating to the computing and apportioning of taxes.

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

House File 131, a bill for an act making an appropriation for a sewerage system in Davenport, Iowa. A. C. GUSTAFSON, *Chief Clerk*.

#### HOUSE AMENDMENTS TO SENATE FILE 167

Amend Senate File 167 as follows:

1. Strike from line five (5) of section one (1) the words "operating under a commission form of government and having no superintendent of parks and public property";

2. Strike from line eleven (11) of section one (1) the word "such";

3. Add to section one (1) the following:

"Any city operating under the commission form of government having a department of parks and public property under a commissioner elected as superintendent thereof may, in its discretion whenever its population exceeds thirty thousand, so continue without electing the park commissioners required by this chapter."

4. In section two (2), line five (5), following the comma after the word "shall" strike the words "following his election at the first election held in such city after that date," and substitute therefor the words "within ten days thereafter,".

#### HOUSE MESSAGES CONSIDERED

House File 23, a bill for an act to amend section sixty-nine hundred eighty-six (6986), Code, 1939, relating to the computing and apportioning of taxes.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 131, a bill for an act to appropriate not to exceed the sum of twenty-six hundred fifty dollars for the purpose of paying one-half of the cost of the construction and installation of a sewer, septic tank and disposal field in the city of Daven-

port, Iowa, in a public street named Eastern Avenue adjoining real estate owned by the state of Iowa and used for the Iowa Soldiers' Orphans Home.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

### THIRD READING OF BILLS

On motion of Senator Hattery, Senate File 218, a bill for an act to amend chapter two hundred fifty-one and one tenth (251.1), Code, 1939, and to amend section five thousand thirteen and sixteen hundredths (5013.16), in said chapter, Code, 1939; to repeal section five thousand thirteen and twenty-one hundredths (5013.21), in said chapter, Code, 1939, and enact a substitute therefor, relating to fees for licenses for operation of motor vehicles, extending the expiration date for such licenses and providing for issuance of licenses without examination, was taken up and considered.

Senator Goode offered the following amendment and moved its adoption:

Amend section two (2) of Senate File 218 by striking the word "except" in line 13 and inserting in lieu thereof the words "provided however".

The amendment was adopted.

Senator Hattery moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 40:

Augustine	Evans	Hess	Pine
Bekman	Faul	Hill	Reilly
Benson	Findlay	Keir	Schluter
Berg	Foster	Leo	Shaw
Byers	Fuller	Lynes	Turner
Clark	Goode	Martin	Vrba
Clem	Hart	Mercer	Watson
Cromwell	Harvey	Miller	Whitehill
Dykhouse	Hattery	Mowry	Zastrow
Elthon	Henningesen	Pelzer	Ziegler

Nays, none.

Absent or not voting, 10:

Emerson	Jones	Lundy	Stewart
Hunt	Long	Sjulin	Vittetoe
Johnson	Love		

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

Senator Hattery moved that the 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 Faul asked and received unanimous consent to take up out of order and consider Senate File 329, 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 Swedish Mutual Insurance Association of Polk County, Iowa, and to provide for the renewal of the charter of said Swedish Mutual Insurance Association of Polk County.

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	Findlay	Jones	Pelzer
Bekman	Foster	Keir	Pine
Benson	Fuller	Leo	Reilly
Berg	Goode	Long	Schluter
Byers	Hart	Lundy	Shaw
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vrba
Dykhouse	Henningsen	Mercer	Watson
Emerson	Hess	Miller	Whitehill
Evans	Hill	Mowry	Zeigler
Faul	Hunt		

Nays, none.

Absent or not voting, 8:

Cromwell	Johnson	Sjulin	Vittetoe
Elthon	Love	Stewart	Zastrow

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.

#### 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 23, duly adopted, the Joint Convention was called to order, President pro tempore Byers of the Senate presiding.

Donohue of Cedar moved that a committee be appointed to escort the Honorable Herbert Hoover, former president of the United States to the Speaker's rostrum. Motion prevailed and the President pro tempore appointed as such committee: Senators Lundy of Monroe, Berg of Black Hawk and Leo of Tama, Representatives Donohue of Cedar and McFarlane of Black Hawk.

The committee waited upon Mr. Hoover and Lieutenant Governor Robert D. Blue and escorted them to the Speaker's rostrum.

Lieutenant Governor Robert D. Blue, President of the Senate, was introduced by President pro tempore Byers, and, in turn, introduced Mr. Hoover, prefacing his introduction with the following remarks:

Mr. President, Mr. Speaker, Members of the Fiftieth General Assembly of the State of Iowa, distinguished guests, and fellow Americans:

This morning as we are gathered here together the scourge of the Nazi machine and the yellow pestilence are attempting to destroy Christian civilization. This morning uncounted millions of victims of this pestilence turn their hollow eyes and their emaciated hands toward the middle west, toward America, begging for some crumbs of the bread of life from the bounteous American table. Yet as we are gathered here this morning, thousands of acres of corn, and soybeans, and other foods go unharvested. And so we have gathered here in this great State of Iowa the representatives of twelve of the great states of this Union to discuss the problem of manpower and food, and we have here to lead in this discussion Iowa's most distinguished native son, a man whose service to humanity in the last world war preserved the lives of countless thousands of men, women, and children in Europe, and whose administration of the food problem here in the United States was without parallel. It is a rare privilege and a great honor to present to the Fiftieth General Assembly of the

State of Iowa the Honorable Herbert Hoover, former president of the United States.

Mr. Hoover delivered the following address:

#### ADDRESS BY THE HONORABLE HERBERT HOOVER

LIEUTENANT GOVERNOR BLUE, MR. SPEAKER, MEMBERS OF THE IOWA ASSEMBLY, AND FELLOW AMERICANS: I am greatly honored to be invited to speak before the legislature of my native state. Iowa never loses the devotion of her native sons. Her fields and her streams, her towns, never lose their attraction. And I am glad, as a son of Iowa, to come back where I was born, where I spent my boyhood. My parents and my grandparents came to Iowa in a covered wagon. They lie buried in her soil. They toiled to build this community, to bring their children greater education, to open for them wider opportunity than had been theirs. And that has been the spirit of the state of Iowa. It was here that I was given that tender care of mind and body and those first steps of education that have been a treasure and a blessing to me ever since. I have traveled a great deal since I left Iowa, and for your comfort, I may say that there is no fertile square soil of earth equal in size where the people in it have so high an average intelligence, so high an average education, so high a standard of life, of living comfort, as the state of Iowa. Moreover, it has within it the moral and the spiritual backbone of the United States.

As I am speaking elsewhere on the food question, I had thought to speak to you for a few moments on some of the approaches to lasting peace. You probably remember that old story about the point in the funeral where the minister asked if there was any comment, and after some period of waiting a gentleman from the back of the room said "If there is no other subject before the meeting, I will speak on the state of Iowa".

Now, Americans, regardless of the past views or their political groups, are united on a single purpose today. Whatever our opinion may have been there is only one way out of the war and that is to win it, and to hope that we shall thereby attain for the world a better peace. There are before us two campaigns: The first is to defeat the enemy, and the second is to win this lasting peace. The military victory alone will not give peace. That was proved in 1918. And when firing ceases after this war, nations will be exhausted; they will be starving; we will be met with huge economic and governmental problems. The whole world will call for haste in peacemaking. There will be little time to think out the enormous problems of a lasting peace. We must begin to think now. Lofty aims are not enough. Such ideals are necessary but it is only the starting point of the job of making a realistic lasting peace. In fact, the difference between aims and actual peace is the same difference as that between the Declaration of Independence and the Constitution of the United States. Making peace is just as hard and realistic a job after this war as the problems of the American people were



after the Revolution. And if we are to do a better job of peacemaking this time, it will be because of a better public understanding of the problems and a better preparedness to meet them than at the last.

We must begin to think of these problems on a very much larger plane than ever before. Certainly with centuries of failure to make a lasting peace we need a new approach this time. In finding a new approach we can look back a little into those great occasions of peacemaking at Vienna in 1814 after long years of a world-wide war, and at Versailles in 1919 after another world war to seek for some lessons, to gain some experience, and some light that may guide us. I can only speak from reading about the Congress of Vienna, but I can speak with knowledge of Versailles; I was not only in position to observe its processes intimately and hourly and daily, but I had to deal with its consequences for fifteen years, upwards, and I have observed the continuation of them ever since.

Now, there was something in common between these two great conferences which endeavored to end world wars. Both Vienna and Versailles failed to allay the dynamic forces which create war. Both tried to substitute for such real remedies a superstructure to preserve peace, and that upon weak foundations. The Congress of Vienna set up the Holy Alliance; the conference at Versailles set up the League of Nations, and whatever the difference or analogies may be between these two great occasions, the experience at Versailles is clear enough in our memories for a lot of vivid lessons. The first of these is that actual peacemaking must fall into two parts, no matter what the setup may be. The first part is the settlement of military and territorial and economic and ideological questions, and the second part is to build on this foundation some superstructure to preserve peace.

The discussion today seems to be mainly turned upon the forms of these superstructures, such as world leagues and world councils and world union, or federations, or world parliaments, and I have no criticism to make of any such discussion, but the whole problem must have a far deeper and a far more realistic approach than that. These great explosions in civilization do not have their origins in single men or perverse action of groups of men whose punishment will end in a war. These men and their actions are themselves the product of deeper forces which must be stopped or allayed, or there can never be a lasting peace.

I believe that the new approach lies in a deep reach into these dynamic forces which have built up these great world crises. They could be grouped into six categories. They are the ideologies, the economic pressures, the excessive nationalism, militarism, imperialism, and the complexes of fear and hate and revenge. The destruction of peace from these sources must be stopped and allayed in the first party of treaty-making. That is by the settlement of political and territorial and economic and ideological questions. If they are successfully met, it means lasting peace. If there is failure to meet them, it means renewed war. Any superstructure of leagues or conferences or federations or parliaments or what-not cannot endure unless these foundations are first built.

The treaty of Versailles, as distinguished from the League, inevitably failed to meet most of those destructive forces. It expanded imperialism; it failed utterly to extinguish militarism. It furnished an enormous fuel of economic destruction. It left a disastrous trail of fear and hate and revenge. Its only real success was a temporary expansion of personal liberty and representative government and the great experiment of the League. But it was failure to deal with the age-old destructive forces that underlay the failure of the League of Nations that made the League absolutely futile. None of the superstructure to preserve peace which we are discussing today, I may repeat, can endure until these destructive dynamic forces are first dealt with and that is a realistic job. And I may add that this failure to meet these forces was no fault of President Wilson and the American delegation. They made a heroic effort to bring about a just peace. They were finally driven back by these age-old forces and their age-old subtle diplomacy. He finally placed his hopes in the League and the spread of democratic government, but that was not enough.

Now, I have insufficient time to discuss the details of this failure, to deal with these dynamic forces which make for war and I would not want to take your time to do so. But I might just mention one or two. Incendiary fires were set along scores of national borders; debilitating economic barriers to trade were increased and not decreased. Burdens were placed upon peoples which they could not perform. States were divided in a fashion which made economic recuperation impossible. And then there was the answer to militarism. The only answer is disarmament and there was wholly a failure to really disarm the enemy. There was failure of the allies to disarm themselves. And the Germans were allowed to perpetuate a military caste whose sole purpose is war. The lesson in that is this caste, both in Germany and Japan, must be put out of the war business.

Another of these failures was the attempt to punish a people instead of their leaders. There is a personal responsibility on the heads of states and their associates for violation of treaties and agreements entered into with free will. Too long has it been assumed that there is something sacred about the heads of a state who project and provoke war and wholesale murder. Certainly the Versailles experiment showed that no nation can be punished as a whole and at the same time leave any hope of lasting peace. Victory with vengeance is ultimate defeat in the modern economic world. We can have peace or we can have revenge, but we cannot have both—not upon the peoples at large.

Still another great lesson from Versailles is that no form of peace treaty is final. Peace can be preserved not by preventing all change, putting the future in a strait jacket, but by seeking to control, change and direct it. Obviously any such attempt to maintain the status quo as followed Versailles is a direct invitation to war for, peaceful means of proper adjustment having been denied, the change can come only through force. War becomes the only available solvent.

Another great lesson from Versailles is that during a long period while the world is emerging from war to a stable peace the forces of disintegration or renewed aggression must be kept down with military force, and the United Nations will need to stand on guard and not, as after Versailles, disintegrate amongst themselves.

There are many other lessons from this experience to which we need to give heed. Peace will not spring full-blown from any formula. As I have said, there can be no lasting peace unless these dynamic forces that make for war are allayed and stilled. No superstructure to maintain peace can succeed unless that is first accomplished in the peace settlements.

A second new approach to peace lies in the actual machinery and method of peacemaking. And here again there is a profound lesson to be heeded from Versailles. At the end of the last war we had an armistice which lasted for nine long months. During that time, a thousand diplomats, of forty nations, in daily sessions wrangled and struggled to settle the gigantic problems which had been loosened on the world. And they entered upon it with no preparation. Daily I witnessed the age-old forces of militarism. I saw the rise of selfish nationalism, the clash of ideals, personalities, and the ambitions of men. Hate and fear and revenge sat at that peace table. The very bringing together of all of these interests intensified the conflicts and generated new ones. It created a hundred nests of intrigue. The attempt to solve a hundred problems all at once made infinite opportunity for dark corner operations in intrigue, with the whole world pressing for haste lest the economic order should collapse. So I saw the conference degenerate into a struggle for power. Gradually the spiritual forces were driven back by the forces of destruction. The economic clock of the world was slowed down during the long delayed conclusion. Instead of releasing the forces of recovery, the armistice was a period of social and political and economic degeneration all over the world and therefore the cry was for haste, haste.

If we are not again to see the tragedy of Versailles, we must have a new approach to this whole machinery of making peace. We must avoid the whirlpools and the rocks upon which that conference was wrecked and the recovery of the world must not be dangerously delayed again. We must not act in haste. Therefore, our first opportunity is to provide a stage for peacemaking that will favor the spiritual forces of good will and idealism, rather than old-time diplomacy, and will give these residual forces amongst the human race a chance to reorganize and reform. We must prevent nests of intrigue that can again do evil. We must take time to solve these problems. Now it doesn't take a prophet to anticipate that these conflicting forces will again be in motion the instant that hostilities cease after this war. Yet, when victory comes after this war we must join with our allies and again try to lead the world to a promised land, against this terrible maelstrom of conflicting forces, and if we are to have a lasting peace it will be by cooperation with them in finding a method in making it secure.

In my view, in the new approach to peacemaking, there should be no general peace conference such as Vienna or Versailles, and there should be no armistice. There should be substituted a conditional peace absolutely imposed by the United Nations which would include not only the usual armistice provisions for ending combat, but would also include the settlement of certain urgent problems which at once are required to establish political order and to restore economic life, and allow the world some chance of spiritual recovery as well. Thus, the armistice period should be eliminated altogether and a conditional peace be set in operation instantly, before these forces of degeneration have got in their deadly work. The settlement of the long due problems will require a cooling-off of world emotions. Many of these problems must have time for deliberation. Many of them must have time for development of world opinion. They should be separated from each other for solution and each placed on its merit, under the supervision of the state departments of the different allied governments and in accord with the growth of public mind and opinion.

And the third approach to lasting peace must be some organized cooperative action to prevent conflict or aggression. Whatever this superstructure may be, it imperatively requires time for development. It must have adherence in the hearts of people if it is to endure. The League never had its roots deep in many of the peoples of the world and we must not forget that America required six long years after the victory of Yorktown until we had evolved constitutional government in the United States.

Now, as I said on many occasions before, the purpose of this war—the most terrible of three centuries—is to make a lasting peace. We must first win the war. But we will not win lasting peace unless we prepare for it. And we can prepare only by full and free public discussion and the cold surgery of realistic analysis. If we scan these former convulsions in the modern western world, we can see that, following these long periods of general war and disorder, new shapes of civilization and new forms of nations have emerged. Civilization has taken new impulses and new directions. We must expect new forms, new directions from the gigantic explosion that began in 1914. No one can pretend to see these shapes clearly. But even if we are emerging into another era of civilization, then also we shall need peace. And in the making of that peace, there will be a fleeting chance for the leaders of mankind to bind the wounds, to restore the faith, and to bring new hope into this world. Thank you.

On motion by Senator Watson of Pottawattamie, the Joint Convention was dissolved.

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

## BILL REREFERRED TO COMMITTEE

Senator Evans asked and received unanimous consent that Senate File 188 be rereferred to the sifting committee.

## RESIGNATION OF EMPLOYEES

I hereby tender my resignation as committee clerk for Senator Clark, effective March 15, 1943. EVELYN TRACY.

I hereby tender my resignation as committee clerk for Senator Hunt, effective March 15, 1943. BLANCHE SWANSON.

Senator Evans moved that the resignations of Evelyn Tracy and Blanche Swanson be accepted.

The motion prevailed and the resignations were accepted.

Senator Leo offered the following resolution by Senators Leo, Benson, Keir and Fuller:

## SENATE RESOLUTION 6

*Whereas*, Increased livestock production is a definite part of our total war effort; and

*Whereas*, Price levels and price relationships are a powerful influence in determining the ability of farmers to meet these increased production goals; and

*Whereas*, Livestock production has already been hampered by price uncertainties, confusion, and the inability of producers to plan their production programs because of these conditions, and

*Whereas*, The suggestion being made to impose price ceilings on "live animals" would be impractical of administration, and would consequently add further to the "black market problem" in addition to creating inequalities and price uncertainties which would further decrease production of these badly needed war necessities, now,

*Therefore, Be It Resolved by the Senate of the Fiftieth General Assembly of the State of Iowa*: That we hereby express our opposition to any program establishing price ceilings on "live animals", and that a copy of this resolution be sent to Prentiss Brown, administrator of the office of price administration, James F. Byrnes, economic stabilization director, and secretary of agriculture, the Honorable Claude R. Wickard.

## AMENDMENTS FILED

Amend Senate File 313 by striking all after the enacting clause, and by substituting therefor the following:

Section 1. Subsection four (4) of section eight thousand three hundred forty-three (8343), Code, 1939, is amended by striking the word "termination" in lines one (1) and two (2) and by inserting in lieu thereof the word "existence".

Sec. 2. Section eight thousand three hundred forty-nine (8349), Code, 1939, is hereby amended and revised to read as follows:

"8349 Incorporation fee. Corporations organized for a period of years shall pay the secretary of state, before a certificate of incorporation is issued, a fee of twenty-five dollars together with a recording fee of twenty-five cents per page, and, for all authorized stock in excess of ten thousand dollars, an additional fee of one dollar per thousand. Corporations organized to exist perpetually shall pay to the secretary of state, before a certificate of incorporation is issued, a fee of one hundred dollars together with a recording fee of twenty-five cents per page, and, for all authorized stock in excess of ten thousand dollars, an additional fee of one dollar ten cents per thousand. Should any corporation increase its capital stock, it shall pay to the secretary of state a recording fee of twenty-five cents per page and in addition a fee which in case of corporations existing for a period of years shall be one dollar per thousand of such increase and in case of corporations empowered to exist perpetually shall be one dollar and ten cents per thousand of such increase."

Sec. 3. Subsection four (4) of section eight thousand three hundred fifty-seven (8357), Code, 1939, is amended by striking the word "termination" in lines one (1) and two (2) and by inserting in lieu thereof the word "existence".

Sec. 4. Section eight thousand three hundred sixty (8360), Code, 1939, is amended by striking the last sentence thereof and substituting in lieu of said sentence the following: "Where capital stock is increased the certificate fee shall be omitted but there shall be paid a recording fee of twenty-five cents per page and in addition a filing fee which in case of corporations existing for a period of years shall be one dollar per thousand of such increase and in case of corporations empowered to exist perpetually shall be one dollar and ten cents per thousand of such increase. Corporations providing for perpetual existence by amendment to its articles shall, at the time of filing such amendment, pay to the secretary of state a fee of one hundred dollars together with a recording fee of twenty-five cents per page, and, for all authorized capital stock in excess of ten thousand dollars, an additional fee of one dollar ten cents per thousand."

Sec. 5. Section eight thousand three hundred sixty-four (8364), Code, 1939, is amended by striking the period at the end of the section and inserting in lieu thereof the following: "; provided however, that in addition to the power herein granted to incorporate for a period of years, corporations hereafter organized or now existing may have perpetual existence by so providing in the articles of incorporation or by amendment thereto pursuant to section 8360."

Sec. 6. Section eight thousand three hundred sixty-five (8365), Code, 1939, is amended by striking the first sentence thereof, and by inserting in lieu thereof the following: "Corporations existing for a period of years may be renewed from time to time for the same or shorter periods, or may be renewed to exist perpetually, if a majority of the votes cast at any regular election, or special election called for

Code, 1939, is amended by striking the period at the end of the section and inserting in lieu thereof the following: “; provided however, that in addition to the power herein granted to incorporate for a period of years, corporations hereafter organized or now existing may have perpetual existence by so providing in the articles of incorporation or by amendment thereto pursuant to section 8360.”

Sec. 6. Section eight thousand three hundred sixty-five (8365), Code, 1939, is amended by striking the first sentence thereof, and by inserting in lieu thereof the following: “Corporations existing for a period of years may be renewed from time to time for the same or shorter periods, or may be renewed to exist perpetually, if a majority of the votes cast at any regular election, or special election called for that purpose, at any time during the corporate life or within three months after the termination thereof, be in favor of such renewal, and if those voting for such renewal will purchase at its real value the stock voted against such renewal.”

Sec. 7. Section eight thousand three hundred sixty-six (8366), Code, 1939, is revised and amended as follows:

By inserting a period (.) following the word “succeeds” in the third line thereof, and by striking all the remainder of said section as it appears in the Code, 1939, so that said section as amended and revised shall read as follows: “Such renewals shall date from the expiration of the corporate period which it succeeds.”

Sec. 8. Chapter three hundred eighty-four (384), Code, 1939, is amended by adding thereto the following section:

“Corporations having the right of perpetual existence shall periodically pay the fees herein provided. Fifty years from the date of incorporation or last renewal of such corporations for the construction and operation, or the operation alone, of steam railways, interurban railways and street railways, for the establishment and conduct of savings banks, or for the transaction of the business of life insurance, and each fifty years thereafter, and twenty years from the date of incorporation or last renewal of such corporations for other purposes, and each twenty years thereafter, there shall be paid to the secretary of state a fee of one hundred dollars and an additional fee of one dollar ten cents per thousand for all authorized stock in excess of ten thousand dollars; and upon such payment being made the secretary of state shall issue a certificate showing such payment. The period of existence of any such corporation failing to pay such fees at the time they are due shall thereupon terminate, provided, however, that any such corporation may be renewed at any time within three months thereafter.”

Sec. 9. If any provision of this act shall be declared invalid, such invalidity shall not affect the validity of any portion of this act which can be given effect without such invalid part.

The amendment was adopted.

Senator Foster moved that the bill be read a third 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	Foster	Leo	Reilly
Berg	Fuller	Long	Schluter
Byers	Goode	Love	Shaw
Clark	Hart	Lundy	Stewart
Clem	Harvey	Lynes	Turner
Cromwell	Hattery	Martin	Vittetoe
Elthon	Henningsen	Mercer	Vrba
Emerson	Hill	Miller	Watson
Evans	Johnson	Mowry	Whitehill
Faul	Jones	Pelzer	Zeigler
Findlay	Keir	Pine	

Nays, none.

Absent or not voting, 7:

Bekman	Dykhouse	Hunt	Zastrow
Benson	Hess	Sjulin	

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

Senator Lynes offered the following amendment to the title and moved its adoption:

Amend Senate File 313 by striking the title and inserting in lieu thereof the following:

"An Act to amend sections eight thousand three hundred forty-three (8343), eight thousand three hundred forty-nine (8349), eight thousand three hundred fifty-seven (8357), eight thousand three hundred sixty (8360), eight thousand three hundred sixty-four (8364), eight thousand three hundred sixty-five (8365), eight thousand three hundred sixty-six (8366), and chapter three hundred eighty-four (384), Code, 1939, relating to corporations for pecuniary profit; to authorize perpetual existence, and fix the fees of corporations having such existence.

The amendment was adopted and the title as amended was agreed to.

Senator Lynes moved that the 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 336, a bill for an act to amend section four thousand three hundred eighty-six (4386), Code, 1939, and chapter one hundred sixty-seven (167), acts of the Forty-ninth (49th) General Assembly of Iowa, relating to the amount that school districts may estimate for levy for the general fund of school districts, was taken up and considered.



Senator Goode offered the following amendment and moved its adoption:

Amend Senate File 336 by striking section three (3) the publication clause.

The amendment was adopted.

Senator Hattery moved that the bill be read a third 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	Fuller	Leo	Reilly
Benson	Goode	Long	Schluter
Berg	Hart	Love	Shaw
Clark	Harvey	Lundy	Stewart
Clem	Hattery	Lynes	Turner
Cromwell	Henningsen	Martin	Vittatoe
Elthon	Hess	Mercer	Vrba
Emerson	Hill	Miller	Watson
Evans	Johnson	Mowry	Whitehill
Findlay	Jones	Pelzer	Zastrow
Foster	Keir	Pine	Zeigler

Nays, none.

Absent or not voting, 6:

Bekman	Dykhouse	Hunt	Sjulin
Byers	Faul		

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 Mowry, Senate File 278, a bill for an act to amend section four thousand two hundred sixty-seven and one tenth (4267.1), Code, 1939, relating to education in junior colleges and their establishment and to provide that when a junior college is temporarily discontinued due to the emergencies of the present war that the board of directors of the school district may again start the junior college within one year after hostilities of the present war cease, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Goode moved that action be deferred on Senate File 278 and that it retain its place on the calendar, which motion prevailed.

On motion of Senator Byers, Senate File 97, a bill for an act to amend section ten thousand seven hundred thirty-nine (10739), Code, 1939, relating to the salary of judges of the superior court, was taken up and considered.

Senator Hart offered the following amendment by Senators Hart and Stewart and moved its adoption:

Amend Senate File 97 as follows:

By adding thereto the following section:

"Sec. 2. Section ten thousand seven hundred forty-eight (10748), Code, 1939, is amended by striking from line four (4) thereof the words "two thousand" and by inserting in lieu thereof the words "twenty-two hundred fifty".

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, 37:**

Augustine	Evans	Keir	Reilly
Bekman	Findlay	Long	Schluter
Benson	Foster	Love	Shaw
Berg	Fuller	Lundy	Stewart
Byers	Hart	Lynes	Turner
Clark	Harvey	Martin	Vittetoe
Clem	Hattery	Mercer	Vrba
Cromwell	Henningsen	Miller	Whitehill
Elthon	Hess	Mowry	Ziegler
Emerson			

**Nays, 1:**

Watson

**Absent or not voting, 12:**

Dykhouse	Hill	Jones	Pine
Faul	Hunt	Leo	Sjulin
Goode	Johnson	Pelzer	Zastrow

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.

# COMMITTEE ON MEMORIAL RESOLUTION

Senator Keir moved that the President appoint a committee to prepare a resolution to express the sympathy of the Senate to

Senator Dykhouse, whose father passed away Wednesday, March 17th.

The President appointed as such committee Senators Keir, Shaw and Clem.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 14 and 217.

ROBERT C. REILLY, *Chairman Senate Committee.*  
E. L. EDWARDS, *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 14 and 217.

#### BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 17th day of March, 1943, sent to the governor for his approval, Senate Files 119, 189, 233 and 289.

ROBERT C. REILLY, *Chairman.*

Passed on file.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on March 11th he had approved the following:

Senate File 22, relating to the making of a corporation tax return by every corporation.

Senate File 108, relating to medical examination for life insurance policies.

Senate File 109, relating to investment of trust funds by fiduciaries.

Senate File 149, relating to acceptance of free railroad passes by officers of cities and towns.

Senate File 325, relating to income tax returns made on a fiscal year basis.

Also that on March 16th he had approved the following:

Senate File 5, relating to tax for maintenance, operation and improvement of playgrounds or swimming pools.

Senate File 4, relating to tax levy for park purposes.

Senate File 60, relating to support of patients committed to the sanatorium.

Senate File 82, relating to allowable deductions on gross income and computing that income by adding deduction provision for medical care.

Senate Joint Resolution 4, providing for the re-presentation to the new battleship Iowa of the silver service from the old battleship Iowa.

#### BILLS REFERRED TO COMMITTEES

Senator Martin asked and received unanimous consent that House File 131 be referred to committee on appropriations 1.

Senator Emerson asked and received unanimous consent that Senate File 236 be referred to the committee on appropriations 1.

Senator Goode asked and received unanimous consent that Senate File 257 be referred to the committee on appropriations 1.

#### MOTION TO RECONSIDER SENATE FILE 276

MR. PRESIDENT: I move that the motion to reconsider the vote by which Senate File 276 passed the Senate be taken from the table.

R. W. ZASTROW.

#### AMENDMENT WITHDRAWN

Senator Hess asked and received unanimous consent to withdraw the amendment filed by him to Senate File 301 and found on page 559 of the Senate Journal of February 24th.

Senator Augustine offered the following resolution:

## SENATE RESOLUTION 8

*Whereas*, Senate Concurrent Resolution 20 adopted by this body placed a doubt upon the loyalty and patriotism of certain native born Americans. This resolution passed without roll call and with very little discussion, the voice vote recorded perhaps ten or twelve rather feeble "ayes" and one or two not very emphatic "noes" thereby leaving "doubt" that the purpose embodied in this resolution was the true sentiment of this body, and

*Whereas*, The action of this body during the Forty-ninth General Assembly in refusing to adopt the lend-lease resolution has left "doubt" in the minds of some people as to the loyalty and patriotism, or at least the judgment, of some of the members of this body, and

*Whereas*, A genealogical survey of the members of this body would reveal that some of the ancestors of some of the members came from countries with which this nation is now at war.

*Whereas*, Due to the matters aforementioned, the public, through the press, has expressed "doubt" in regard to the loyalty and patriotism, judgment and purpose of this body. Therefore, it seems advisable that we reaffirm some of our vows and pledge ourselves anew in regard to national and world problems,

*Therefore, Be it Resolved by the Senate of the Fiftieth General Assembly of the State of Iowa:*

(1) That we as a Christian nation and a Christian state believe that statement of Christ when He said the second most important commandment is "Thou shalt love thy neighbor as thyself".

(2) We believe in the principles of the "Four Freedoms" as outlined in the Atlantic Charter proposed by Roosevelt and Churchill.

(3) We believe that part of the Declaration of Independence which states that "All men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness".

(4) We believe in section 1, article 1, of the Bill of Rights of the Constitution of the state of Iowa, namely, "All men are by nature free and equal and have certain unalienable rights—among which are those of defending life and liberty, acquiring and possessing and protecting property, and pursuing and obtaining safety and happiness".

(5) We believe these rights should be equally shared by all men, whether black or white, brown, yellow or red, with no discrimination against any religion or creed.

Senator Schluter offered the following concurrent resolution:

## SENATE CONCURRENT RESOLUTION 22

*Be It Resolved by the Members of the Senate of the Fiftieth General Assembly of the State of Iowa, the House Concurring:*

That the members of the Fiftieth General Assembly of the state of Iowa do hereby extend an invitation to the Honorable Herbert Hoover, a distinguished native son of the state of Iowa and the only president

from the state of Iowa, to contribute an oil portrait, bust, photograph or plaque of himself to be placed in the Iowa state art gallery in the Iowa historical building in Des Moines, Iowa.

*Be It Further Resolved*, That it is the consensus of the Fiftieth General Assembly of the state of Iowa that the Iowa art gallery is incomplete without some proper exhibit paying tribute to Iowa's only native born president of the United States.

*Be It Further Resolved*, That an enrolled copy of this resolution be sent to the Honorable Herbert Hoover.

#### COMMUNICATION FROM THE STATE APPEAL BOARD

STATE HOUSE  
Des Moines, Iowa

March 17, 1943.

MR. W. J. SCARBOROUGH  
Secretary of the Senate  
Building.

Dear Mr. Scarborough:

We are submitting to you for transmittal to the chairman of the claims committee the following claims, which have been investigated by the attorney general's office, and upon which the appeal board has made certain recommendations in each case:

##### General Claims

No. 83, Linn P. Johnson, No. 18890, Fort Madison, Iowa, claim for loss of finger at penitentiary, \$600.00. Not approved.

No. 84, W. S. Oxley, Salt Lake City, Utah, claim for injury while an inmate of state penitentiary, \$1,500.00. Not approved.

No. 85, Ed Mogridge, Omaha, Nebraska, claim for back salary of father while superintendent of Iowa School for Feeble-minded at Glenwood, \$866.64. Not approved.

No. 86, Giles Funeral Home, Burlington, Iowa, claim for burial of old-age assistance recipient, \$100.00. Approved for \$100.00.

No. 87, Johanna Krumm, Elma, Iowa, claim for loss of husband and son as result of approach to bridge giving way, \$7,500.00. Not approved.

No. 88, city of Ames, Iowa, claim for special assessments, \$3,049.34. Approved for \$2,391.19.

No. 89, John P. McGrory, Le Mars, Iowa, claim for soldier's bonus, \$248.50. Not approved.

##### Highway Claims

H-127-43, Mr. E. R. Smith, Fairfield, Iowa, claim for damage to car in collision with highway commission power mower, \$275.00. Approved for \$125.00.

H-130-43, Mr. C. H. Jones, Bloomfield, Iowa, damages to automobile on highway, \$12.60. Approved for \$12.60.

H-131-43, Mr. Clyde Durham, Knoxville, Iowa, damage sustained when bridge on primary road collapsed, \$385.40. Not approved.

H-132-43, Mrs. Helen Derby Long, Albia, Iowa, damage to car in collision with highway commission truck, \$75.69. Not approved.

H-133-43, Mr. Henry Stumpff, High, Iowa, damage to car in accident with state snowplow, \$118.76. Not approved.

H-134-43, Mr. E. R. Smith, Fairfield, Iowa, cost of medical treatment and auto damage sustained in highway accident, \$1,034.00. Not approved.

H-136-43, Mrs. Mary Haight, Logan, Iowa, auto damage and personal injury received in highway accident, \$1,446.75. Not approved.

H-137-43, Sid's Body Shop, Decorah, Iowa, claim for damages by reason of highway truck striking car, \$86.64. Approved for \$86.64.

Yours very truly,

STATE APPEAL BOARD.

C. FRED PORTER, *Chairman.*

W. G. C. BAGLEY,

C. B. AKERS,

*Members.*

#### 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 15, 19, 65, 95, 151 and 235, Senate Files 263 and 306, House File 449, Senate Files 338 and 339.

STANLEY L. HART, *Chairman.*

#### AMENDMENTS FILED

Amend Senate File 278 by striking the words "within one year" in line seven (7).

Also amend the title by striking the words "within one year".

DEWEY E. GOODE.

Amend Senate File 350, section 15, by striking the words and figures "three hundred seventy thousand two hundred four dollars (\$370,204.00)" in lines 4 and 5 and inserting in lieu thereof "three hundred seventy-two thousand three hundred four dollars (\$372,304.00)" and by striking figures "3,400.00" in line 27 and inserting in lieu thereof the figures "4,500.00". Further amend section 15 by striking the figures "371,204.00" in line 75 and inserting in lieu thereof the figures "372,304.00".

By O. H. HENNINGSEN,

*Chairman Appropriations Committee 2.*

Amend Senate File 350, section 37, by striking the words and figures "thirteen thousand dollars (\$13,000.00)" in lines 4 and 5 and inserting in lieu thereof "thirteen thousand eight hundred thirty dollars (\$13,830.00)". Further amend by striking the figures "\$9,000.00" in line 10 and inserting in lieu thereof the figures "\$9,830.00" and by striking the figures "\$13,000.00" in line 15 and inserting in lieu thereof the figures "\$13,830.00".

By O. H. HENNINGSEN,

*Chairman Appropriations Committee 2.*

Amend Senate File 223 by striking from line three (3) in section one (1) the word "eighty" and inserting in lieu thereof the word "sixty" and striking from line four (4) the figures "(80,000)" and inserting in lieu thereof the figures "(60,000)".

Further amend section one (1) by striking from line five (5) the figures "\$3,000.00" and inserting in lieu thereof the words and figures "two thousand five hundred dollars (\$2,500.00)".

Further amend section one (1) by adding thereto the following:

"Providing, however, that such board is not composed of more than five (5) members."

Further amend by striking all of section two (2).

Further amend by striking from line three (3) of the title, the words and figures "eighty thousand (80,000)" and inserting in lieu thereof "sixty thousand (60,000)".

ROBERT C. REILLY.

Amend Senate File 350, section 32, by striking the figures "\$2,580.00" in line six (6) and inserting in lieu thereof the figures "\$2,800.00". Further amend by striking the figures "\$12,980.00" in line eight (8) and inserting in lieu thereof the figures \$12,760.00".

By O. H. HENNINGSEN,

*Chairman Appropriations Committee 2.*

Amend Senate File 350, section 16, by striking the figures "\$5,000.00" in line nine (9) and inserting in lieu thereof the figures "\$6,000.00". Further amend by striking the figures "\$132,650.00" in line fifteen (15) and inserting in lieu thereof the figures "\$133,650.00". Further amend by striking the figures "\$229,660.00" in line fifty-nine (59) and inserting in lieu thereof the figures "\$230,660.00".

By O. H. HENNINGSEN,

*Chairman Appropriations Committee 2.*

Amend Senate File 350, section 9, by striking the figures "4,000.00" in line thirteen (13) and inserting in lieu thereof the figures "4,500.00". Further amend by striking the figures "61,200.43" in line fifteen (15) and inserting in lieu thereof the figures "60,700.43".

By O. H. HENNINGSEN,

*Chairman Appropriations Committee 2.*

On motion of Senator Hunt, the Senate adjourned until 9:45 a. m. Thursday.



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 18, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. S. A. Krushwitz, pastor of the Methodist Church of Lake City.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Sjulín for the day on request of Senator Benson.

## INTRODUCTION OF BILLS

Senate File 355, by committee on claims, a bill for an act to make appropriations to Henry and Eleanor Broderson, Harlan, Iowa; to Daisy E. Johnson, Des Moines, Iowa; to Herman F. Graff, Minneapolis, Minnesota; to Dr. John Eiel, Osage, Iowa; to Nissen Hospital, Osage, Iowa; to H. R. Harris, Oskaloosa, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 2.

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 76, a bill for an act relating to corporations not for pecuniary profit.

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 drainage districts.

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

House File 232, a bill for an act relating to appointment of parole agents.

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

House File 318, a bill for an act relating to tax levy for relief of members of the armed forces, their wives, widows and minor children.

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

House File 326, a bill for an act relating to cancellation of certificate of purchase.

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 suspension of limitations on loans.

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

House File 403, a bill for an act relating to the defining of qualified newspapers for publishing proceedings.

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

House File 447, a bill for an act relating to open season on catfish, and use of basket traps.

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

House File 465, a bill for an act making an appropriation for the advisory committee of the supreme court.

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 making an appropriation for the Iowa co-operative commission and council of state governments.

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

Senate File 54, a bill for an act relating to office of county surveyor.

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

Senate File 160, a bill for an act relating to insurance companies.

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

Senate File 316, a bill making appropriations for payment of certain claims against the state of Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 19, a bill for an act relating to permanent school fund.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 30, a bill for an act relating to acknowledgment of instruments by persons in the armed forces.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 123, a bill for an act relating to Woodbury county board of supervisors.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 83, a bill for an act relating to powers and duties of board of supervisors.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 235, a bill for an act relating to salaries in the banking department of the state of Iowa. A. C. GUSTAFSON, *Chief Clerk*.

#### HOUSE AMENDMENT TO SENATE FILE 19

Amend Senate File 19 by inserting the words "on farm lands" after the word "auditor" in line five (5) of section two (2).

#### HOUSE AMENDMENTS TO SENATE FILE 30

Amend Senate File 30 as follows:

1. Amend the title by striking the period (.) at the end of the title and inserting in lieu thereof the following: ", and legalizing all such acknowledgments heretofore made."

2. Further amend by inserting the word "commissioned" after the word "undersigned" in line seventeen (17) of section one (1).

#### HOUSE AMENDMENT TO SENATE FILE 123

Amend Senate File 123 by striking the word "legislation" in line two (2) of section four (4) and insert in lieu thereof the word "litigation".

#### HOUSE MESSAGES CONSIDERED

House File 76, a bill for an act to amend, revise and codify section eight thousand five hundred eighty-two (8582), Code, 1939, relating to the formation of corporations not for pecuniary profit, and to provide for a record in the office of the secretary of state of corporations not for pecuniary profit now and heretofore existing in the state of Iowa.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 84, a bill for an act to amend section seven thousand five hundred sixty-three (7563), Code, 1939, to repeal sections seven thousand five hundred sixty-four (7564), seven thou-

sand five hundred sixty-five (7565), seven thousand five hundred sixty-six (7566), seven thousand five hundred sixty-seven (7567), and seven thousand five hundred sixty-eight (7568), Code, 1939, and to enact in lieu of said repealed sections other sections, relating to the clean-out of an outlet drainage ditch and to the assessment of drainage districts outletting into said outlet ditch, and providing for notice and hearing of said clean-out and of said assessment.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 232, a bill for an act to amend chapter two hundred fifty-eight (258), Code, 1939, to provide for appointment of a parole agent by county attorneys in counties with population over sixty-five thousand.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 318, a bill for an act to amend section three thousand eight hundred twenty-eight and fifty-one thousandths (3828.051), Code, 1939, relating to tax levy for the relief of indigent soldiers, sailors, marines and nurses and their indigent wives, widows and minor children.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 326, a bill for an act to amend section seven thousand two hundred seventy-one (7271), Code, 1939, relating to the cancellation of certificate of purchase.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 340, a bill for an act to amend section nine thousand two hundred twenty-three (9223), Code, 1939, relating to the suspension of limitations on loans that may be made by savings and state banks of Iowa for the purpose of financing production, storage, or marketing of agricultural commodities and financing war production contracts, or war production facilities in general, or for any other purpose, to the extent that said loans are guaranteed or otherwise secured by the government of the United States or certain agencies thereof.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 403, a bill for an act to amend section eleven thousand ninety-nine and one-tenth (11099.1), Code, 1939, relating to the defining of qualified newspapers for publishing proceedings and notices and providing for newspapers previously qualified to retain their qualification notwithstanding suspension of publication by reason of the publisher's service in the nation's armed forces.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 447, a bill for an act to amend section one thousand seven hundred ninety-four and twenty-nine thousandths (1794.029), Code, 1939, as amended by House File 103, acts of the Fiftieth General Assembly, relating to open season on catfish; and to amend section one thousand seven hundred ninety-four and seventy-one thousandths (1794.071), Code, 1939, by providing for the use of basket traps in the Mississippi and Missouri rivers.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 465, a bill for an act to provide an emergency appropriation to cover remaining expenses incurred by the advisory committee of the supreme court on rules of procedure.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 2.

House File 466, a bill for an act to appropriate from the general fund of the state for the biennium beginning July 1, 1943, and ending June 30, 1945, funds for the Iowa cooperative commission and the council of state governments.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senator Schluter called up the following concurrent resolution and moved its adoption:

## SENATE CONCURRENT RESOLUTION 22

*Be It Resolved by the Members of the Senate of the Fiftieth General Assembly of the State of Iowa, the House Concurring:*

That the members of the Fiftieth General Assembly of the state of Iowa do hereby extend an invitation to the Honorable Herbert Hoover, a distinguished native son of the state of Iowa and the only president from the state of Iowa, to contribute an oil portrait, bust, photograph or plaque of himself to be placed in the Iowa state art gallery in the Iowa historical building in Des Moines, Iowa.

*Be It Further Resolved,* That it is the consensus of the Fiftieth General Assembly of the state of Iowa that the Iowa art gallery is incomplete without some proper exhibit paying tribute to Iowa's only native born president of the United States.

*Be It Further Resolved,* That an enrolled copy of this resolution be sent to the Honorable Herbert Hoover.

The motion prevailed and the resolution was adopted.

## HOUSE AMENDMENTS CONSIDERED

Senator Clem called up for consideration Senate File 123, a bill for an act to legalize action of the board of supervisors of Woodbury county, in making expenditures from the court expense fund for the purpose of paying the salaries and expenses of officers and employees of the juvenile court of Woodbury county, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 123 by striking the word "legislation" in line two (2) of section four (4) and insert in lieu thereof the word "litigation".

The Senate concurred in the House amendment.

Senator Clem moved that the bill, as amended by the House and concurred in by the Senate, be read a third 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	Foster	Keir	Schluter
Bekman	Fuller	Leo	Shaw
Benson	Goode	Long	Stewart
Berg	Hart	Love	Turner
Byers	Harvey	Lynes	Vittetoe
Clark	Hattery	Martin	Vrba
Clem	Henningsen	Mercer	Watson
Emerson	Hess	Miller	Whitehill
Evans	Hunt	Mowry	Zastrow
Faul	Johnson	Pelzer	Zeigler
Findlay	Jones	Pine	

Nays, none.

Absent or not voting, 7:

Cromwell	Elthon	Lundy	Sjulin
Dykhouse	Hill	Reilly	

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

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

### UNFINISHED BUSINESS

On motion of Senator Mowry, the Senate resumed consideration of Senate File 278, a bill for an act to amend section four thousand two hundred sixty-seven and one tenth (4267.1), Code, 1939, relating to education in junior colleges and their establishment and to provide that when a junior college is temporarily discontinued due to the emergencies of the present war that the board of directors of the school district may again start the junior college within one year after hostilities of the present war cease.

Senator Goode offered the following amendment and moved its adoption:

Amend Senate File 278 by striking the words "within one year" in line seven (7).

Also amend the title by striking the words "within one year".

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, 42:

Augustine	Hart	Long	Schluter
Bekman	Harvey	Love	Shaw
Benson	Hattery	Lundy	Stewart
Berg	Henningsen	Lynes	Turner
Clark	Hess	Martin	Vittetoe
Clem	Hill	Mercer	Vrba
Emerson	Hunt	Miller	Watson
Faul	Johnson	Mowry	Whitehill
Findlay	Jones	Pelzer	Zastrow
Fuller	Keir	Pine	Zeigler
Goode	Leo		

Nays, none.

Absent or not voting, 8:

Byers  
Cromwell

Dykhouse  
Elthon

Evans  
Foster

Reilly  
Sjulin

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

### THIRD READING OF BILLS

On motion of Senator Henningsen, Senate File 350, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1943, and ending June 30, 1945, funds for various departments and various divisions thereof, of the state of Iowa, for purposes provided by law, was taken up and considered.

Senator Henningsen, chairman of appropriations committee 2, offered the following committee amendments, and moved their adoption:

Amend Senate File 350, section 9, by striking the figures "4,000.00" in line thirteen (13) and inserting in lieu thereof the figures "4,500.00". Further amend by striking the figures "61,200.43" in line fifteen (15) and inserting in lieu thereof the figures "60,700.43".

Amend Senate File 350, section 15, by striking the words and figures "three hundred seventy thousand two hundred four dollars (\$370,204.00)" in lines 4 and 5 and inserting in lieu thereof "three hundred seventy-two thousand three hundred four dollars (\$372,304.00)" and by striking figures "3,400.00" in line 27 and inserting in lieu thereof the figures "4,500.00". Further amend section 15 by striking the figures "371,204.00" in line 75 and inserting in lieu thereof the figures "372,304.00".

Amend Senate File 350, section 16, by striking the figures "\$5,000.00" in line nine (9) and inserting in lieu thereof the figures "\$6,000.00". Further amend by striking the figures "\$132,650.00" in line fifteen (15) and inserting in lieu thereof the figures "\$133,650.00". Further amend by striking the figures "\$229,660.00" in line fifty-nine (59) and inserting in lieu thereof the figures "\$230,660.00".

Amend Senate File 350, section 32, by striking the figures "\$2,580.00" in line six (6) and inserting in lieu thereof the figures "\$2,800.00". Further amend by striking the figures "\$12,980.00" in line eight (8) and inserting in lieu thereof the figures "\$12,760.00".

Amend Senate File 350, section 37, by striking the words and figures "thirteen thousand dollars (\$13,000.00)" in lines 4 and 5 and inserting in lieu thereof "thirteen thousand eight hundred thirty dollars (\$13,-



830.00)". Further amend by striking the figures "\$9,000.00" in line 10 and inserting in lieu thereof the figures "\$9,830.00" and by striking the figures "\$13,000.00" in line 15 and inserting in lieu thereof the figures "\$13,830.00".

Amend Senate File 350 by striking from section thirty-one (31) all of line seven (7).

Amend Senate File 350, section forty-seven (47), by striking all of lines nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16) and seventeen (17) and inserting in lieu thereof the following:

"9	For salary of John Gordinier.....	2,100.00
10	For salaries, support, maintenance and	
11	miscellaneous purposes .....	16,840.00
12		<hr/>
13	Grand total of all appropriations	
14	for all purposes for each year of	
15	the biennium for the supreme court.....	\$86,440.00"

Senator Long offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendment to section forty-seven (47) of Senate File 350 by striking the words "John Gordinier" in line five (5) and inserting the word "bailiff."

The amendment to the committee amendments was adopted.

The committee amendments as amended were adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 350 by striking from line ten (10) of section twenty-seven (27) the figures "\$5,000.00" and by substituting therefor the figures "\$6,000.00" and further amend section twenty-seven (27) of Senate File 350 by striking from line thirteen (13) the figures "\$41,500.00" and by substituting therefor the figures "\$40,500.00".

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 8:

Bekman	Byers	Faul	Lynes
Berg	Emerson	Harvey	Reilly

Nays, 21:

Benson	Hattery	Leo	Stewart
Clark	Hess	Pelzer	Turner
Clem	Hunt	Pine	Vittetoe
Elthon	Jones	Schluter	Whitehill
Findlay	Keir	Shaw	Zastrow
Foster			

**Absent or not voting, 21:**

Augustine	Hart	Love	Mowry
Cromwell	Henningsen	Lundy	Sjulin
Dykhouse	Hill	Martin	Vrba
Evans	Johnson	Mercer	Watson
Fuller	Long	Miller	Zeigler
Goode			

The amendment was lost.

Senator Henningsen asked and received unanimous consent to strike from section forty-seven (47) at lines 4 and 5 the words and figures "eighty-six thousand four hundred forty-four dollars (\$86,444.00)" and inserting in lieu thereof the words and figures "eighty-six thousand four hundred forty dollars (\$86,440.00)."

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, 44:**

Augustine	Fuller	Keir	Pine
Bekman	Goode	Leo	Reilly
Benson	Hart	Long	Schluter
Berg	Harvey	Love	Shaw
Byers	Hattery	Lundy	Stewart
Clark	Henningsen	Lynes	Turner
Clem	Hess	Martin	Vittetoe
Elthon	Hill	Mercer	Vrba
Evans	Hunt	Miller	Whitehill
Faul	Johnson	Mowry	Zastrow
Findlay	Jones	Pelzer	Zeigler

Nays, none.

**Absent or not voting, 6:**

Cromwell	Emerson	Sjulin	Watson
Dykhouse	Foster		

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.

Senator Henningsen asked and received unanimous consent that Senate File 350 be engrossed before it is messaged to the House.

**HOUSE AMENDMENTS CONSIDERED**

Senator Hattery called up for consideration Senate File 30, a bill for an act providing for the acknowledgment of instruments

by persons serving in or with the armed forces of the United States before any commissioned officer and providing a form of certification of such acknowledgment, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 30 as follows:

1. Amend the title by striking the period (.) at the end of the title and inserting in lieu thereof the following: " , and legalizing all such acknowledgments heretofore made."

2. Further amend by inserting the word "commissioned" after the word "undersigned" in line seventeen (17) of section one (1).

The Senate concurred in the House amendments.

Senator Hattery moved that the bill, as amended by the House and concurred in by the Senate, be read a third 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	Fuller	Leo	Reilly
Bekman	Goode	Long	Schluter
Berg	Hart	Love	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Elthon	Henningsen	Mercer	Vrba
Emerson	Hess	Miller	Whitehill
Faul	Hill	Mowry	Zastrow
Findlay	Jones	Pelzer	Zeigler
Foster	Keir	Pine	

Nays, none.

Absent or not voting, 11:

Benson	Dykhouse	Johnson	Sjulin
Byers	Evans	Lundy	Watson
Cromwell	Hunt	Shaw	

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

Senator Hill called up for consideration Senate File 19, a bill for an act to amend section forty-four hundred seventy-three (4473), forty-four hundred eighty-seven (4487), forty-four hundred eighty-eight (4488), forty-five hundred six (4506), and forty-five hundred seven (4507), Code of Iowa, 1939, relative to permanent school fund interest rates and loans, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 19 by inserting the words "on farm lands" after the word "auditor" in line five (5) of section two (2).

The Senate refused to concur in the House amendment to the bill.

### THIRD READING OF BILLS

On motion of Senator Faul, Senate File 213, a bill for an act to provide for the disposition of the excess revenues derived from the tax levies made under the provisions of chapter three hundred thirty-two (332) (House File 401), acts of the Thirty-ninth (39th) General Assembly, for the purpose of retiring the bonds issued under said chapter three hundred thirty-two (332), after the bonds issued under said chapter have been fully retired, to extend the time for filing claims under said chapter and the payment of same from said excess revenues, and the disposition of the balance of the excess into the disability fund, and to provide for the state treasurer to draw on the county treasurers for the balance of said revenues; and to amend said chapter three hundred thirty-two (332) (House File 401), acts of the Thirty-ninth (39th) General Assembly, 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 Senate File 213 by inserting immediately after the words and figures "(House File 401)" in line two (2) of section four (4) the following: "Acts of the thirty-ninth (39th) General Assembly".

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	Fuller	Keir	Reilly
Berg	Goode	Leo	Schluter
Byers	Hart	Long	Shaw
Clark	Harvey	Love	Stewart
Clem	Hattery	Lundy	Turner
Cromwell	Henningsen	Martin	Vittetoe
Elthon	Hess	Mercer	Vrba
Emerson	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
Faul	Johnson	Pelzer	Zastrow
Findlay	Jones	Pine	Zeigler
Foster			

Nays, none.

Absent or not voting, 5:

Bekman  
Benson

Dykhouse

Lynes

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.

#### PRESENTATION OF VISITORS

Senator Findlay asked and received unanimous consent to present a class from the Lanyon High School, who were present in the balcony with their instructor.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 4 and 113.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *Chairman House Committee.*

Report adopted.

#### BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 4, and 113.

#### BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 18th day of March, 1943, sent to the governor for his approval Senate File 240.

ROBERT C. REILLY, *Chairman.*

Passed on file.

**BILLS SIGNED BY THE GOVERNOR**

A communication was received from the governor announcing that on March 17th he had approved the following:

Senate File 119, making an appropriation to Muscatine county.

Senate File 189, relating to form of licenses for scales and gasoline pumps.

Senate File 233, relating to certain exemptions from chain store taxation.

Senate File 289, relating to motor vehicle fuel specifications.

**EXECUTIVE SESSION**

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate in executive session confirmed the following appointments:

Fred Gilbert, of Marshall county, as a member of the State Highway commission, for the term ending June 30, 1947.

S. Ray Emerson, of Union county, as a member of the State Highway commission, for the term ending June 30, 1947.

Sanford Zeigler Jr., of Jefferson county, as a member of the State Highway commission, for the term ending June 30, 1947.

David L. Murrow, of Wayne county, as a member of the State Tax commission, for the term ending June 30, 1949.

Charles W. Harness, of Wapello county, as Labor Commissioner, for the term ending June 30, 1945.

H. C. Beard, of Ringgold county, as a member of the Board of Social Welfare, for the term ending June 30, 1949.

The Senate arose from executive session and resumed regular session.

**MOTION TO TABLE RESOLUTION**

**MR. PRESIDENT:** I move that Senate Resolution 8 be laid on the table.  
G. W. HUNT.

Senator Augustine offered the following resolution:

## SENATE RESOLUTION 9

*Whereas*, House Concurrent Resolution 26 was passed by this body memorializing the Congress of the United States on the subject of the third term,

*Therefore, Be It Resolved by the Senate of the Fiftieth General Assembly of Iowa:*

That the chairman of the committee on constitutional amendments immediately call a meeting of this committee for the purpose of considering the following amendments to the constitution of the state of Iowa:

(1) Prevent the state auditor and state treasurer from serving more than two consecutive terms.

(2) Prevent any member of the Iowa Senate from serving more than 10 sessions in the Iowa legislature, including extra sessions.

(3) Prevent any member of the House of Representatives from serving more than 16 sessions in the Iowa legislature, including extra sessions.

## 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 326, 447, 61 and 340; Senate Files 101, 207, 211, 38, 116, 148 and 142; House Files 167 and 403.

STANLEY L. HART, *Chairman*.

## REPORT OF COMMITTEE

Senator Henningsen submitted the following report:

MR. PRESIDENT: Your committee on appropriations 2, to which was referred Senate File 355, a bill for an act to make appropriations to Henry and Eleanor Broderson, Harlan, Iowa; to Daisy E. Johnson, Des Moines, Iowa; to Herman F. Graff, Minneapolis, Minnesota; to Dr. John Eiel, Osage, Iowa; to Nissen Hospital, Osage, Iowa; to H. R. Harris, Oskaloosa, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 2, to which was referred House File 131, a bill for an act to appropriate not to exceed \$2,650 to pay one half the cost of construction and installation of a sewer, septic tank and disposal field in Davenport, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file:

## AMENDMENTS FILED

1. Amend Senate File 306 by striking from lines ten (10), eleven (11), and twelve (12) of section three (3) the words "shall be for the same period as provided in section 8364" and inserting in lieu thereof the following: "permit shall authorize the transaction of business in the state of Iowa from the date thereof for the period that is permitted by the provisions of section 8364".

2. Amend Senate File 306 by adding as section five (5) thereof the following:

"Sec. 5. Amend section eight thousand four hundred twenty-three (8423), Code, 1939, by striking the period (.) at the end of said section and adding thereafter the following: "if said corporation has existence for a period of years. If the corporation has perpetual existence under its articles or charter it shall make the filings as hereinbefore provided for and shall pay a filing fee of one hundred dollars and a further fee of one dollar and ten cents for each one thousand dollars of such money or property within this state in excess of ten thousand dollars, and thereafter shall periodically pay the said fees as follows: in the case of a corporation for the construction and operation, or the operation alone, of steam railways, interurban railways, and street railways, for the establishment and conduct of savings banks, or for the transaction of the business of life insurance, every fifty years from the date of qualification and in the case of all other corporations, every twenty years from the date of qualification, and the failure to make such payments within three months from the date same are due, the secretary of state shall cancel the permit of said corporation.'"

3. Amend Senate File 306 by inserting after the word "amend" in line three (3) of the title the following: "section 8423,".

By PRIVATE CORPORATIONS COMMITTEE.

Amend Senate File 142, in line 5 of section 1 by striking the following: "committed", and inserting in lieu thereof the following: "committed or admitted".

J. KENDALL LYNES.

Amend Senate File 276 as follows:

Sec. 2. Section six thousand nine hundred forty-four (6944), subsection twenty (20), Code, 1939, is further amended by adding to said subsection in line eight (8) immediately preceding the word "and" the following:

"in one or more plants or factories within the state of Iowa, or having one or more subsidiary corporations (at least seventy-five per cent (75%) of whose capital stock is owned by said manufacturing company) so engaged and located within this state,".

By E. K. BEKMAN.

Amend Senate File 344, subsection 2 of section 1, by inserting after the figures "(329.3)" in line six (6) the following: "and chapter three hundred twenty-nine point four (329.4),".

Further amend by striking the words "three hundred fifty-three thousand one hundred two dollars (\$353,102.00)" in lines seven (7)



and eight (8) and inserting in lieu thereof the words and figures "four hundred forty thousand dollars (\$440,000.00)".

Further amend by striking the words "income, corporation and sales tax division." in line ten (10) and inserting in lieu thereof the words "personal and corporation income, sales and use tax divisions."

O. H. HENNINGSSEN, *Chairman*  
*Committee on Appropriations 2.*

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 19, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. Clark Williams, pastor of the Congregational Church of Humboldt.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hill, from members of the Stratford public school board, favoring adoption of the new school code; also from the members of the city council of Webster City, favoring establishment of pensions and annuity retirement system for city employees.

By Senator Turner, from the members of the Villisca school board, favoring adoption of the new school code.

By Senator Reilly, from the members of the Villisca school board, from the members of the Dubuque Women's Club, and the members of the American Legion Auxiliary of Dubuque, favoring adoption of the new school code.

By Senator Benson, from the teachers and officers of the Greene county school boards, favoring adoption of the new school code.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Faul for the day on request of Senator Watson.

## INTRODUCTION OF BILLS

Senate File 356, by committee on claims, a bill for an act to amend chapter sixty-one (61), acts of the Forty-ninth (49th) General Assembly, relating to claims between the state of Iowa and others.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 357, by committee on appropriations 1, a bill for an act to appropriate from the general fund of the state of Iowa for improvements, repairs, and supplies for the state capitol buildings and grounds.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 358, by committee on appropriations 2, a bill for an act to appropriate funds to the state comptroller from the motor vehicle fuel tax fund.

Read first and second times, is ready for commitment and amendment, 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 263, a bill for an act relating to the registration of motor vehicles.

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

House File 344, a bill for an act relating to corporations not for pecuniary profit.

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

House File 406, a bill for an act relating to bonded warehouses.

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

Senate Concurrent Resolution 22 inviting Honorable Herbert Hoover to contribute a likeness of himself to the Iowa state capitol gallery.

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

House Concurrent Resolution 27 providing for the scrapping of old cannons and mortar located on Iowa state capitol grounds.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 27

A concurrent resolution providing for the scrapping of old cannons and mortar located upon the capitol grounds of the state of Iowa.

*Whereas*, The old cannons and mortar located upon the capitol grounds are obsolete and of no value only as a relic; and

*Whereas*, These old relics were presented to the state of Iowa many years ago by an act of Congress and war department, and only being four in number; and

*Whereas*, The government of the United States of America asks that all old metal be scrapped and turned over for use; and

*Whereas*, We feel it our duty to do everything possible to win the war; and

*Whereas*, The scrapping of these relics will help our boys and girls in serving our country, by providing implements of war and modern equipment; and

*Whereas*, The American Legion, Spanish-American Women's Auxiliaries and other patriotic organizations or the majority thereof desire that such relics be scrapped;

*Therefore Be It Resolved by the House, the Senate Concurring*: That the cannons and mortar now located upon the capitol grounds of the state of Iowa, be scrapped and any and all proceeds be credited to the United Service Organizations of Iowa.

#### HOUSE MESSAGES CONSIDERED

House File 263, a bill for an act to amend section five thousand one and five hundredths (5001.05), Code, 1939, to provide that the county treasurer shall withhold registration of any motor vehicle until the owner or applicant shall have paid his delinquent personal taxes for the year preceding the date of such application.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 344, a bill for an act to amend chapter three hundred ninety-four (394), Code, 1939, relating to corporations not for pecuniary profit.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 406, a bill for an act to repeal chapter four hundred twenty-six (426), Code, 1939, relating to bonded warehouses for agricultural products, and to enact a substitute therefor.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

#### THIRD READING OF BILLS

On motion of Senator Henningsen, Senate File 344, a bill for an act to amend section sixty-nine hundred forty-three point one

hundred (6943.100), Code of Iowa, 1939, as amended by chapter two hundred thirty-seven (237), acts of the Forty-ninth General Assembly, relating to allocations of revenues of the income, corporations and sales tax collected under the provisions of chapter three hundred twenty-nine point three (329.3), Code of Iowa, 1939, was taken up and considered.

Appropriations committee 2 offered the following amendment and moved its adoption:

Amend Senate File 344, subsection 2 of section 1, by inserting after the figures "(329.3)" in line six (6) the following: "and chapter three hundred twenty-nine point four (329.4),".

Further amend by striking the words "three hundred fifty-three thousand one hundred two dollars (\$353,102.00)" in lines seven (7) and eight (8) and inserting in lieu thereof the words and figures "four hundred forty thousand dollars (\$440,000.00)".

Further amend by striking the words "income, corporation and sales tax division." in line ten (10) and inserting in lieu thereof the words "personal and corporation income, sales and use tax divisions."

The amendment was adopted.

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, 43:

Augustine	Fuller	Leo	Schluter
Bekman	Goode	Long	Shaw
Benson	Hart	Love	Stewart
Berg	Harvey	Lynes	Turner
Byers	Hattery	Martin	Vittetoe
Clem	Henningsen	Mercer	Vrba
Elthon	Hess	Miller	Watson
Emerson	Hill	Mowry	Whitehill
Evans	Hunt	Pelzer	Zastrow
Findlay	Jones	Pine	Zeigler
Foster	Keir	Reilly	

Nays, none.

Absent or not voting, 7:

Clark	Dykhouse	Johnson	Sjulin
Cromwell	Faul	Lundy	

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 Foster, Senate File 333, a bill for an act to amend section eight thousand four hundred forty (8440), Code, 1939, relating to annual reports of corporations, was taken up and considered.

Senator Foster moved that the bill be read a third 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	Fuller	Keir	Reilly
Bekman	Goode	Leo	Schluter
Berg	Hart	Long	Shaw
Byers	Harvey	Love	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
Findlay	Johnson	Pelzer	Zeigler
Foster	Jones	Pine	

Nays, none.

Absent or not voting, 7:

Benson	Emerson	Lundy	Zastrow
Dykhouse	Faul	Sjulin	

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

Senator Foster moved that the 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 19, a bill for an act to amend sections seven thousand three hundred seventeen (7317), seven thousand three hundred thirty-five (7335), seven thousand three hundred fifty (7350), seven thousand three hundred fifty-two (7352), and seven thousand three hundred sixty-three (7363), Code, 1939, relating to inheritance tax, 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 19 by striking from section one (1) thereof all of paragraph two (2).

Further amend House File 19 by striking from section one (1) all of paragraph three (3) and by inserting in lieu thereof the following:

"3. Amend section seven thousand three hundred seventeen (7317),

Code, 1939, by striking from paragraph one (1), lines twelve (12), thirteen (13), and fourteen (14), the words "the statutory fee of executors, administrators, or trustees estimated upon the appraised value of the property" and by inserting in lieu thereof the following: "the fee of executors, administrators, or trustees as allowed by order of court."

Further amend House File 19 by adding a new section as follows:

Amend section seven thousand three hundred seventeen (7317), Code, 1939, by striking from paragraph one (1) thereof in line seventeen (17) the word "ordinary".

The amendment was adopted.

Senator Mowry asked and received unanimous consent to withdraw the amendment filed by him to House File 19 and found on page 130 of the Senate Journal.

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	Findlay	Keir	Pine
Bekman	Foster	Leo	Reilly
Benson	Fuller	Long	Schluter
Berg	Hart	Love	Shaw
Byers	Harvey	Lynes	Stewart
Clark	Hattery	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Cromwell	Hill	Miller	Watson
Elthon	Johnson	Mowry	Zeigler
Emerson	Jones	Pelzer	

Nays, none.

Absent or not voting, 11:

Dykhouse	Goode	Lundy	Whitehill
Evans	Henningsen	Sjulin	Zastrow
Faul	Hunt	Vrba	

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

On motion of Senator Johnson, House File 65, a bill for an act to amend section nineteen (19), Code, 1939, relating to compensation of officers, employees and chaplains of the General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Johnson moved that the bill be read a third 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	Findlay	Hunt	Pine
Bekman	Foster	Johnson	Reilly
Benson	Fuller	Jones	Schluter
Berg	Goode	Keir	Shaw
Byers	Hart	Leo	Stewart
Clem	Harvey	Love	Turner
Cromwell	Hattery	Lynes	Vittetoe
Elthon	Henningsen	Martin	Vrba
Emerson	Hess	Miller	Watson
Evans	Hill	Mowry	Zeigler

**Nays, none.****Absent or not voting, 10:**

Clark	Long	Pelzer	Whitehill
Dykhouse	Lundy	Sjulin	Zastrow
Faul	Mercer		

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

Senator Johnson moved that the 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 151, a bill for an act to amend section six thousand three hundred fifteen and one-tenth (6315.1) of chapter three hundred twenty-two (322), Code, 1939, relating to time served in the armed forces being included in period of service in police and fire departments of cities and towns, was taken up and considered.

Senator Martin offered the following amendment and moved its adoption:

Amend House File 151 by adding thereto a new section as follows:  
 "Sec. 2. This act shall apply to cities acting under special charter."

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, 41:**

Augustine	Emerson	Hattery	Leo
Bekman	Evans	Henningsen	Lynes
Benson	Findlay	Hess	Martin
Berg	Foster	Hill	Miller
Byers	Fuller	Hunt	Mowry
Clem	Goode	Johnson	Pelzer
Cromwell	Hart	Jones	Pine
Elthon	Harvey	Keir	Reilly



Schluter  
Shaw  
Stewart

Turner  
Vittetoe

Vrba  
Watson

Whitehill  
Zeigler

Nays, none.

Absent or not voting, 9:

Clark  
Dykhouse  
Paul

Long  
Love

Lundy  
Mercer

Sjulin  
Zastrow

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 Hill, House File 95, a bill for an act to provide that chapter four hundred sixty (460), Code, 1939, shall not apply to any bill legalizing the proceedings of or expenditures by the state or any political subdivision thereof in connection with any war emergency, with report of committee recommending passage, was taken up, considered, and the report of the committee 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  
Bekman  
Benson  
Berg  
Byers  
Clem  
Cromwell  
Elthon  
Emerson  
Findlay

Goode  
Hart  
Harvey  
Hattery  
Henningsen  
Hess  
Hill  
Hunt  
Jones  
Keir

Leo  
Long  
Love  
Lynes  
Martin  
Miller  
Mowry  
Pelzer  
Pine  
Reilly

Schluter  
Shaw  
Stewart  
Turner  
Vittetoe  
Vrba  
Watson  
Whitehill  
Zastrow  
Zeigler

Nays, none.

Absent or not voting, 10:

Clark  
Dykhouse  
Evans

Faul  
Foster  
Fuller

Johnson  
Lundy

Mercer  
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 Lynes, House File 235, a bill for an act to amend chapter one hundred thirty-four and one tenth (134.1), Code, 1939, relating to cold storage locker plants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lynes moved that the bill be read a third 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	Hattery	Love	Shaw
Clark	Henningsen	Lynes	Stewart
Cromwell	Hess	Martin	Turner
Elthon	Hill	Miller	Vittetoe
Emerson	Hunt	Mowry	Vrba
Findlay	Johnson	Pelzer	Watson
Fuller	Jones	Pine	Whitehill
Goode	Keir	Reilly	Zastrow
Hart	Leo	Schluter	Zeigler
Harvey	Long		

Nays, none.

Absent or not voting, 12:

Bekman	Byers	Evans	Lundy
Benson	Clem	Faul	Mercer
Berg	Dykhouse	Foster	Sjulin

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

Senator Lynes moved that the 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 Keir, Senate File 338, a bill for an act to amend section one thousand five hundred fifty-one and fifteen hundredths (1551.15) in chapter seventy-seven and two-tenths (77.2), Code, 1939, relating to the control, management and use of the unemployment compensation fund; and to provide for the cancellation of outstanding warrants for the payment of benefits, and the issuance, in such cases, of warrants in lieu of the original warrants in the discretion of the commission, was taken up and considered.

Senator Keir moved that the bill be read a third 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	Foster	Leo	Stewart
Bekman	Fuller	Long	Turner
Benson	Hart	Martin	Vittetoe
Berg	Harvey	Miller	Vrba
Clark	Hess	Mowry	Watson
Clem	Hill	Pine	Whitehill
Elthon	Johnson	Reilly	Zastrow
Evans	Jones	Schluter	Zeigler
Findlay	Keir	Shaw	

Nays, none.

Absent or not voting, 15:

Byers	Faul	Hunt	Mercer
Cromwell	Goode	Love	Pelzer
Dykhouse	Hattery	Lundy	Sjulin
Emerson	Henningsen	Lynes	

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

Senator Keir moved that the 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 449, a bill for an act to repeal House File twenty-one (21), acts of the Fiftieth General Assembly of Iowa, and to amend section fifteen hundred fifty-one and thirteen hundredths (1551.13), Code, 1939, as amended, relating to rate of contribution and method of determining rate, and providing for right of appeal by employer; amending chapter one hundred three (103) of the acts of the Forty-ninth General Assembly of Iowa, relating to the computation and assessment of contributions and procedures by which the employer may protest such assessments, and appeals from such assessments to the commission and to the court, 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	Clem	Foster	Hattery
Bekman	Elthon	Fuller	Henningsen
Benson	Emerson	Goode	Hess
Berg	Evans	Hart	Hill
Clark	Findlay	Harvey	Johnson

Jones	Miller	Schluter	Vrba
Keir	Mowry	Shaw	Watson
Leo	Pelzer	Stewart	Whitehill
Long	Pine	Turner	Zastrow
Mercer	Reilly	Vittetoe	Zeigler

Nays, none.

Absent or not voting, 10:

Byers	Faul	Lundy	Martin
Cromwell	Hunt	Lynes	Sjulin
Dykhous	Love		

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 Elthon, Senate File 339, a bill for an act to amend section three thousand one hundred sixty-nine and three hundredths (3169.03), Code, 1939, relating to narcotic drugs and license therefor, and to provide for the exemption of any persons engaged in producing or processing of hemp under contract from any license or fee, 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, 40:

Augustine	Fuller	Keir	Schluter
Bekman	Goode	Leo	Shaw
Benson	Hart	Long	Stewart
Clark	Harvey	Martin	Turner
Clem	Henningsen	Mercer	Vittetoe
Elthon	Hess	Miller	Vrba
Emerson	Hill	Mowry	Watson
Evans	Hunt	Pelzer	Whitehill
Findlay	Johnson	Pine	Zastrow
Foster	Jones	Reilly	Zeigler

Nays, none.

Absent or not voting, 10:

Berg	Dykhous	Love	Lynes
Byers	Faul	Lundy	Sjulin
Cromwell	Hattery		

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 Clark, House File 326, a bill for an act to amend section seven thousand two hundred seventy-one (7271), Code, 1939, relating to the cancellation of certificate of purchase, was taken up and considered.

Senator Clark moved that the bill be read a third 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	Goode	Leo	Shaw
Bekman	Hart	Long	Stewart
Benson	Harvey	Lynes	Turner
Berg	Hattery	Martin	Vittetoe
Clark	Henningsen	Mercer	Vrba
Clem	Hess	Mowry	Watson
Elthon	Hill	Pelzer	Whitehill
Emerson	Hunt	Pine	Zastrow
Evans	Johnson	Reilly	Zeigler
Findlay	Keir	Schluter	

Nays, none.

Absent or not voting, 11:

Byers	Faul	Jones	Miller
Cromwell	Foster	Love	Sjulin
Dykhouse	Fuller	Lundy	

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

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

### PRESENTATION OF VISITORS

Senator Watson asked and received unanimous consent to present the basketball squad from Abraham Lincoln high school, Council Bluffs, who were present in the balcony with their coaches.

### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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, 43, 121, 122, 129, 136, 154, 167 and 253, and House Files 88, 296 and 456.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 15, 43, 121, 122, 129, 136, 154, 167, and 253, and House Files 88, 296 and 456.

#### BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 19th day of March, 1943, sent to the governor for his approval: Senate Files 15, 43, 121, 122, 129, 136, 154, 167 and 253.

ROBERT C. REILLY, *Chairman.*

Passed on file.

#### REPORT OF COMMITTEE

Senator Evans submitted the following report:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 236, a bill for an act to provide for the better preservation and usefulness of the archives of the state, 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 appropriations 1, to which was referred Senate File 257, a bill for an act to make transfer of funds from the state general fund to the state commissioner of labor for the purpose of making refunds, 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 appropriations 1, to which was referred Senate Joint Resolution 5, a joint resolution providing for

the appointment of a committee for the Centennial of the statehood of Iowa, and providing an appropriation therefor, 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.

#### AMENDMENTS FILED

Amend private corporations committee amendment to Senate File 306 by striking paragraph three (3) and substituting the following: "Amend Senate File 306 by inserting after the word 'amend' in line three (3) of the title the following: 'section eight thousand four hundred twenty-three (8423),'".

HARLAN C. FOSTER.

Amend Senate File 355, section six (6), lines three (3) and four (4) by substituting for the sum of one hundred ninety-five and sixty-two one-hundredths dollars (\$195.62), the words and figures, "two thousand one hundred seventy and sixty-two one-hundredths dollars (\$2,170.62)".

A. E. AUGUSTINE.

Amend the amendment to Senate File 116 filed February 24, 1943, by striking from section four (4), lines two (2) and three (3) the following: "in existence on the effective date of this chapter."

G. R. HILL.

Amend House File 403 by adding the words "or manager" after the word "publisher" in line seven.

Further amend House File 403 by striking all after the word "within" in line fourteen and substituting the words "one year after the cessation of hostilities."

G. W. HUNT.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 22, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Father J. A. Kress, Chaplain of Waverly Hospital, and Pastor of the Catholic Church of Shell Rock.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Mercer, from residents of Johnson county, in opposition to the adoption of the new school code.

By Senator Hess, from the county officers of Ida and Cherokee counties, favoring an increase in salary for county officers.

By Senator Keir, from the members of the Pocahontas County Rural Electric Cooperative, favoring rural electrification legislation.

By Senator Pelzer, from the county officers of Shelby and Cass counties, favoring an increase in salary for county officers.

By Senator Foster, from the county officers of Washington county, favoring an increase in salary for county officers.

By Senator Johnson, from residents of Cerro Gordo county, in opposition to the return of Iowa to central standard time.

By Senator Hart as chairman of the sifting committee, from the county officers of Mills, Cass, Hardin, Worth, Wayne, Ringgold, Crawford, Taylor, Shelby, Montgomery, Jefferson, Howard, Sac, Marshall and Poweshiek counties, favoring an increase in salary for county officers. Also, from farmers of O'Brien county, favoring rural electrification legislation. Also, from residents of Crawford county, favoring local option.

By Senator Elthon, from residents of Worth county, favoring adoption of the new school code; also from the county officers of Worth county, favoring an increase in salary for county officers.

By Senator Vrba, from the county officers of Howard county,



favoring an increase in salary for county officers; also, from members of the Howard County Bar Association, favoring postponement of the court procedure rules for two years.

By Senator Johnson, from teachers of Hancock county, favoring adoption of the new school code.

By Senator Shaw, from members of the Storm Lake board of education, in opposition to certain school fund legislation.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Zeigler for the day on request of Senator Keir; Senator Sjulín for the day on request of Senator Benson.

#### 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 183, a bill for an act relating to open season on fur-bearing animals.

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

House File 205, a bill for an act relating to boats using state pier located on West Okoboji Lake, Arnolds Park, Iowa.

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

House File 212, a bill for an act relating to description of tracts.

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

House File 218, a bill for an act relating to seining for fish in the Mississippi river.

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 relating to retirement benefits for policemen and firemen.

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 registration of trademarks.

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

House File 283, a bill for an act relating to state conservation commission.

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

House File 284, a bill for an act relating to change of title to real property.

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 relating to municipal hospitals.

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

House File 393, a bill for an act relating to fences.

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

House File 444, a bill for an act to legalize expenditures of the board of supervisors of Carroll county, Iowa.

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

House File 468, a bill for an act to legalize expenditures of the board of supervisors of Clinton county, Iowa.

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

Senate File 7, a bill for an act relating to the collection, protection and disposal of dogs.

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

Senate File 49, a bill for an act relating to collection of taxes.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 45, a bill for an act relating to homestead tax credit.

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 legalizing improperly executed plats.

Also: That the House has receded from its amendments to Senate File 19, a bill for an act relating to permanent school fund interest rates and loans.

Also: That the House has concurred in Senate amendments to and passed House File 19, a bill for an act relating to inheritance tax.

Also: That the House has concurred in Senate amendments to and passed House File 151, a bill for an act relating to period of service in police and fire departments.

Also: That the House has concurred in Senate amendments to and passed House File 223, a bill for an act relating to the payment of unemployment compensation.

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

House Concurrent Resolution 28 relating to the completion of the clerical work of the Fiftieth General Assembly.

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

House Concurrent Resolution 29 extending an invitation to the commanding officer of the battleship Iowa to attend a joint convention of the Fiftieth General Assembly to be held at 1:30 p. m., Monday, March 22, 1943.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 45

Amend Senate File 45 by striking all after the enacting clause and substituting the following in lieu thereof:

"Section 1. Section six thousand nine hundred forty-three and one hundred forty-eight thousandths (6943.148), Code, 1939, is hereby amended by striking the comma (,) following the word 'homestead' in line eleven (11) and the words 'or the state tax commission,' in line twelve (12).

"Sec. 2. Further amend said section by inserting immediately after line nineteen (19) as a new paragraph the following:

"Should the state tax commission determine, upon investigation, that any claim for homestead credit has been allowed by any board of supervisors which is not justifiable under the law and not substantiated by proper facts, the commission may, at any time within one year after the receipt by the state tax commission of the certification of such credit by any county treasurer, set aside such allowance. Notice of such disallowance shall be given to the county auditor of the county in which such claim has been improperly granted and a written notice of such disallowance shall also be addressed to the claimant at his last known address. Such claimant, or the board of supervisors, may appeal from the action of the state tax commission in the same manner, and in the same time, as provided by paragraph one (1) of this section. In any case where a claim is so disallowed by the state tax commission and no appeal is taken from such disallowance, any amounts of credits allowed and paid from the homestead credit fund shall become a lien upon the property on which said credit was originally granted, if still in the hands of the claimant, and not in the hands of a bona fide purchaser, and any amount so erroneously paid shall be collected by the county treasurer in the same manner as other taxes and such collections shall be returned to the state tax commission and credited to the homestead credit fund. The state tax commission shall also have the authority to institute legal proceedings against a homestead credit claimant for the collection of all payments made on such disallowed credits."

"Sec 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in The Milepost,

Hill	Love	Pine	Vittetoe
Hunt	Lynes	Reilly	Vrba
Johnson	Martin	Schluter	Watson
Jones	Mercer	Shaw	Whitehill
Keir	Miller	Sjulin	Zastrow
Leo	Mowry	Turner	Zeigler
Long	Pelzer		

Nays, none.

Absent or not voting, 4:

Byers	Fuller	Lundy	Stewart
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The bill having received a constitutional majority was declared to have passed the Senate 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 Evans called up for consideration Senate File 337, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1943, and ending June 30, 1945, to the board of education for the support, repairs, replacement or alterations of institutions under said board of education, amended by the House, and moved that the Senate concur in the following amendment:

Amend line one hundred two (102) of section one (1) by inserting after the word "peat" the word "eroded."

The Senate concurred in the House amendment.

Senator Evans moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Sjulin
Byers	Hart	Lynes	Turner
Clark	Harvey	Martin	Vittetoe
Clem	Hattery	Mercer	Vrba
Cromwell	Henningsen	Miller	Watson
Elthon	Hess	Mowry	Whitehill
Emerson	Hill	Pelzer	Zastrow
Evans	Johnson	Pine	Zeigler
Faul			

Nays, none.

Absent or not voting, 5:

Dykhouse  
Hunt

Jones

Lundy

Stewart

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.

Senator Bekman called up for consideration Senate File 132, a bill for an act to amend sections ten thousand four hundred sixteen (10416) and ten thousand four hundred seventeen (10417), Code, 1939, relating to legalizing improperly signed or acknowledged plats, amended by the House, and moved that the Senate refuse to concur in the following portion of the House amendments:

Amend Senate File 132 as follows:

1. By adding thereto the following new sections:

"Section ten thousand four hundred sixteen (10416), Code, 1939, is amended by striking the words 'were the proprietors of such tract of land and the owners thereof at the time of said platting' in lines twenty-three (23), twenty-four (24), and twenty-five (25) and inserting in lieu thereof the following: 'executing said plat were the absolute and unqualified owner or owners of the land platted'."

The Senate refused to concur in the above portion of the House amendments.

Senator Bekman moved that the Senate concur in the following portion of the House amendments:

"Section ten thousand four hundred sixteen (10416), Code, 1939, is further amended by striking all of said section following the period (.) in line twenty-eight (28), and inserting in lieu thereof the following: 'After January 1, 1944, no action shall be brought to establish, enforce, or recover any right, title, interest, lien, or condition existing at the time of the platting, adverse to or against a clear, absolute, and unqualified title in fee simple in the owner or owners'."

2. By striking the period (.) at the end of section three (3) of Senate File 132 as amended, and inserting a comma (,) and adding the following: "nor shall it affect any action which may be brought on or before January 1, 1944."

The Senate concurred in the above portion of the House amendments.

Senator Faul called up for consideration Senate File 239, a bill for an act to provide for a system of aid to dependent children

in the several counties of the state, together with state aid therefor; to prescribe the powers and duties of the state board of social welfare, the county board of social welfare, and of counties and their boards of supervisors with regard to such system of aid; to repeal sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one and one-tenth (3641.1), thirty-six hundred forty-two (3642), and thirty-six hundred forty-three (3643), Code of 1939, and any other acts or parts of acts in conflict with this act, and to make an appropriation to carry out the provisions of this act, amended by the House, and moved that the Senate refuse to concur in the following amendments:

#### HOUSE AMENDMENTS TO SENATE FILE 239

Amend Senate File 239 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Definitions. As used in this act:

"1. 'State board' means the state board of social welfare provided for in section three thousand six hundred sixty-one and four thousandths (3661.004), Code, 1939.

"2. 'County board' means the county board of social welfare provided for in section three thousand six hundred sixty-one and ten thousandths (3661.010), Code, 1939.

"3. A 'dependent child' means a needy child under the age of sixteen years or under the age of eighteen years if found by the county board to be in regular attendance at school, who has been deprived of parental support and care by reason of death, divorce, continued absence from home, or physical or mental incapacity of either parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or their home, or in the home of one into whose custody the child has been given by a court of competent jurisdiction.

"4. 'Assistance' means money payments with respect to a dependent child or children.

"5. 'Recipient' is the person to whom money payments with respect to a dependent child or children are made, and shall be confined to the relatives referred to in paragraph three (3) of this section and a legally appointed guardian, and the recipient in any case shall be designated by the county board of social welfare.

"Sec. 2. Eligibility for aid to dependent children. Assistance shall be granted under this act to any dependent child who:

"1. Is living in a suitable family home maintained by one or more of the persons referred to in paragraph three (3) of section one (1) of this act.

"2. Has resided in the state for one year immediately preceding the application for such assistance; or was born within the state within one year immediately preceding the application, if the mother has resided in

the state for one year immediately preceding the birth of said child, without regard to the residence of the person or persons with whom said child is living.

"3. Is not in a public institution or because of a physical or mental condition, is not in need of continued care in a public institution.

"4. Is found qualified for aid by the county board of social welfare.

"Sec. 3. Application for aid. Application for aid under this act shall be made to the county board of the county in which the dependent child resides. The application shall be in writing upon the form prescribed by the state department. Such application shall be made by an adult person with whom the dependent child is living, or by the county probation officer, and shall contain such information as may be required upon the application form. One application may be made for several children of the same family if they reside or will reside with the same person.

"Sec. 4. Investigation of application. Whenever a county board receives an application for aid, an investigation and record of the circumstances shall promptly be made by the county board in order to ascertain the dependency of the child and the facts supporting the application and in order to obtain such other information as may be necessary to determine whether such application should be granted or the amount of aid that should be granted.

"The investigations shall include visits to the home of the child and of the person with whom the child will live during the time assistance is granted.

"Sec. 5. Granting of aid and amount thereof. Upon the completion of an investigation the county board shall decide whether the child is eligible for aid under the provisions of this act and determine the amount of such aid. The county board shall notify the person with whom the child is living or will be living, of the decision made. The county board may require, as a condition of granting aid, that a legal guardianship be established over any child or children and in such cases the payments by way of aid shall be made to such guardian, when appointed. The dependent child for whom the aid is made shall be originally charged to the county in which such child resides when application is made.

"The amount of aid needed for any dependent child shall be fixed by the county board with due regard to the necessary expenditures of the family and the conditions existing in each case, taking into consideration any other income or resources of any child claiming aid under this act and any private resources found to be legally available to such child. Such aid when granted shall be sufficient, when added to all other income and support available to the child, to provide such child with a reasonable subsistence compatible with decency and health, provided, however, that no monthly aid shall be made in excess of fifteen dollars per month for one child, and if there is more than one dependent child who will receive assistance in the same home, the grants of aid for said children shall not exceed the following amounts:

"For the first child not to exceed \$15.00 per month.

"For the second child not to exceed \$10.00 per month.

"For the third child not to exceed \$9.00 per month.

"For the fourth child not to exceed \$8.00 per month.

"For the fifth child not to exceed \$8.00 per month and in no event more than \$50.00 per month for all children in one home. Aid, when granted, shall be paid monthly to the recipient from the county fund for aid to dependent children provided for by this act.

"Sec. 6. Periodic reconsideration, changes, and termination of grants. Any or all aid made under this act shall be subject to reconsideration at any time the county board deems necessary. After any such further investigation, aid may be continued, renewed, suspended, changed in amount, or entirely withdrawn, as the findings of the board may warrant.

"Sec. 7. Appeal. If an application is not acted upon by the county board within a reasonable time after such application is made, if it is denied in whole or in part, or if any award of assistance is modified, suspended, or cancelled under any provisions of this act, the applicant or recipient may appeal to the juvenile court by filing in the juvenile court a statement executed by the applicant or recipient and stating that appeal is being taken from the action of the county board. The juvenile court upon the filing of such statement shall give written notice thereof to the county board and the chairman of the board of supervisors and order all papers in the case certified up to the court within ten days from the giving of the notice, which notice may be given by mailing; thereupon the court shall proceed to determine the appeal on a hearing de novo after notifying all parties of the time of hearing, and shall finally determine the matters involved in said appeal. In such hearing no witness fees shall be taxed as costs.

"Sec. 8. Removal from county. When any child for whose benefit a grant of aid has been made removes or is removed from the county giving aid, it shall be the duty of the recipient to immediately notify the county board of the county giving aid of the fact of such removal and of the city or town (or nearest city or town) and of the county to which the child has removed. If the removal is into another county in the state, the county which has been giving aid shall continue the aid for a period of six months after the date of removal, but if the removal is out of the state aid shall immediately cease. Thereafter any aid can be granted only in the manner provided for herein as to obtaining aid, and can be only in and from the county in which the child is then living.

"Sec. 9. Confidential nature of records. All applications, investigations, and records shall be privileged communications and shall be confidential. They shall be open to inspection and use only by persons authorized by the state or the county in connection with their official duties directly connected with the administration of this act.

"Any list or lists of names of applicants or recipients of aid authorized by this act or other lists compiled by the state department of social welfare or its successors in the administration of this act are hereby declared to be the personal property of the state of Iowa; and no employee of the state of Iowa, or any other person shall give, sell, or furnish such list or lists to any person or persons for any purpose except for use in the administration of this act, and as otherwise herein provided. No person shall buy, give, furnish, sell, or use such list or lists, or any plate or card from which any such list could be prepared, belonging to or used in the administration of aid to dependent children in the state of Iowa for



any commercial or political purpose, and the violation of any of the provisions hereof is hereby made a misdemeanor, punishable by a fine of not to exceed one thousand dollars or by imprisonment in the county jail not to exceed one year, or by both such fine and imprisonment.

"Sec. 10. The board of supervisors of such county at the time of the preparation of the county budget in the year 1943 shall prepare on forms to be prescribed by the state comptroller a budget of the proposed expenditures by the county for the year 1944 for aid to dependent children, and in addition shall show the amount expended by the county for the year 1942 and for the first six months of the year 1943 under the provisions of sections three thousand six hundred forty-one (3641) to three thousand six hundred forty-three (3643), inclusive, Code, 1939, which shall be known as the county aid to dependent children budget. In each year following the year 1943, the board of supervisors of each county at the time of the preparation of the regular county budget for the following year shall prepare the county aid to dependent children budget on forms to be prescribed by the state comptroller showing the amount expended during the eighteen months preceding July 1 of that year, and the amount which it is estimated to be expended for aid to dependent children during the following calendar year. Said aid to dependent children budget shall be transmitted to the state comptroller on or before September 1.

"Sec. 11. The state appeal board shall, on or before October 1, with the advice of the state board, determine the amount that shall be budgeted by the county for aid to dependent children for the ensuing calendar year. The state appeal board in determining the amount that shall be budgeted for a county shall consider the amount of the total appropriation made by way of state aid to the counties for aid to dependent children, and adjust the budget of the several counties of the state in such manner that each county shall receive as state aid from the appropriation therefor in the ratio of one dollar of state aid to two dollars of county funds.

"Sec. 12. The state appeal board shall transmit to each county of the state on or before November 15 the final aid to dependent children budget as the said board has determined it.

"Sec. 13. The board of supervisors of each county upon receipt of the final aid to dependent children budget shall determine the amount necessary to be levied on the poor fund in order to raise the funds necessary for the county's share in the aid to dependent children fund, in addition to the sums required for other poor relief, but the total levy in the poor fund for all purposes shall not exceed the limitations prescribed by law for levy for the poor fund, except that in counties having a population of sixty thousand or more, the board of supervisors may levy annually a tax not to exceed one-fourth mill to carry out the provisions of this act.

"Sec. 14. There is hereby established in each county a fund to be known as the aid to dependent children fund to which shall be credited all funds appropriated by the county budget for aid to dependent children and all state aid for said purpose. All aid under this act shall be paid from said fund. The county board of supervisors shall, within

twenty days following the end of the quarters ending March 31, June 30, September 30, and December 31, report to the state comptroller the total amount of aid paid during the preceding quarter for dependent children chargeable to the county. The comptroller shall forthwith draw a warrant payable to the county auditor upon the appropriation of funds for state aid for an amount sufficient to reimburse the county for one-third of the amount reported paid out by the county, but not to exceed one-fourth of the county's annual allotment of state aid, which payment shall be credited to the county's aid to dependent children fund.

"Sec. 15. Aid not assignable. Aid granted under this act shall not be transferable or assignable at law or in equity, and none of the money paid or payable under this act shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

"Sec. 16. Fraudulent acts. Whoever obtains, or attempts to obtain, or aids or abets any person to obtain, by means of a wilfully false statement or representation, or by impersonation, or any fraudulent device, any aid under this act to which the recipient is not entitled, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punishable by fine, not exceeding five hundred dollars or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment.

"Sec. 17. Recovery of aid obtained by fraudulent act. Whosoever obtains, or attempts to obtain, or aids or abets any person to obtain, by means of a wilfully false statement or representation, or by impersonation, or any fraudulent device, any assistance as defined in this act to which the recipient is not entitled, shall be personally liable for the amount of aid thus obtained. Such amount may be recovered from the offender or his estate in an action brought or by claim filed in the name of the state, and upon recovery the state shall pay the county a portion thereof equal to the amount paid by the county with respect to such aid, and return the balance of such recovery to the fund for aid to dependent children.

"Sec. 18. Constitutionality. If any portion of this act shall be held invalid, the remaining provisions shall be given full force and effect as if the part held invalid had not been included herein.

"Sec. 19. Commencement of aid payments. This act shall take effect as provided by law except as hereafter stated, but aid payments hereunder shall not begin until January 1, 1944.

"Sec. 20. Appropriation. There is hereby appropriated from the general fund of the state, for the purposes of this act, the sum of two hundred fifty thousand dollars for the year ending June 30, 1944, and the sum of five hundred thousand dollars for the year ending June 30, 1945.

"Sec. 21. Repeal. Sections three thousand six hundred forty-one (3641), three thousand six hundred forty-one and one-tenth (3641.1), three thousand six hundred forty-two (3642), and three thousand six hundred forty-three (3643), Code, 1939, are hereby repealed but it is provided that such repeal shall not take effect, and payment of widows'

pensions under the repealed statutes shall not cease, until January 1, 1944. All other acts or parts of acts in conflict herewith are hereby repealed."

Amend the title by striking all of the title and inserting in lieu thereof the following:

"An Act to provide for a system of aid to dependent children in the several counties of the state, together with state aid therefor; to prescribe the powers and duties of the state board of social welfare, the county board of social welfare, and of counties and their boards of supervisors with regard to such system of aid; to repeal sections three thousand six hundred forty-one (3641), three thousand six hundred forty-one and one-tenth (3641.1), three thousand six hundred forty-two (3642), and three thousand six hundred forty-three (3643), Code, 1939, and any other acts or parts of acts in conflict with this act, and to make an appropriation to carry out the provisions of this act."

The Senate refused to concur in the House amendments.

### UNFINISHED BUSINESS

Senator Zastrow called up Senate File 276, a bill for an act to amend the law as it appears in section six thousand nine hundred and forty-four (6944), subsection twenty (20), Code, 1939, relating to the exemptions from taxation of specific properties, and providing that the shares of capital stock of certain corporations shall not be taxed, and moved the consideration of his motion to take from the table, the motion to reconsider the vote by which Senate File 276 passed the Senate, which was tabled.

On the question "Shall the motion to take from the table, the motion to reconsider the vote by which Senate File 276 passed the Senate, be adopted?" the vote was:

#### Ayes, 34:

Augustine	Findlay	Leo	Schluter
Bekman	Foster	Lundy	Shaw
Benson	Harvey	Lynes	Sjulin
Byers	Hattery	Martin	Turner
Clark	Henningsen	Miller	Vittetoe
Clem	Hess	Mowry	Vrba
Cromwell	Hill	Pine	Whitehill
Elthon	Hunt	Reilly	Zastrow
Faul	Jones		

#### Nays, 6:

Berg	Goode	Watson	Zeigler
Emerson	Keir		

#### Absent or not voting, 10:

Dykhouse	Hart	Love	Pelzer
Evans	Johnson	Mercer	Stewart
Fuller	Long		

The motion to take from the table carried by a two-thirds majority.

Senator Hunt moved that the vote by which Senate File 276 passed the Senate be reconsidered.

On the question "Shall the vote by which Senate File 276 passed the Senate be reconsidered?", the vote was:

**Ayes, 36:**

Augustine	Evans	Hunt	Schluter
Bekman	Findlay	Jones	Shaw
Benson	Fuller	Leo	Turner
Berg	Hart	Long	Vittetoe
Byers	Harvey	Lundy	Vrba
Clark	Hattery	Lynes	Watson
Clem	Henningsen	Mowry	Whitehill
Cromwell	Hess	Pine	Zastrow
Elthon	Hill	Reilly	Zeigler

**Nays, none.**

**Absent or not voting, 14:**

Dykhouse	Goode	Martin	Pelzer
Emerson	Johnson	Mercer	Sjulin
Faul	Keir	Miller	Stewart
Foster	Love		

The motion having received a constitutional majority, prevailed.

Senator Hunt moved that the vote by which Senate File 276 went to its third reading be reconsidered, which motion prevailed.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 276 as follows:

Sec. 2. Section six thousand nine hundred forty-four (6944), subsection twenty (20), Code, 1939, is further amended by adding to said subsection in line eight (8) immediately preceding the word "and" the following:

"in one or more plants or factories within the state of Iowa, or having one or more subsidiary corporations (at least seventy-five per cent (75%) of whose capital stock is owned by said manufacturing company) so engaged and located within this state,".

Senator Berg offered the following amendment to the amendment by Senator Bekman and moved its adoption:

1. Amend the Bekman amendment to Senate File 276 by inserting after the word "corporations" in line six (6) a comma (,) and the words "in which".

2. Strike from lines six (6) and eight (8) the parenthesis.

The amendment to the amendment was adopted.

The amendment, as amended, 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, 32:

Bekman	Evans	Johnson	Miller
Benson	Faul	Jones	Mowry
Berg	Foster	Keir	Pine
Byers	Fuller	Long	Reilly
Clark	Hart	Lundy	Vittetoe
Cromwell	Harvey	Lynes	Vrba
Elthon	Henningsen	Martin	Watson
Emerson	Hill	Mercer	Zeigler

Nays, 12:

Clem	Hattery	Leo	Schluter
Findlay	Hess	Love	Whitehill
Goode	Hunt	Pelzer	Zastrow

Absent or not voting, 6:

Augustine	Shaw	Stewart	Turner
Dykhousé	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.

#### HOUSE AMENDMENTS CONSIDERED

Senator Elthon called up for consideration House File 447, a bill for an act to amend section one thousand seven hundred ninety-four and twenty-nine thousandths (1794.029) of the Code, 1939, as amended by House File 103 of the acts of the 50th General Assembly, and to amend section one thousand seven hundred ninety-four and thirty-eight thousandths (1794.038) with reference to spearing catfish in the Winnebago river in Worth and Cerro Gordo counties, and moved that the Senate concur in the following House amendment to the Senate amendment to the title of House File 447:

Amend the Senate amendment to the title by striking the word "catfish" and inserting in lieu thereof the word "carp".

The Senate concurred in the House amendment to the Senate amendment to the title.

Senator Elthon moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Foster	Keir	Pine
Bekman	Fuller	Leo	Reilly
Benson	Goode	Long	Schluter
Berg	Hart	Love	Shaw
Clark	Harvey	Lundy	Turner
Clem	Hattery	Lynes	Vittetoe
Cromwell	Henningsen	Martin	Vrba
Elthon	Hess	Mercer	Watson
Evans	Hill	Miller	Whitehill
Faul	Hunt	Mowry	Zastrow
Findlay	Jones	Pelzer	Zeigler

Nays, none.

Absent or not voting, 6:

Byers	Emerson	Sjulin	Stewart
Dykhouse	Johnson		

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

### THIRD READING OF BILLS

On motion of Senator Foster, Senate File 306, a bill for an act to repeal chapter two hundred sixty-seven (267) (H. F. 278), acts of the Forty-ninth General Assembly, and to amend section eight thousand four hundred twenty-four (8424), section eight thousand four hundred twenty-six (8426), and chapter three hundred eighty-six (386), Code, 1939, all relating to foreign corporations qualifying in the state, the issuance of permits, and the expiration and cancellation of permits of foreign corporations, was taken up and considered.

The following committee amendment was considered:

1. Amend Senate File three hundred six (306) by striking from lines ten (10), eleven (11), and twelve (12) of section three (3) the words "shall be for the same period as provided in section 8364" and inserting

in lieu thereof the following: "permit shall authorize the transaction of business in the state of Iowa from the date thereof for the period that is permitted by the provisions of section 8364".

2. Amend Senate File 306 by adding as section five (5) thereof the following:

"Sec. 5. Amend section eight thousand four hundred twenty-three (8423), Code, 1939, by striking the period (.) at the end of said section and adding thereafter the following: "if said corporation has existence for a period of years. If the corporation has perpetual existence under its articles or charter it shall make the filings as hereinbefore provided for and shall pay a filing fee of one hundred dollars and a further fee of one dollar and ten cents for each one thousand dollars of such money or property within this state in excess of ten thousand dollars, and thereafter shall periodically pay the said fees as follows: in the case of a corporation for the construction and operation, or the operation alone, of steam railways, interurban railways, and street railways, for the establishment and conduct of savings banks, or for the transaction of the business of life insurance, every fifty years from the date of qualification and in the case of all other corporations, every twenty years from the date of qualification, and the failure to make such payments within three months from the date same are due, the secretary of state shall cancel the permit of said corporation.'"

3. Amend Senate File 306 by inserting after the word "amend" in line three (3) of the title the following "section 8423,".

Senator Hess took the chair at 11:50 a. m.

Senator Foster offered the following amendment to the committee amendment and moved its adoption:

Amend private corporations committee amendment to Senate File 306 by striking paragraph three (3) and substituting the following: "Amend Senate File 306 by inserting after the word 'amend' in line three (3) of the title the following: 'section eight thousand four hundred twenty-three (8423),'".

The amendment to the committee amendment was adopted.

Senator Faul offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment to Senate File 306 by inserting the word "or" immediately before the word "for" in line thirteen (13) of paragraph two (2), and by striking from lines fourteen (14) and fifteen (15) of said paragraph two (2) the words "or for the transaction of the business of life insurance,".

Further amend the committee amendment to Senate File 306 by adding to paragraph two (2) of said amendment the following:

"The fees required by this section to be paid shall not be collected from a corporation organized for the purpose of carrying into effect a plan of reorganization approved in bankruptcy proceedings under the

laws of the United States or in a general equity receivership in a court of competent jurisdiction, until the period of time for which a permit to transact business within this state has previously been issued to the corporation so reorganized, has elapsed."

The amendment to the committee amendment was adopted.

Senator Faul asked and received unanimous consent to amend the committee amendment to Senate File 306 by inserting between the words "and" and "the" in line 17 of paragraph 2 the word "upon".

The committee amendment as amended was adopted.

Senator Foster 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, 40:**

Augustine	Foster	Leo	Reilly
Bekman	Hart	Long	Schluter
Berg	Harvey	Love	Shaw
Clark	Henningsen	Lundy	Sjulin
Clem	Hess	Lynes	Turner
Dykhouse	Hill	Martin	Vittetoe
Elthon	Hunt	Mercer	Vrba
Emerson	Johnson	Miller	Watson
Evans	Jones	Mowry	Whitehill
Faul	Keir	Pelzer	Zeigler

**Nays, 1:**

Findlay

**Absent or not voting, 9:**

Benson	Fuller	Hattery	Stewart
Byers	Goode	Pine	Zastrow
Cromwell			

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

Senator Foster moved that the 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 REREFERRED TO SIFTING COMMITTEE**

Senator Hattery asked and received unanimous consent that Senate File 211 be rereferred to the sifting committee.



## PRESENTATION OF VISITOR

Senator Whitehill asked and received unanimous consent to present to the Senate former Senator Edwards, who was present in the Senate chamber.

On motion of Senator Hunt, the Senate recessed until 1:45 p. m.

## AFTERNOON SESSION

The Senate reconvened, President pro tempore Frank C. Byers presiding.

## INTRODUCTION OF BILLS

Senate File 359, by committee on claims, a bill for an act to make appropriations to County Treasurer of Worth county, Iowa, T. W. Coulter, Clarinda, Iowa, Chicago, Rock Island & Pacific Railway Company, Chicago, Illinois, Primghar Savings Bank, Primghar, Iowa, Dr. J. W. Peterson, Waterloo, Iowa, Standard Oil Company, Des Moines, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 2.

Senate File 360, 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, is ready for commitment and amendment, and referred to committee on appropriations 2.

Senate File 361, by committee on military affairs, a bill for an act to repeal section one thousand one hundred sixty-two (1162) and amend sections one thousand one hundred sixty-two and one-tenth (1162.1) and one thousand one hundred sixty-three (1163), Code, 1939, relating to the procedure for review under the soldiers' preference law.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 362, by committee on military affairs, a bill for an act to extend the time for filing claims for exemptions under sections six thousand nine hundred forty-six (6946), six thousand nine hundred forty-seven (6947) and six thousand nine hundred forty-eight (6948), Code, 1939, for 1942 taxes payable in 1943 to July 1st, 1943.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

### THIRD READING OF BILLS

On motion of Senator Lynes, House File 61, a bill for an act authorizing certain cemetery officers to attend meetings of cemetery officials and subscribe to periodicals devoted exclusively to cemetery management, and providing for certain expenses relative thereto, was taken up and considered.

Senator Clem offered the following amendments and moved their adoption:

Amend Houe File 61 as follows:

1. By adding after the comma (,) after the word "dues" in line five (5) of section 1 the following: "not to exceed twenty-five dollars,".
2. By striking from lines six (6) and seven (7) of section one (1) the following words: "or the General Fund".
3. By striking from line four (4) of section two (2) the following words: "or the General Fund".

The amendments were adopted.

Senator Henningsen offered the following amendment and moved its adoption:

Amend House File 61 as follows:

By striking section 2 and inserting in lieu thereof the following:

"Sec. 2. That the cemetery officials of every city, county, town or township having a cemetery under its control may subscribe to one or more publications devoted exclusively to cemetery management, but said subscriptions may be paid out of the cemetery fund of the city, county, town or township."

The amendment was adopted.

Senator Lynes moved that the bill be read a third 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	Emerson	Hunt	Reilly
Bekman	Evans	Jones	Shaw
Benson	Goode	Lynes	Vittetoe
Berg	Hart	Mercer	Vrba
Clark	Harvey	Miller	Watson
Cromwell	Hattery	Mowry	Whitehill
Elthon	Hill	Pine	

**Nays, 13:**

Clem	Henningsen	Martin	Sjulin
Faul	Leo	Pelzer	Turner
Findlay	Long	Schluter	Zastrow
Fuller			

**Absent or not voting, 10:**

Byers	Hess	Love	Stewart
Dykhouse	Johnson	Lundy	Zeigler
Foster	Keir		

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

Senator Lynes moved that the 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 Blue took the chair at 1:55 p. m.

On motion of Senator Hattery, House File 340, a bill for an act to amend section nine thousand two hundred twenty-three (9223), Code, 1939, relating to the suspension of limitations on loans that may be made by savings and state banks of Iowa for the purpose of financing production, storage, or marketing of agricultural commodities and financing war production contracts, or war production facilities in general, or for any other purpose, to the extent that said loans are guaranteed or otherwise secured by the government of the United States or certain agencies thereof, was taken up and considered.

Senator Hattery moved that the bill be read a third 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	Evans	Hunt	Pine
Bekman	Findlay	Jones	Reilly
Benson	Foster	Leo	Schluter
Berg	Fuller	Long	Shaw
Byers	Goode	Love	Sjulin
Clark	Hart	Lynes	Turner
Clem	Harvey	Martin	Vittetoe
Cromwell	Hattery	Mercer	Vrba
Dykhouse	Henningsen	Miller	Watson
Elthon	Hess	Mowry	Whitehill
Emerson	Hill	Pelzer	Zastrow

**Nays, none.****Absent or not voting, 6:**

Faul	Keir	Stewart	Zeigler
Johnson	Lundy		

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

Senator Hattery moved that the 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 101, a bill for an act to amend sections ten thousand two hundred seventy (10270), ten thousand two hundred seventy-one (10271), ten thousand two hundred seventy-four (10274), ten thousand two hundred seventy-five (10275), ten thousand two hundred seventy-seven (10277), ten thousand two hundred eighty-two (10282), ten thousand two hundred eighty-three (10283), ten thousand two hundred eighty-seven (10287), ten thousand two hundred eighty-nine (10289), ten thousand two hundred ninety (10290), Code, 1939, relating to mechanics' liens, enlarging the definition of material and increasing the scope of mechanics' liens, 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	Evans	Hill	Pine
Bekman	Findlay	Leo	Schluter
Benson	Foster	Long	Shaw
Berg	Fuller	Love	Sjulin
Byers	Goode	Lynes	Turner
Clark	Hart	Martin	Vittetoe
Clem	Harvey	Mercer	Vrba
Cromwell	Hattery	Miller	Watson
Dykhouse	Henningsen	Mowry	Whitehill
Elthon	Hess	Pelzer	Zastrow
Emerson			

Nays, 1:

Faul

Absent or not voting, 8:

Hunt	Jones	Lundy	Stewart
Johnson	Keir	Reilly	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 Hess, Senate File 207, a bill for an act

to amend sections seven thousand one hundred forty-five (7145), seven thousand one hundred fifty-two (7152), seven thousand one hundred eighty-four (7184), seven thousand one hundred eighty-eight (7188), seven thousand one hundred ninety (7190), seven thousand one hundred ninety-three (7193), seven thousand one hundred ninety-seven (7197), seven thousand three hundred (7300), seven thousand three hundred one (7301), Code, 1939, relating to the books to be kept by the auditor and treasurer showing the tax lists of real property taxes and personal property taxes by providing for tax lists that may not only be by books but by other records, 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:

Amend Senate File 207 by adding after the word "records" in line 3, section 2 the following: "approved by the State Auditor".

Further amend Senate File 207 by adding after the word "records" in line 3, section 3 the following: "approved by the State Auditor".

Further amend Senate File 207 by adding after the word "records" in line 3, section 4 the following: "approved by the State Auditor".

Also by adopting the Hess amendment to Senate File 207, filed February 15 and found on page 414 of the Senate Journal.

The amendments were adopted.

Senator Hess offered the following amendment and moved its adoption:

Amend Senate File 207 by striking the comma (,) in line three (3) after the word "book" and by inserting after the word "book" in line three (3) the following: "in line four (4)".

Also by striking the word and figures "thirteen (13)" and by substituting in lieu thereof the word and figures "fourteen (14)".

The amendment was adopted.

Senator Hunt took the chair at 2:15 p. m.

Senator Hess moved that the bill be read a third 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	Dykhousc	Findlay	Henningsen
Benson	Elthon	Fuller	Hess
Berg	Emerson	Goode	Hill
Byers	Evans	Hart	Hunt
Clem	Faul	Hattery	Jones

Long  
Love  
Lynes  
Martin  
Mercer

Miller  
Mowry  
Pelzer  
Reilly  
Schluter

Shaw  
Sjulin  
Turner  
Vittetoe

Vrba  
Watson  
Whitehill  
Zastrow

Nays, none.

Absent or not voting, 12:

Bekman  
Clark  
Cromwell

Foster  
Harvey  
Johnson

Keir  
Leo  
Lundy

Pine  
Stewart  
Zeigler

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

Senator Hess moved that the 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 38, a bill for an act to amend chapter seven (7), Code, 1939, relating to the salary of the governor of Iowa, was taken up and considered.

Senator Mowry offered the following amendment and moved its adoption:

Amend Senate File 38, section one (1) by striking line five (5) and inserting in lieu thereof the following: "ten thousand dollars (\$10,000) per annum."

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.

Rule 8 was invoked.

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

Ayes, 17:

Berg  
Byers  
Clark  
Clem  
Emerson

Evans  
Faul  
Hart  
Hattery

Henningsen  
Hunt  
Keir  
Lynes

Martin  
Mercer  
Miller  
Reilly

Nays, 24:

Augustine  
Benson  
Dykhous  
Elthon  
Findlay  
Foster

Fuller  
Goode  
Harvey  
Hill  
Jones  
Long

Love  
Mowry  
Pelzer  
Pine  
Schluter  
Sjulin

Turner  
Vittetoe  
Vrba  
Watson  
Whitehill  
Zastrow

Absent or not voting, 9:

Bekman  
Cromwell  
Hess

Johnson  
Leo

Lundy  
Shaw

Stewart  
Zeigler

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

The following communication was received.

STATE APPEAL BOARD  
State House  
Des Moines, Iowa

March 23, 1943.

MR. W. J. SCARBOROUGH  
Secretary of the Senate  
Building

Dear Mr. Scarborough:

We are submitting to you for transmittal to the chairman of the claims committee the following claims, which have been investigated by the attorney general's office, and upon which the appeal board has made certain recommendations in each case:

General Claims

No. 90, Harry Jenkins, LaCrosse, Wisconsin, claim based on wrongful arrest and fine at Muscatine, Iowa, \$8.85. Approved for \$8.85.

No. 91, George F. Brown, Sioux City, Iowa, claim for injury received in fall at infirmary building, Cherokee state hospital, \$155.00. Approved for \$80.00.

No. 92, various insurance companies (liquor control commission) claim for premiums on fire insurance, \$6,339.12. Approved for \$6,339.12.

No. 93, T. R. Mills, Des Moines, Iowa, claim for damage to car by highway commission truck, \$35.00. Approved for \$35.00.

Yours very truly,

STATE APPEAL BOARD.

C. FRED PORTER, *Chairman.*

W. G. C. BAGLEY,

C. B. AKERS,

*Members.*

Senator Vrba offered the following memorial resolution:

SENATE MEMORIAL RESOLUTION

*Whereas*, The Honorable William H. Klemme, of Winneshiek county, who was a member of the House of Representatives in the Twenty-fifth, Twenty-sixth, Twenty-sixth Extra and Twenty-seventh General Assemblies, and a member of the Senate in the Forty-second, Forty-second Extra, Forty-third, Forty-fourth, Forty-fifth and Forty-fifth Extra General Assemblies, died on March 11th, 1943;

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

## 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 File 292, House Files 468, 205, 183, 283, Senate Files 362, 258, House Files 268 and 318.

STANLEY L. HART, *Chairman*.

## REPORT OF COMMITTEE

Senator Evans submitted the following report:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 356, a bill for an act to amend chapter sixty-one (61), acts of the Forty-ninth General Assembly, relating to claims between the state of Iowa and others, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

Amend House File 325 by inserting after the comma (,) following the word "deputies" in line three (3) of section four (4) thereof the following: "including justices of the peace and constables,"

FRANK C. BYERS.

Amend Senate File 301 by striking section one (1) thereof, and by inserting in lieu thereof the following:

"Section 1. In all places of business where beer is sold and served, operating under a Class "B" permit as defined in section nineteen hundred twenty-one and ninety-seven thousandths (1921.097), Code, 1939, all glasses and drinking utensils intended for repeated use in dispensing beer shall be sterilized before each use by the use of a chemical sterilizer or other methods approved by the secretary of agriculture."

Further amend Senate File 301 by striking the entire title and substituting in lieu thereof the following:

"An Act to provide for the public health and requiring the sterilization of all glasses and drinking utensils used in serving beer."

DEVERE WATSON.

FRANK C. BYERS.

S. RAY EMERSON.

OSCAR E. JOHNSON.

STANLEY L. HART.

Amend Senate File 353 by adding as section two (2) the following:

"Sec. 2. Section three thousand eight hundred twenty-eight and eighteen thousandths (3828.018), Code, 1939, as amended by chapter one hundred forty-six (146), acts of the Forty-ninth General Assembly, is hereby amended by striking the word "committed" in line seventeen



(17) of section nine (9) of chapter one hundred forty-six (146), acts of the Forty-ninth General Assembly, and inserting in lieu thereof the words "committed or admitted".

Also amend by adding as section three (3) the following:

"Sec. 3. Amend section three thousand eight hundred twenty-eight and twenty-nine thousandths (3828.029), Code, 1939, by adding after the word "for" in line three (3) the words "funeral expenses or"."

Also amend by striking the title and inserting in lieu thereof the following:

"An Act to amend section three thousand eight hundred twenty-eight and twenty-one thousandths (3828.021), Code, 1939, and section three thousand eight hundred twenty-eight and twenty-nine thousandths (3828.029), Code, 1939, and section three thousand eight hundred twenty-eight and eighteen thousandths (3828.018), Code, 1939, as amended by chapter one hundred forty-six (146), acts of the Forty-ninth General Assembly, all relating to funeral expenses paid from the old age assistance fund."

DEWEY E. GOODE.

Amend Senate File 259 by striking the title and inserting in lieu thereof, and as the title, the following:

#### A BILL FOR

An Act to amend the law as it appears in section seventy-five hundred and fifty-six (7556), Code, 1939, relating to the repair and improvement of drainage ditches, and to repeal the law as it appears in section seventy five hundred and fifty-eight (7558), Code, 1939, and to enact a substitute therefor, and also to amend the law as it appears in section seventy-five hundred and fifty-nine (7559), Code, 1939, relating to drainage districts; providing the method and procedure for making certain repairs and improvements in drainage districts, and the levy of assessments for the costs thereof; specifying the nature of notice to be given of a proposal for additional improvements, and preserving the right of appeal to affected property owners.

Further amend Senate File 259 by striking everything after the enacting clause and adding the following:

Section 1. That the law as it appears in section seventy-five hundred and fifty-six (7556), Code, 1939, be and the same is hereby amended by substituting a semicolon (;) for the period (.) at the end of the sixteenth line thereof and by adding thereto, immediately following such semicolon, the following:

provided, however, that before the board of supervisors or the board of trustees, as the case may be, can legally enter into a valid and binding contract for work or materials in making any repairs which would cost in excess of ten per cent (10%) of the actual cost of the original improvements in the district, or for any improvement or repair work which includes any enlarging, deepening, widening, lengthening or relocating of the improvements as originally constructed, or constituting any other material change thereof, then it must first:

(a) Cause the drainage engineer in charge of such proposed repairs

or improvements to file in the office of the county auditor of the county, or counties, in which the drainage district is located, a written report and recommendation in such matter, clearly setting forth the location, character and extent of such proposed repairs or improvements, together with an itemized statement of the probable cost of such proposed improvements, with such other facts and recommendations as he shall deem material;

(b) Enter a record in its proceedings a tentative approval of the plan and the report of the said engineer, if it favors and so approves the same;

(c) Enter a further order fixing a date for hearing upon the proposed improvements not less than thirty (30) days from the date of the order of such tentative approval.

(d) Direct the auditor or auditors immediately to cause notice of the pendency of such proposed action to be legally served upon the owner of each property within their respective counties in the district in the same manner as that required for the original establishment and assessment of a district, and not less than twenty (20) days before the date set for hearing.

(e) Provide a reasonable opportunity for all property owners within the district to file objections and be heard in protest, with the same right of appeal from any adverse action on the part of the board of supervisors, or the board of trustees, as the case may be, as is provided for in section seventy-five hundred thirteen (7513), Code, 1939.

Provided, however, that the notice above specified by paragraph (d) need not be served upon any person who, twenty (20) days before the hearing, has entered his appearance in the proceedings, or has filed with the auditor of his county a written instrument, signed by him, waiving such notice and agreeing that the assessment for such repairs or improvements may be made on the basis of the old apportionment and without further notice of such assessment.

Sec. 2. That the law as it appears in section seventy five hundred and fifty-eight (7558), Code, 1939, be and the same is hereby repealed and the following enacted in lieu thereof:

If such funds are not sufficient and if the cost of such repairs does not exceed ten per cent of the cost of the original improvements in the district, and if the proposed repairs do not include any enlarging, deepening, widening, lengthening or relocating of the improvements as originally constructed, or constitute any other substantial change thereof, then a new assessment therefor shall be made on the basis of the old apportionment, and no notice of such assessment shall be necessary; provided, however, that when no such notice is given then not more than ten (10%) per cent of the cost of the original improvements in the district shall be levied in any one year for all repairs made; neither shall the moneys obtained from any levy and assessment for such repairs be expended for any purpose other than paying the contract price of such repairs for which the additional assessment was made.

Sec. 3. That the law as it appears in section seventy-five hundred and

fifty nine (7559), Code, 1939, be amended by striking from lines three (3), four (4) and five (5) thereof, the words: "and the nature and/or amount of work proposed differs from mere repairs as defined in section 7561" and by substituting, in lieu thereof, the words: "or if the proposed repairs or improvements include any enlarging, deepening, widening, lengthening, or relocating of the improvement as originally constructed, or constitute any other material change thereof,".

Also amend said section seventy-five hundred and fifty-nine, Code, 1939, by substituting a semicolon (;) for the period (.) at the end thereof, and by adding thereto, immediately after said semicolon the following: "provided, however, that the board of supervisors, or the board of trustees, as the case may be, shall make the assessment on the basis of the old apportionment, without notice of such assessment, in all cases where all the owners of each tract of land, or lot, within the drainage district, as shown by the transfer books of the auditor's office, has filed with the auditor of his county a signed instrument agreeing to such assessment on the old apportionment and waiving notice as provided for in the last paragraph of section 1 of this Act."

COMMITTEE ON AGRICULTURE 2,  
By LEO ELTHON, *Chairman*.

Amend section four (4) of House File 325 by adding immediately after the comma (,) in line four (4) the following: "or clerks or deputies whose salary is fixed by the board of supervisors".

A. D. CLEM.

Amend Senate File 208 as follows:

Amend Senate File 208 by striking from line eight (8) of section one (1) thereof, the words, "states adjoining the state of Iowa", and inserting in lieu thereof the words: "the state of Wisconsin".

Further amend by striking from line nine (9) of section one (1) the word "their" and substituting in lieu thereof the word "its".

Further amend by striking from lines twelve and thirteen (12 and 13) of section one (1) the words, "such adjoining state and from such adjoining state into this state", and substituting the words, "the state of Wisconsin and from said state of Wisconsin into the state of Iowa".

Further amend by striking from lines fifteen and sixteen (15 and 16) of section one (1) the words, "such adjoining state" and substituting in lieu thereof the words, "the state of Wisconsin".

ROBERT C. REILLY.  
O. H. HENNINGSEN.  
D. D. FULLER.

Amend House File 325 by striking the period (.) at the end of line seven (7) of section two (2) and by substituting therefor a comma (,) and by adding thereto the following: "except in counties having a population in excess of sixty thousand (60,000) whose boards of supervisors consist of not more than five members, and in such counties, county

supervisors shall, for the period herein provided, receive an annual salary of twenty-five hundred dollars (\$2,500.00)."

GEORGE FAUL.

FRANK C. BYERS.

A. D. CLEM.

ROBERT C. REILLY.

FRANK MARTIN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 24, 1943.

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

Prayer was offered by the Rev. C. C. Bacon, pastor of the First Methodist Church of Des Moines.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Clark, from the members of the Allerton board of education, favoring adoption of the new school code; also from the county officers of Lucas county, favoring an increase in salary for county officers.

By Senator Zastrow, from the county officers of Chickasaw and Floyd counties, favoring an increase in salary for county officers.

By Senator Vrba, from the county officers of Howard county, favoring an increase in salary for county officers.

By Senator Reilly, from the county officers of Dubuque county, favoring an increase in salary for county officers.

By Senator Harvey, from the county officers of Harrison county, favoring an increase in salary for county officers.

By Senator Mowry, from the county officers of Jasper county, favoring an increase in salary for county officers.

By Senator Love, from the county officers of Madison county, favoring an increase in salary for county officers.

By Senator Johnson, from the county officers of Cerro Gordo county, favoring an increase in salary for county officers.

By Senator Elthon, from the county officers of Winnebago county, favoring an increase in salary for county officers.

By Senator Hart, as chairman of the sifting committee, from the county officers of Chickasaw, Washington, Mahaska, Harrison,

Ida, Floyd, Madison, Fayette, and Dubuque counties, favoring an increase in salary for county officers.

By Senator Dykhouse, from farmers of O'Brien county, favoring rural electrification legislation.

By Senator Cromwell, from employees of the city of Burlington, favoring certain social security legislation.

Senator Hunt called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 31

*Be It Resolved by the House, 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 motion prevailed and the resolution was adopted.

Senator Hattery called up the following concurrent resolution and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 24

*Be It Resolved by the Senate of the Fiftieth Legislature of the State of Iowa, the State House of Representatives Concurring therein:* That

*Whereas*, Our nation is engaged in the greatest war effort of our history and the president has announced that 11,200,000 men will be in the armed forces of our country by December of this year; and

*Whereas*, Our national economy has been converted from peace to war with several tens of millions of our citizens now engaged in producing implements of war; and

*Whereas*, It has been stated by high government authority that sixty-five million of our citizens (both in and out of the armed forces) will be engaged in the war effort by the end of this year; and

*Whereas*, After the war is over the transformation of our country from a total war economy to a civilian peacetime economy, including the complete disruption of employment of fifty to sixty million people, is a problem of which the consequences can be almost as fateful as the result of the war itself unless proper steps are taken now; and

*Whereas*, It is inevitable that our national government will of necessity spend many billions of dollars in the post-war period, to cushion the transformation of the nation's economy from war to peace; and

*Whereas*, It is of the utmost importance that the funds so expended shall be spent on useful work and in an efficient, economical, and businesslike manner so that the nation will have something of value to show

for the money spent after the unemployment problem of the post-war period shall have passed and to the end that the principle of self help rather than public bounty shall be uppermost; and

*Whereas*, Highway construction is useful work and will be vitally necessary and is one of the best means of providing employment for idle men, and produces a durable necessary public improvement for the convenience and welfare of all our people;

*Now Therefore, Be It Resolved by the Senate of the Fiftieth General Assembly of the State of Iowa, the House Concurring:*

1. That we hereby endorse the proposal submitted to the Senate committee on post offices and post roads, and the House committee on roads of the national congress on March 4, 1943, by the American Association of State Highway Officials, for the immediate authorization of three billion dollars to be expended on highway construction over a period of three years following the close of the war.

2. That these funds be controlled and expended through the regular highway agencies of the states and the federal government, and that no new federal agencies be created or empowered to handle such work.

3. That the funds so authorized be allotted among all the states on some equitable fixed formula to the end that each state will know as soon as the act is passed the approximate amount of such funds it will receive, and plan accordingly.

4. That the funds so authorized be available for expenditure in the improvement of state primary roads, secondary roads and municipal streets.

5. That the work be done under contracts let at open, advertised, competitive, public bidding, to the lowest responsible bidder, and based on fixed, definite plans and specifications, thus avoiding and preventing confusion, delay, waste and extravagance of work done without adequate plans and specifications, or with no plans and specifications.

6. That the congress take immediate action on this matter to the end that time may be had to make surveys, prepare plans, secure rights of way, and get ready to let contracts and start construction promptly when the war is over and unemployment becomes acute.

7. That copies of this resolution be forwarded to the senators and representatives in congress from the state of Iowa, and to Honorable Kenneth McKellar, chairman of the senate committee on post offices and post roads, and Honorable J. W. Robinson, chairman of the house committee on roads, of the national congress.

The motion prevailed and the resolution was adopted.

Senator Keir asked and received unanimous consent to take up the following resolution by Senators Keir, Shaw and Clem; and moved its adoption:

#### SENATE RESOLUTION 10

*Whereas*, John Dykhousé of Rock Rapids, Iowa, the father of the Honorable J. T. Dykhousé, a member of this body, passed away at his home in Rock Rapids, Iowa, on March 16, 1943, at the age of 86 years, and

*Whereas*, The deceased came to this country from Holland at the age of eleven. He resided in Michigan, Illinois, and Nebraska, moving to Lyon county, Iowa, in 1893, where he resided until his death, and

*Whereas*, Jans T. Dykhouse, son of the deceased, has faithfully served two terms in the House of Representatives and two terms in the Senate of the General Assembly of the State of Iowa, and

*Whereas*, This body desires to express its sympathy to our contemporary and associate during this period of bereavement, now, therefore

*Be It Resolved by the Senate of the Fiftieth General Assembly*: That the Senate desires to express its sincere sympathy to Senator J. T. Dykhouse, because of the recent loss of his father.

*Be It Further Resolved*: That a copy of this resolution be entered in the memorial section of the Journal, and that a copy be given to Senator Dykhouse.

The motion prevailed and the resolution was adopted.

### SPECIAL ORDER OF BUSINESS

Senator Hattery asked and received unanimous consent that House File 325 be made a special order of business for 10:15 a. m. Thursday.

### 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 178, a bill for an act relating to compensation of probation officers.

Also: That the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate File 182, a bill for an act relating to tax levy in cities and towns.

Also: That the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate File 350, a bill for an act making an appropriation for various departments of state.

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

House File 160, a bill for an act relating to compensation of shorthand reporters.

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

House File 280, a bill for an act relating to employment tenure of service men.

A. C. GUSTAFSON, *Chief Clerk*.



## HOUSE AMENDMENT TO SENATE FILE 178

Amend Senate File 178 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend section three thousand six hundred twelve (3612), Code, 1939, as follows:

"Strike all of subsection one (1) and insert in lieu thereof:

'In and for any county having a population of less than thirty thousand, not more than one probation officer who may serve part time or in special cases only as may be required, who, on approval of the judge of the district court in that county, may be paid the sum of five dollars per day or fifty cents per hour for services actually rendered, in no event more than eighteen hundred dollars per year.'

## HOUSE AMENDMENT TO SENATE FILE 182

Amend section three (3) by inserting immediately after the word "apply" in line 1 thereof the word "also".

## HOUSE AMENDMENTS TO SENATE FILE 350

Amend by striking all after the enacting clause and substituting the following:

## ATTORNEY GENERAL

Section 1. For the office of attorney general there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of thirty-four thousand dollars (\$34,000.00) or so much thereof as may be necessary to be used in the following manner:

For salary of attorney general.....	\$ 6,000.00
For salaries, support, maintenance and miscellaneous purposes .....	28,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the office of attorney general.....\$ 34,000.00

## AUDITOR OF STATE

Sec. 2. For the office of auditor of state there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of ninety-three thousand seven hundred dollars (\$93,700.00) 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, support, maintenance and miscellaneous purposes .....	85,000.00

\$ 90,000.00

## Building and Loan Division

For salary of supervisor of savings and loan associations as fixed in section 9354.1, Code, 1939.....	\$ 2,500.00
For traveling and miscellaneous expense.....	1,200.00

\$ 3,700.00

Grand total of all appropriations for all purposes for each year of the biennium for the office of auditor of state.....\$ 93,700.00

## BOARD OF CONTROL

Sec. 3. For the office of board of control there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of eighty-one thousand one hundred seventy-nine dollars and eighty-five cents (\$81,179.85) or so much thereof as may be necessary to be used in the following manner:

For salaries, members of the board (3 at \$3,850.00 each).....	\$ 11,550.00
For salaries, support, maintenance and miscellaneous purposes .....	69,629.85

Grand total of all appropriations for all purposes for each year of the biennium for the board of control.....	\$ 81,179.85
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## BOARD OF CONTROL—INSTITUTION STATE ROADS

Sec. 4. For the board of control-institution state roads there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of seven thousand five hundred dollars (\$7,500.00) or so much thereof as may be necessary to be used in the following manner:

For institution state roads.....	\$ 7,500.00
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Grand total of all appropriations for all purposes for each year of the biennium for institution state roads.....	\$ 7,500.00
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## BOARD OF EDUCATION

Sec. 5. For the office of the board of education there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of forty-five thousand four hundred dollars (\$45,400.00) or so much thereof as may be necessary to be used in the following manner:

For salary of chairman of the finance committee.....	\$ 2,900.00
For salary of member of the finance committee.....	2,900.00
For salary of secretary of board of education and of the finance committee .....	3,000.00
For salaries, support, maintenance and miscellaneous purposes .....	36,600.00

Grand total of all appropriations for all purposes for each year of the biennium for the office of the board of education .....	\$ 45,400.00
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## BOARD OF PAROLE

Sec. 6. For the office of the board of parole there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of thirty-six thousand seven hundred seventy-seven dollars and fifty cents (\$36,777.50) or so much thereof as may be necessary to be used in the following manner:

For salaries of board members

Two (2) at \$2,700.00 each.....	\$ 5,400.00
One (1) at \$3,000.00 each.....	3,000.00

For salaries, support, maintenance and miscellaneous purposes 28,377.50

Grand total of all appropriations for all purposes for each  
year of the biennium for the board of parole.....\$ 36,777.50

#### BUREAU OF LABOR

Sec. 7. For the office of the bureau of labor there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of twenty-four thousand one hundred dollars (\$24,100.00) or so much thereof as may be necessary to be used in the following manner:

For salary of labor commissioner.....\$ 3,000.00  
For salaries, support, maintenance and miscellaneous purposes 21,100.00

Grand total of all appropriations for all purposes for each  
year of the biennium for the bureau of labor.....\$ 24,100.00

#### CLERK OF SUPREME COURT

Sec. 8. For the office of the clerk of the supreme court there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of ten thousand six hundred dollars (\$10,600.00) or so much thereof as may be necessary to be used in the following manner:

For salary of the clerk of the supreme court.....\$ 3,600.00  
For salaries, support, maintenance and miscellaneous purposes 7,000.00

Grand total of all appropriations for all purposes for each  
year of the biennium for the office of the clerk of the  
supreme court .....\$ 10,600.00

#### COMMERCE COMMISSION

Sec. 9. For the department of the commerce commission there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of two hundred six thousand four hundred sixty-eight dollars (\$206,468.00) or so much thereof as may be necessary to be used in the following manner:

##### General Administration

For salaries of commissioners (3 at \$3,850 each).....\$ 11,550.00  
For salaries, support, maintenance and miscellaneous purposes 70,438.00

Total for general administration of commerce commission.....\$ 81,988.00

Class Rate Cases \$ 10,000.00

##### Motor Transportation Division

For salaries, support, maintenance and miscellaneous purposes \$101,980.00

## Warehouse Division

For salaries, support, maintenance and miscellaneous purposes \$ 12,500.00

Grand total of all appropriations for all purposes for each  
year of the biennium for the department of the commerce  
commission .....\$206,468.00

## COMMISSION FOR BLIND

Sec. 10. For the office of the commission for the blind there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of fourteen thousand five hundred twenty dollars (\$14,520.00) 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 12,120.00

Grand total of all appropriations for all purposes for each year  
of the biennium for the office of the commission for the blind \$ 14,520.00

## COMMISSION ON UNIFORM LAWS

Sec. 11. For the commission on uniform laws there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of three hundred dollars (\$300.00) or so much thereof as may be necessary to be used in the following manner:

For traveling expenses of members of the commission on uni-  
form laws .....\$ 300.00

Grand total of all appropriations for all purposes for each  
year of the biennium for the commission on uniform laws....\$ 300.00

## STATE COMPTROLLER

Sec. 12. For the office of state comptroller there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of fifty-nine thousand two hundred fifty dollars and seventy-one cents (\$59,254.71) 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, support, maintenance and miscellaneous purposes 53,254.71

Grand total of all appropriations for all purposes for each  
year of the biennium for the office of state comptroller.....\$ 59,254.71

## CONSERVATION COMMISSION

Sec. 13. For the office of the conservation commission there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of two hundred ten thousand dollars (\$210,000.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes

of the office and the maintenance of state parks, purchase of land and general improvements and for the construction, maintenance and improvements of roads and highways in said parks .....\$210,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the conservation commission.....\$210,000.00

#### CUSTODIAN

Sec. 14. For the office of the custodian there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of eighty-two thousand nine hundred dollars (\$82,900.00) or so much thereof as may be necessary to be used in the following manner:

For salary of custodian .....\$ 2,500.00  
For salaries, support, maintenance and miscellaneous purposes 80,400.00

Grand total of all appropriations for all purposes for each year of the biennium for the office of custodian.....\$ 82,900.00

#### DEPARTMENT OF AGRICULTURE

Sec. 15. For the department of agriculture there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of three hundred eighty-seven thousand eight hundred dollars (\$387,800.00) or so much thereof as may be necessary to be used in the following manner:

##### Main Office

For salary of secretary of agriculture.....\$ 5,000.00  
For salaries, support, maintenance and miscellaneous purposes 127,500.00

Total for main office .....\$132,500.00

##### (1) Agriculture Farm Committee

For agricultural committee.....\$ 2,000.00

##### (2) Agricultural Statistics

For state aid .....\$ 5,000.00

##### (3) Animal Health and Veterinary

For the control and eradication of contagious and infectious livestock diseases including Bang's Disease, salaries and traveling expenses; assistant state veterinarians (per diem and expenses) indemnities and miscellaneous purposes.....\$137,500.00

##### (4) Bee Inspection

For state aid .....\$ 4,500.00

##### (5) Beef Producers' Association

For state aid .....\$ 5,000.00

##### (6) Corn and Small Grain Growers' Association

For state aid .....\$ 2,750.00

(7) Crop Pest Control	
For state aid .....	\$ 12,500.00
For state aid for the investigation and control of plant diseases and for other purposes as approved by the secretary of agriculture, to be administered by the vegetable growers' association .....	\$ 2,500.00
Total for crop pest control.....	\$ 15,000.00
(8) Dairy Association	
For state aid .....	\$ 5,000.00
(9) Dairy Calf Club	
For state aid .....	\$ 2,000.00
(10) Entomology	
For salaries, support, maintenance and miscellaneous purposes \$	9,000.00
For barberry eradication .....	4,500.00
Total for entomology .....	\$ 13,500.00
(11) Hatchery Inspection	
For state hatchery inspection fund.....	\$ 9,000.00
(12) Horse Breeders' Association	
For state aid .....	\$ 5,000.00
(13) Horticultural Societies	
For state aid .....	\$ 7,000.00
For vegetable growers' association.....	1,000.00
Total for horticultural societies.....	\$ 8,000.00
(14) Poultry Association, Short Courses and Achievement Shows	
For state aid .....	\$ 18,000.00
(15) Soil Conservation	
For salaries, support and miscellaneous purposes.....	\$ 8,000.00
(16) Swine Breeders' Association	
For state aid .....	\$ 5,000.00
(17) Veterinary Examiners	
For per diem and expenses.....	\$ 550.00
(18) Weather Bureau	
For state aid .....	\$ 5,000.00
(19) Iowa State Sheep Association	
For state aid .....	\$ 4,500.00
Grand total of all appropriations for all purposes for each year of the biennium for the department of agriculture and divisions thereof .....	\$387,800.00

## DEPARTMENT OF HEALTH

Sec. 16. For the department of health there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of two hundred twenty-nine thousand seven hundred sixty-five dollars (\$229,765.00) or so much thereof as may be necessary to be used in the following manner:

## General Office

For salary of commissioner.....	\$ 6,000.00
For salaries, support, maintenance and miscellaneous purposes	75,150.00
For research and development of various serums.....	52,500.00

Total for general office.....	\$133,650.00
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\*Note: State has been paying \$5,000.00, Fed. Govt. has been paying \$1,000. Fed. Govt. has withdrawn its support.

## (1) Board of Barber Examiners

For compensation, support, maintenance and miscellaneous purposes .....	\$ 17,360.00
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## (2) Board of Chiropractic Examiners

For compensation, support, maintenance and miscellaneous purposes .....	1,920.00
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## (3) Board of Cosmetology Examiners

For compensation, support, maintenance and miscellaneous purposes .....	16,100.00
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## (4) Board of Dental Examiners

For compensation, support, maintenance and miscellaneous purposes .....	2,000.00
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## (5) Board of Embalmers' Examiners

For compensation, support, maintenance and miscellaneous purposes .....	1,250.00
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## (6) Board of Medical Examiners

For compensation, support, maintenance and miscellaneous purposes .....	1,200.00
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## (7) Board of Optometry Examiners

For compensation, support, maintenance and miscellaneous purposes .....	500.00
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## (8) Board of Osteopathy Examiners

For compensation, support, maintenance and miscellaneous purposes .....	1,500.00
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## (9) Licensure and Registration

For salaries, support, maintenance and miscellaneous purposes	7,185.00
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## (10) Board of Podiatry Examiners

For compensation, support, maintenance and miscellaneous purposes .....	300.00
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## (11) Vital Statistics

For salaries, support, maintenance and miscellaneous purposes .....	46,800.00
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Grand total of all appropriations for all purposes for each year of the biennium for the department of health and the various divisions thereof .....	\$229,765.00
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## DEPARTMENT OF PUBLIC INSTRUCTION

Sec. 17. For the department of public instruction there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of four hundred seventy-one thousand one hundred forty-five dollars (\$471,145.00) or so much thereof as may be necessary to be used in the following manner:

For salary of superintendent of public instruction.....	\$ 4,500.00
For salaries, support, maintenance and miscellaneous purposes .....	45,195.00
	<hr/>
	\$ 49,695.00

## State Aid to Public Schools

For state aid to public schools:

Normal training schools .....	100,000.00
Consolidated schools .....	125,000.00
Standard rural schools .....	90,000.00
Normal institutes .....	4,450.00
Mining camp schools .....	45,000.00
Mining camp schools (emergency).....	27,000.00
Handicapped children .....	30,000.00
	<hr/>
	\$421,450.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of public instruction....	\$471,145.00
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## DISTRICT COURT

Sec. 18. For the judges of the district court there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of three hundred eighty thousand dollars (\$380,000.00) 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 traveling expenses of judges and court reporters in and out of districts .....	30,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for district court judges and reporters .....	\$380,000.00
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## EXECUTIVE COUNCIL

Sec. 19. For the office of the executive council there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of two hundred fifty thousand dollars (\$250,000.00) or so much thereof as may be necessary to be used in the following manner:

For salary of the secretary of the executive council.....\$ 3,000.00  
For salaries, support, maintenance and miscellaneous purposes 247,000.00

Grand total of all appropriations for all purposes for each  
year of the biennium for the office of executive council.....\$250,000.00

## GEOLOGICAL SURVEY

Sec. 20. For the office of geological survey there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of twenty-seven thousand two hundred seventy-eight dollars (\$27,278.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes \$ 18,608.00  
Stream gaging and siltation ..... 8,670.00

Grand total of all appropriations for all purposes for each  
year of the biennium for geological survey.....\$ 27,278.00

## GOVERNOR

Sec. 21. For the office of the governor there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of twenty thousand five hundred dollars (\$20,500.00) or so much thereof as may be necessary to be used in the following manner:

For salary of governor .....\$ 7,500.00  
For salaries, support, maintenance and miscellaneous purposes 13,000.00

Grand total of all appropriations for all purposes for each  
year of the biennium for the office of governor.....\$ 20,500.00

## GRAND ARMY OF THE REPUBLIC

Sec. 22. For the department of the grand army of the republic there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of two thousand dollars (\$2,000.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes \$ 2,000.00

Grand total of all appropriations for all purposes for each  
year of the biennium for the department of the grand army  
of the republic .....\$ 2,000.00

## DEPARTMENT OF HISTORY AND ARCHIVES

Sec. 23. For the department of history and archives there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of

forty-one thousand three hundred dollars (\$41,300.00) or so much thereof as may be necessary to be used in the following manner:

For salary of curator.....	\$ 2,700.00
For salaries, support, maintenance and miscellaneous purposes .....	38,600.00

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Grand total of all appropriations for all purposes for each year of the biennium for the department of history and archives .....

\$ 41,300.00

#### HISTORICAL SOCIETY

Sec. 24. For the historical society there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of thirty-six thousand dollars (\$36,000.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 36,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the historical society.....

\$ 36,000.00

#### HERBERT HOOVER BIRTHPLACE SOCIETY

Sec. 25. For the Herbert Hoover birthplace society there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, 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 salaries, support, maintenance and miscellaneous purposes for the birthplace of Herbert Hoover.....	\$ 1,200.00
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Grand total of all appropriations for all purposes for each year of the biennium for the Herbert Hoover birthplace society .....

\$ 1,200.00

#### INDUSTRIAL COMMISSIONER

Sec. 26. For the industrial commissioner there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of forty-two thousand twenty dollars (\$42,020.00) or so much thereof as may be necessary to be used in the following manner:

For salary of industrial commissioner .....	\$ 3,300.00
For salaries, support, maintenance and miscellaneous purposes .....	38,720.00

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Grand total of all appropriations for all purposes for each year of the biennium for the industrial commissioner.....

\$ 42,020.00

#### INSURANCE COMMISSIONER

Sec. 27. For the office of the insurance commissioner there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of forty-six thousand five hundred dollars (\$46,500.00) or so much thereof as may be necessary to be used in the following manner:

For salary of insurance commissioner.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes .....	41,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the office of insurance commis- sioner .....	\$ 46,500.00
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## LIBRARY COMMISSION

Sec. 28. For the library commission there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of sixty-seven thousand three hundred ninety-nine dollars (\$67,399.00) or so much thereof as may be necessary to be used in the following manner:

## Law Division

For salaries, support, maintenance and miscellaneous purposes (law library) .....	\$ 17,124.00
	\$ 17,124.00

## Medical Division

For salary of medical librarian .....	\$ 2,500.00
For salaries, support, maintenance and miscellaneous purposes .....	9,695.00
	\$ 12,195.00

## Traveling Division

For salary of traveling librarian .....	\$ 2,500.00
For salaries, support, maintenance and miscellaneous purposes .....	35,580.00
	\$ 38,080.00

Grand total of all appropriations for all purposes for each year of the biennium for all divisions of the library commission..	\$ 67,399.00
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## BOARD OF MINE EXAMINERS

Sec. 29. For the board of mine examiners there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of one thousand five hundred dollars (\$1,500.00) or so much thereof as may be necessary to be used in the following manner:

For 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 board of mine examiners.....	\$ 1,500.00
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## MINE INSPECTORS

Sec. 30. For the department of mine inspector there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of nineteen thousand nine hundred twenty-five dollars (\$19,925.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes \$	14,925.00
For state aid to Iowa Coal Institute.....	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 mine inspectors \$ 19,925.00

#### IOWA NATIONAL GUARD AND STATE GUARD

Sec. 31. For the Iowa national guard and state guard there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of three hundred forty-nine thousand dollars (\$349,000.00) or so much thereof as may be necessary to be used in the following manner:

for salary of adjutant general.....	\$ 3,000.00
For salaries, support, maintenance and miscellaneous purposes	346,000.00

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Grand total of all appropriations for all purposes for each  
year of the biennium for the Iowa national guard and state  
guard .....\$349,000.00

Section 5 Chapter 74 Acts of the 49th General Assembly is hereby repealed.

#### BOARD OF PHARMACY EXAMINERS

Sec. 32. For the board of pharmacy examiners there is hereby appropriated for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of twenty-five thousand two hundred eighty dollars (\$25,280.00) or as 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	13,200.00

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\$ 15,780.00

#### Uniform Narcotics Law Division

For salaries, support, maintenance and miscellaneous pur- poses (legal sales) .....	\$ 3,000.00
For salaries, support, maintenance and miscellaneous pur- poses in making investigations of illegal sales.....	6,500.00

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\$ 9,500.00

Grand total of all appropriations for all purposes for each  
year of the biennium for the board of pharmacy examiners \$ 25,280.00

#### PIONEER LAWMAKERS

Sec. 33. For the pioneer lawmakers there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, 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 pioneer lawmakers.....\$ 50.00

## PRESIDENTIAL ELECTORS

Sec. 34. For the department of the presidential electors there is hereby appropriated for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, 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
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## STATE PRINTING BOARD

Sec. 35. For the state printing board there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of two hundred thousand dollars (\$200,000.00) or so much thereof as may be necessary to be used in the following manner:

For salary of superintendent .....	\$ 3,300.00
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For salaries, support, maintenance and miscellaneous purposes .....	16,575.00
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	<u>\$ 19,875.00</u>
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## Printing and Binding

For 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.....

	\$180,125.00
Grand total of all appropriations for all purposes for each year of the biennium for the state printing board.....	\$200,000.00

## PUBLIC SAFETY

Sec. 36. For the department of public safety there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of nine hundred twenty-three thousand five dollars (\$923,005.00) or so much thereof as may be necessary to be used in the following manner:

## (1) Division of Administration

For salary of commissioner .....	\$ 4,000.00
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For salaries, support, maintenance and miscellaneous purposes .....	13,030.00
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	<u>\$ 17,030.00</u>
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## (2) Division of Highway Patrol

For salary of chief of patrol.....	\$ 3,200.00
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For salaries, support, maintenance and miscellaneous purposes .....	446,600.00
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	<u>\$449,800.00</u>
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## (3) Division of Operators and Chauffeurs License

For salaries, support, maintenance and miscellaneous purposes .....	\$112,460.00
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	<u>\$112,460.00</u>
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## (4) Division of Motor Registration

For salary of superintendent .....\$ 3,000.00  
 For salaries, support, maintenance and miscellaneous purposes 152,110.00

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\$155,110.00

## (5) Division of Criminal Investigation

For salary of chief of bureau of investigation.....\$ 3,600.00  
 For salaries, support, maintenance and miscellaneous purposes 76,400.00

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\$ 80,000.00

## (6) Division of Radio Communication

For salary of superintendent .....\$ 2,400.00  
 For salaries, support, maintenance and miscellaneous purposes 55,025.00

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\$ 57,425.00

## (7) Division of Fire Marshal

For salary of fire marshal .....\$ 2,700.00  
 For salaries, support, maintenance and miscellaneous purposes 17,370.00

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\$ 20,070.00

## (8) Division of Safety Education

For salary of director .....\$ 2,500.00  
 For salaries, support, maintenance and miscellaneous purposes 28,610.00

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\$ 31,110.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of public safety, division of administration, highway patrol, operators and chauffeurs' license, motor vehicle registration, criminal investigation, radio communication, fire marshal and safety education .....\$923,005.00

## REPORTER OF SUPREME COURT AND CODE EDITOR

Sec. 37. For the department of the reporter of the supreme court and code editor there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of thirteen thousand six hundred eighty dollars (\$13,680.00) or so much thereof as may be necessary to be used in the following manner:

For salary of reporter of supreme court and code editor.....\$ 3,850.00  
 For salaries, support, maintenance and miscellaneous purposes 9,830.00

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Grand total of all appropriations for all purposes for each year of the biennium for the department of the reporter of the supreme court and code editor.....\$ 13,680.00

## RELIEF OF FREDERICK M. HULL

Sec. 38. There is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending

June 30, 1945, 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 of Frederick M. Hull.....\$ 360.00

Grand total of all appropriations for each year of the biennium for relief of Frederick M. Hull.....\$ 360.00

#### SECRETARY OF STATE

Sec. 39. For the department of the secretary of state there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of forty thousand five hundred twenty dollars (\$40,520.00) or so much thereof as may be necessary to be used in the following manner:

For salary of secretary of state.....\$ 5,000.00  
 For salaries, support, maintenance and miscellaneous purposes 35,520.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of the secretary of state .....\$ 40,520.00

#### SOLDIERS' BONUS BOARD

##### WORLD WAR ORPHANS' EDUCATIONAL AID

Sec. 40. For the Iowa Soldiers' bonus board there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of four thousand dollars (\$4,000.00) or so much thereof as may be necessary to be used in the following manner:

For the purpose of administering and aiding in the education of children of soldiers, sailors, marines and nurses.....\$ 4,000.00

#### SOCIAL WELFARE BOARD

Sec. 41. For the department of social welfare there is hereby appropriated for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of two hundred seventy thousand dollars (\$270,000.00) or so much thereof as may be necessary to be used in the following manner:

For child welfare .....\$120,000.00  
 For aid to blind ..... 150,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of social welfare.....\$270,000.00

#### SPANISH AMERICAN WAR VETERANS

Sec. 42. For the Spanish American war veterans there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of one thousand five hundred dollars (\$1,500.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes \$ 1,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the Spanish American war veterans \$ 1,500.00

## STATE EMPLOYMENT SECURITY COMMISSION

Sec. 43. For the state employment security commission there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, 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 purposes \$ 59,852.52

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Grand total of all appropriations for all purposes for each  
year of the biennium for the state employment security  
commission .....\$ 59,852.52

## STATE FAIR BOARD

Sec. 44. For the state fair board there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, 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 maintenance, insurance, and operating expense.....\$ 20,000.00

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Grand total of all appropriations for all purposes for each year  
of the biennium for the state fair board.....\$ 20,000.00

## AGRICULTURAL SOCIETIES

Sec. 45. For the agricultural societies, there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of one hundred forty thousand dollars (\$140,000.00) or so much thereof as may be necessary to be used in the following manner:

For state aid to county fairs.....\$140,000.00

The foregoing appropriation for state aid to county fairs shall be deemed conditional on full compliance with all other statutes which regulate and prescribe the conditions under which such aid is payable. In no case shall any county receive more than two thousand dollars (\$2,000.00). In counties having more than one fair entitled to state aid, the state aid available for the county shall be pro-rated to said fairs on the basis of cash premiums paid by said fairs.

## STATE TAX COMMISSION

Sec. 46. For the general office, the public utility division, the property division, the cigarette tax division, the inheritance tax division and the chain store tax division of the state tax commission there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, 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:

For salaries of commissioners (3 at \$4,500.00 each).....\$ 13,500.00

For salaries, support, maintenance, and miscellaneous purpose 136,500.00

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Grand total of all appropriations for all purposes for each



year of the biennium for the general office, the public utility division, the property division, the cigarette tax division, the inheritance tax division and the chain store tax division of the state tax commission .....\$150,000.00

#### SUPREME COURT

Sec. 47. For the supreme court there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of eighty-seven thousand two hundred twenty dollars (\$87,220.00) 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 19,720.00

Grand total of all appropriations for all purposes for each year of the biennium for the supreme court.....\$ 87,220.00

#### TREASURER OF STATE

Sec. 48. For the department of treasurer of state there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of forty-one thousand eight hundred three dollars and thirty-three cents (\$41,803.33) or so much thereof as may be necessary to be used in the following manner:

For salary of treasurer .....\$ 5,000.00  
 For salaries, support, maintenance and miscellaneous purposes 36,803.33

Grand total of all appropriations for all purposes for each year of the biennium for the department of treasurer of state .....\$ 41,803.33

#### VOCATIONAL EDUCATION

Sec. 49. For the department of vocational education there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of twenty-five thousand three hundred fifty dollars (\$25,350.00) or so much thereof as may be necessary to be used in the following manner:

For salary of director.....\$ 2,250.00  
 For salaries, support, maintenance and miscellaneous purposes 23,100.00

Grand total of all appropriations for all purposes for each year of the biennium for the department of vocational education .....\$ 25,350.00

#### VOCATIONAL REHABILITATION

Sec. 50. For the department of vocational rehabilitation there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of thirty-nine thousand dollars (\$39,000.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes \$ 39,000.00

Grand total of all appropriations for all purposes for each  
year of the biennium for the department of vocational re-  
habilitation .....\$ 39,000.00

Sec. 51. No department of state shall expend any funds for the publication or distribution of books, pamphlets, or reports unless the publication thereof be expressly required by law.

### HOUSE MESSAGES CONSIDERED

House File 160, a bill for an act to amend section ten thousand eight hundred nine (10809) and section ten thousand eight hundred ten (10810), Code, 1939, relating to compensation of short-hand reporters of the district courts.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 280, a bill for an act to provide for the protection of the employment status of persons in the military or naval service of the United States, or auxiliaries of such service.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

President Blue took the chair at 10:27 a. m.

### HOUSE AMENDMENTS CONSIDERED

Senator Henningsen called up for consideration Senate File 350, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1943, and ending June 30, 1945, funds for various departments and various divisions thereof, of the state of Iowa, for purposes provided by law, amended by the House, and moved that the Senate refuse to concur in the House amendments to Senate File 350.

The Senate refused to concur in the House amendments.

### THIRD READING OF BILLS

On motion of Senator Hill, Senate File 116, a bill for an act to regulate the construction of theatres, halls, auditoriums, or other places of public assembly where nitrocellulose or combustible films are used, to place supervision of such construction under the department of the state fire marshal, and to provide

for regular annual inspection and licensing of all halls, theatres, auditoriums, and other places of public assembly using nitrocellulose or combustible film within the state of Iowa by the state fire marshal or his deputies, and to provide fees therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

#### SENATE FILE 116

Amend Senate File 116 as follows:

Amend the title of Senate File 116 by striking all of the title and by inserting in lieu thereof the following:

An act to provide specifications for places of public assembly where nitrocellulose or combustible films are used and exhibited, to provide for regular annual inspection and licensing of all places of public assembly using and exhibiting nitrocellulose and combustible film within the state of Iowa by the state fire marshal or his deputies, to provide fees therefor, and to provide for penalties for violation.

Further amend Senate File 116 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. The word "marshal" as used in this act shall mean the state fire marshal or his deputy.

Sec. 2. All halls, theatres, auditoriums, or other places of public assembly within the state of Iowa using nitrocellulose or combustible film shall secure from the state fire marshal a license by October 1, 1943, and annually thereafter, showing that they have complied with the provisions of this act either by inspection by the marshal or his deputies, or by a letter to the marshal by the owner, manager, or person in charge certifying that the provisions of this act have been complied with, and such letter shall take the place of annual inspection until the marshal shall be able to make such regular inspection. A single annual fee for both licensing and inspection shall be five dollars for each hall, theatre, auditorium, or other place of public assembly using nitrocellulose or inflammable film and having less than eight hundred seating capacity, and ten dollars for each such place having more than eight hundred seating capacity. Such license fee shall become due and payable on the first day of October in each calendar year.

Sec. 3. It shall be the duty of the marshal, as soon as is possible after the effective date of this chapter, to enter, inspect, and examine, at any reasonable time, all halls, theatres, auditoriums, or other places of public assembly within the state of Iowa where nitrocellulose or inflammable film is used, in operation on the effective date of this chapter or thereafter, annually, and to approve and license or disapprove such halls, theatres, auditoriums, or other places of public assembly for further operation. Notice of approval and licensing or of disapproval shall be sent to the owner, manager, or person in charge, with copies to the city

or town fire chief, mayor or officer in charge in the city, town or place concerned.

Sec. 4. With respect to all halls, theatres, auditoriums, and other places of public assembly, using nitrocellulose or combustible film, in existence on the effective date of this chapter, the following shall constitute the minimum requirements for approval and license on inspection by the marshal:

1. The building shall be of substantial construction, on good foundations, kept in good repair, be capable of sustaining capacity audiences with a margin of safety, and be equipped with suitable lighting and adequate ventilating facilities. Such places of assembly shall be separated from the rest of the building by substantial partitions, walls, and floors, shall not have exposed or dangerous electric wiring or open fuse, terminal or switch boxes, and shall be kept clean and free from accumulations of waste, rubbish, trash, papers, and combustible materials of every kind.

2. All seats in such places shall be of durable construction, securely fastened to floor, or fastened together in sections in a manner acceptable to the marshal, spaced not less than twenty-eight inches back to back, and kept in good repair. No row of seats shall contain more than fifteen seats between aisles and, where there is but one aisle, no row shall contain more than seven seats.

3. Aisles shall be not less than thirty-two inches in width. No seats or chairs shall be placed in the aisles, foyers, passageways, corridors, or exitways, and no persons shall be allowed to stand therein.

4. No smoking shall be allowed in such buildings except in properly ventilated restrooms or in segregated parts of the auditorium or balcony which are completely fireproof and directly ventilated.

5. Entrance and exit openings and emergency exits must be provided at a minimum rate of thirty inches horizontal measurements for each one hundred fifty seats, fitted with doors which shall open outward in such a manner as not to become an obstruction in a passageway, corridor, or exitway, and no such door shall be fastened so as to be inoperative from within when the building is occupied by an audience. Emergency exits shall be ample in number and conveniently located with respect to size and shape of hall, theatre, auditorium, or other place of public assembly and shall have clearly market lighted signs over the doors which shall be kept fully lighted at night, or when the room is darkened. Such emergency exit doors shall be held closed by suitable panic bars, operative from within.

6. No nitrocellulose or inflammable film shall be used, projected, or shown unless the projectors for the use of such film shall be installed and operated within a booth of sufficient space to allow thirty inches of clear space on sides and rear of projectors.

7. The booth must be of fire resistive construction, as approved by the state fire marshal, provided with fire resistive door or doors of adequate size and location, which shall be so arranged as to close automatically, and which shall be kept closed, but not locked, when shows are in progress. All booths constructed after the effective date of this act shall be equipped with two fire resistive doors as widely separated as possible.

8. Booths shall have adequate openings for picture, spot, effect, and

flood-light machines; all such openings must be equipped with gravity shutters inside of the booth so suspended, arranged, fused, and interconnected that all shutters will close automatically upon the operation of some suitable fusible or mechanical releasing device in case of fire or other contingency requiring the immediate and complete isolation of the contents of the booth from other portions of the building or place. There must also be provided suitable means for manually closing all shutters simultaneously from a point near the door or doors. All shutters on openings not in use shall be kept closed. Suitable ventilation facilities of fire-proof construction for the booth and lamp-houses shall be provided.

9. No films shall be exposed in the booth except those in the process of being transferred to or from the projectors or being rewound, inspected, or repaired. Each reel of film shall be kept in a separate metal case, or in approved metal cases with separate compartments made without solder and with tight-fitting covers. Film shall never be left in projectors or rewinds. The booth shall be kept clean and free from combustible material or waste at all times. A metal can made without solder and with a self-closing cover shall be provided as a receptacle for waste film and other material.

10. Electrical equipment and wiring in the booth shall conform to reasonable standards of safety; there shall be no exposed electric wires or open fuse, terminal, or switch boxes.

11. No person shall be permitted to operate any motion picture machine or projector using combustible film unless he shall be at least sixteen years of age.

12. Every audience room shall be supplied with at least two approved hand fire extinguishers, one of which shall be inside the booth and within easy reach of the operator, and one of which shall be in an accessible place in the main entrance to the room. In addition thereto there shall be at least one such extinguisher in the room where the furnace or heating plant is located where the plant is in the same building with the theatre.

Sec. 5. Whenever the state fire marshal or his deputies or assistants shall find upon investigation or examination that any of the provisions of this chapter have been violated or the defects of installation exist, he shall immediately notify the owner, manager, or person in charge, and the city officials concerned, in writing, stating the nature of such violation or defect. If such violation or defect is not remedied within a reasonable time after such notice has been given, then the marshal shall communicate the fact of such violation or defect, together with any evidence he may have, to the county attorney of the county in which the violation occurred, and it shall thereupon be the duty of such county attorney to cause the arrest and prosecution of the person or persons so violating. Any owner or person in charge of any theatre, or place of operation of any equipment under this chapter, who shall fail to comply with the provisions of this chapter or shall hinder or obstruct the carrying out of the requirements of this chapter shall be punished by imprisonment in the county jail not exceeding thirty days or by a fine not exceeding one hundred dollars.

Sec. 6. If any owner or person in charge of property or equipment covered by this chapter shall fail to provide the requirements herein

specified, or such owner or agent neglect for twenty days after notice given in writing by the state fire marshal of such failure to remedy the same, the marshal may apply to the district court or any judge thereof in any action in the name of the state for a writ of injunction to restrain the operation of any equipment or property subject to this chapter.

Sec. 7. In addition to all other remedies the state fire marshal or his deputies are hereby empowered to cut off all electric current from the premises where a violation of this act has occurred and no person shall restore the supply of electric current until the defects have been remedied.

Sec. 8. In the municipalities having ordinances, or hereafter adopting ordinances relating to the construction of theatres, halls, auditoriums, and other places of public assembly where nitrocellulose or combustible films are used, and to the installation and operation of motion picture machines, and containing additional regulations for the safe and proper installation and operation of such machines, nothing herein shall be construed to abrogate or limit such local ordinances as may exist in any city or town covering the subject matter of this chapter, but the jurisdiction of said local authorities in this matter shall be subject to the jurisdiction of the state fire marshal, as herein provided.

Sec. 9. The provisions of this act shall not apply to churches, schools, clubs, or halls where moving picture exhibitions are given only upon occasions and solely for religious, benevolent, or scientific demonstrative purposes, except that when nitrocellulose or combustible film is used, permission of the marshal shall first be obtained for such exhibition.

Sec. 10. If any provision or provisions of this chapter are declared unconstitutional, or the applicability thereof to any persons or circumstances is held invalid, the validity of the remainder of the chapter and the applicability of such provisions to other persons or circumstances shall not be affected thereby, but shall remain in full force and effect.

Senator Hill offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment to Senate File 116 filed February 24, 1943, by striking from section four (4), lines two (2) and three (3) the following: "in existence on the effective date of this chapter."

The amendment to the committee amendment was adopted.

Senator Faul moved that action be deferred on Senate File 116 and that it retain its place on the calendar, which motion prevailed.

Senator Cromwell took the chair at 11:54 a. m.

Senator Dykhousé asked and received unanimous consent to take up and consider House File 388, a bill for an act to legalize and validate the proceedings of the board of supervisors of Kos-

suth county, Iowa, with reference to the conveyance of real estate held for the benefit of permanent school fund, to P. P. Zerfass; and to authorize and direct the issuance of a patent to said real estate by the governor and secretary of state.

Senator Dykhouse moved that the bill be read a third 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	Evans	Jones	Reilly
Bekman	Findlay	Keir	Schluter
Benson	Foster	Long	Sjulin
Berg	Fuller	Lundy	Stewart
Byers	Goode	Lynes	Turner
Clark	Hart	Martin	Vittetoe
Clem	Harvey	Mercer	Vrba
Cromwell	Hattery	Miller	Watson
Dykhouse	Henningsen	Mowry	Whitehill
Elthon	Hess	Pelzer	Zastrow
Emerson	Hill	Pine	Zeigler

**Nays, none.**

**Absent or not voting, 6:**

Faul	Johnson	Love	Shaw
Hunt	Leo		

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

Senator Dykhouse moved that the 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 Watson called up for consideration Senate File 182, a bill for an act to repeal section six thousand two hundred seventeen (6217), Code, 1939, relating to the consolidated tax levy in cities and towns, and section six thousand two hundred eighteen (6218), Code, 1939, relating to the appropriation of levy in cities and towns, amended by the House, and moved that the Senate concur in the following amendment:

**Amend Senate File 182 as follows:**

**Amend section three (3) by inserting immediately after the word "apply" in line 1 thereof the word "also".**

The Senate concurred in the House amendment.

Senator Watson moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Findlay	Jones	Reilly
Benson	Foster	Keir	Schluter
Berg	Fuller	Love	Shaw
Clark	Goode	Lundy	Stewart
Clem	Hart	Lynes	Turner
Cromwell	Harvey	Martin	Vittetoe
Dykhouse	Hattery	Mercer	Vrba
Elthon	Henningsen	Miller	Watson
Emerson	Hess	Mowry	Whitehill
Evans	Hill	Pelzer	Zastrow
Faul	Johnson	Pine	

Nays, none.

Absent or not voting, 7:

Bekman	Hunt	Long	Zeigler
Byers	Leo	Sjulin	

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

Senator Watson moved that the 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 Hart, Senate File 148, a bill for an act to amend section five thousand two hundred twenty (5220), section five thousand two hundred twenty-two (5222), section five thousand two hundred twenty-four (5224), section five thousand two hundred twenty-six (5226), section five thousand two hundred twenty-eight (5228), section five thousand two hundred thirty (5230), Code, 1939, relating to the compensation of the county auditor, county treasurer, county recorder, sheriff, county attorney, and clerk of the district court in counties having two places at which the district court is held, 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	Findlay	Leo	Pine
Bekman	Foster	Long	Reilly
Benson	Goode	Love	Schluter
Berg	Hart	Lundy	Sjulin
Clark	Harvey	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hill	Mercer	Vrba
Dykhous	Johnson	Miller	Whitehill
Elthon	Jones	Mowry	Zastrow
Emerson	Keir	Pelzer	Zeigler

Nays, none.

Absent or not voting, 10:

Byers	Fuller	Hunt	Stewart
Evans	Hattery	Shaw	Watson
Faul	Hess		

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.

#### LEAVES OF ABSENCE

MR. PRESIDENT: Having been called into the service of the United States Army, I desire to obtain a leave of absence as page in the Senate, beginning March 24, 1943.

Respectfully submitted,

CHARLES ECKENBOM.

MR. PRESIDENT: Having been called into the service of the United States Army, I desire to obtain a leave of absence as page in the Senate, beginning March 24, 1943.

Respectfully submitted,

KENNETH PARKEY.

Senator Evans moved that Charles Eckenbom and Kenneth Parkey be granted leaves of absence, which motion prevailed and the leaves of absence were granted.

#### COMMUNICATION FROM THE DEPARTMENT OF BANKING

Des Moines, Iowa, March the Eighth, 1943.

HONORABLE ROBERT D. BLUE  
President of the Senate  
State House

Des Moines, Iowa.

Sir: There is respectfully submitted to you with this the report of Findings and Recommendations of the State Banking Board to the

Fiftieth General Assembly as to licensees operating under the supervision of the Department of Banking as Chattel Loan Companies under Section 419.1, Code of Iowa, 1939. This is in fulfillment of the obligation of the State Banking Board to thus report.

M. W. ELLIS, *Superintendent.*

Department of Banking, State of Iowa—to the Fiftieth General Assembly of the State of Iowa: Report of Findings and Recommendations of the State Banking Board, based upon 1942 operations of Chattel Loan Licensees, as required under section 9438.13 of chapter 419.1, Code of Iowa, 1939, Des Moines, March the Eighth, 1943.

To the Fiftieth General Assembly:

The 137 licensed lenders operating under chapter 419.1, Code of Iowa, 1939, have furnished sworn statements made on blanks furnished by the department of banking from which the data herein submitted has been taken. Since the last report to the General Assembly examinations of all lenders have been made periodically. The staff of the department has kept in close touch with the lenders and has been familiar with their operations.

The data accumulated during the nine years these lenders have operated under license from the department of banking under the present law becomes increasingly helpful in justly appraising their operations and in determining the maximum rate to be permitted.

Your attention is directed to the accompanying schedules and tables of statistics.

Schedule B is a comparative consolidated balance sheet of the 137 licensees.

Schedule C is a consolidated operating statement for the year ending December 31, 1942.

Schedule D is a reconciliation of surplus.

The first two tables show the distribution of offices.

Table 3 shows that of the 137 licensed offices 108 are owned and operated by Iowans employing local capital and that 75% of the total resources are represented in these companies indicating that it is a home owned business giving employment to our own people and capital. Total assets available are more than ample for the loans made as shown in table 4.

Tables 5 and 6 show the dollar value and number of balances classified by size as well as the percentage each classification is to the whole.

Table 7 shows the number and amount of loans by types of security with the percentage each classification is in number and amount to the total.

Table 8 discloses the number and amount of all delinquencies showing this amount to be less than 12% of which only 3.5% is more than one month overdue.

The occupation of borrowers is shown in table 9.

Table 10 shows the use borrowers made of the proceeds of loans.

Table 11 is a record of suits and foreclosures showing less than \$8,000 involved.

Historical data taken from previous annual reports is given in table 12.

Excellent cooperation has been extended the department of banking in its requirement that loans be made upon a regular reduction basis. The major number of loans are repayable in monthly installments with the average length of loan less than eleven months. Only 2.3% of the loans outstanding at the end of 1942 were not being thus regularly reduced. Shortening the time required for repayment is the most effective method of reducing the cost to the borrower. The average borrower, of course, finds it easier to pay interest only, but with the proper attitude on the part of the lender he can be encouraged and required to make principal payments monthly and thus work himself out of debt. The length of loans has been steadily reduced over the years. The accompanying saving to the borrowing public is undoubtedly sounder both from a social and economic standpoint than rate reduction.

At its meeting December 4, 1941, the state banking board unanimously adopted the following resolution rescinding effective December 31, 1941 all existing rules and regulations affecting the lenders licensed under this chapter, thereby placing complete reliance in the law itself.

"Whereas, The small loan licensees in their last annual convention adopted the following code of ethics:

1. The foundation of the personal finance business is confidence, which depends upon efficient service and fair dealing.

2. The business should be maintained as a constructive agency in community life, affording considerate and responsible sources of credit for those without bankable security.

3. Personal finance facilities should be conserved for such constructive or emergent purposes as will result in improvement of the financial circumstances of customers.

4. The states should enact and maintain adequate laws to regulate and supervise this business, and to encourage and safeguard investment of capital with due regard for the public interest.

5. Members should assist and cooperate with proper authorities in the effective enforcement of laws governing the business.

6. Members should support and cooperate with better business bureaus, chambers of commerce, boards of trade, credit associations, welfare societies, and other public service agencies striving to better economic and social conditions.

AND further adopted the standards of business conduct:

1. Members will explain fully to customers the actual cost, terms, and contractual obligations of loan transactions.

2. Members will use in all loan transactions, written instruments as simple, lucid, and unambiguous as circumstances will permit and will draw such instrument with a view to the bona fide application of these standards of business conduct.

3. Members will transact all business in such manner as to merit the respect and confidence of customers and the public.

4. Members will resort to legal process for collection only in the event of misrepresentation, fraud, or willful refusal to comply with the terms of the contract.

5. Members will adhere to generally accepted standards of business deportment in competitive relations, in advertising, and in their dealings with the public.

6. Members will cooperate with supervising officials and other public authorities in the enforcement of laws and regulations, and will seek to secure universal observance of these standards and principles throughout the personal finance business.

*"Whereas, The licensees have demonstrated over a period of years a sincere attitude of conformity with the provisions of the statute and the principles of business conduct outlined above.*

*"Whereas, The provisions of chapter 419.1 are sufficient to adequately regulate and supervise this business, and the language is clear, understandable, and easily interpreted on all essential and important points; i. e.*

1. Only remedial and helpful loans are authorized to assist needy borrowers in liquidating burdensome debts.

2. Licensees will not contribute to, nor help in any manner to create the need for any loan.

3. No fee or anything of value will be offered to anyone for soliciting loans or recommending a loan service.

4. No personal solicitations will be made. All individual contacts will be restricted to explanation and counsel in response to an inquiry.

5. The place of business for making loans will be recognized as being strictly limited to the specific address incorporated in the license.

6. Advertising will be dignified, clear, understandable, and fair in all statements of rates, terms, and loan plans. Care will be used at all times to avoid the possibility of misleading anyone either through the language or appearance of the advertisement.

*"Therefore Be It Resolved, That all Rules and Regulations contained in General Order No. 1, dated July 10, 1936, and Supplement thereto dated August 3, 1936, be hereby repealed and rescinded effective December 31, 1941."*

The experience before and since has been that the department has had the perfect cooperation of the lenders with practically no complaints from borrowers.

During the two year period since the last report to the General Assembly consideration has been given to the demand represented by the needs of our people and to the availability of private capital to meet the need. Consideration has also been given to the cost of operation of the licensees to determine the percentage of profit possible in an efficiently operated office.

We find that licensees not only provided capital to care for the demand during the year but maintained ample cash on hand as further evidence of their willingness to care for additional needy borrowers.

Our findings indicate that all offices are operated fairly and practically all efficiently and that expenses and costs parallel standards recognized as good business.

In 1942 the consolidated operation resulted in an average net profit of 5.4% as compared with 7.29% in the last report. In our opinion this

is not an excessive return upon capital engaged in business containing the hazards incidental to lending money to the type of borrowers serviced by these lenders and that the rates in effect produce as low a rate "as will induce efficiently managed commercial capital to enter such business in sufficient amounts to make available adequate credit facilities to individuals without the security or financial responsibility usually required by commercial banks." (Section 9438.13-1-b)

Taxes paid by the licensees have increased yearly and represented 11.69% of gross income in contrast to 9.96% for 1940 as shown in the last report.

Under present conditions and restrictions of the Federal government the volume of this type of loans has decreased causing the number of licensees to drop from 168 in 1942 to 137 in 1943. Eliminations through sale accounted for 15 less licensees while 16 ceased to operate.

As a result of our findings we recommend the continuance of the present legal maximum rate of 3% a month upon the unpaid portion of loans not in excess of \$150 and 2% a month upon the unpaid portion of the loans over \$150 and not exceeding \$300. The present permitted charge does not cover the cost of the loans under \$75, which comprise approximately 30% in number and 12% in amount of loans made. We believe a reduction of rates at this time would adversely affect the industry and leave the needy borrower without a legal source of credit.

The tables submitted with this indicate that the licensees are operating within the purview of the law and that they have accepted the moral and social responsibilities created thereby.

The board acknowledges uniform courteous cooperation extended to the department by the licensed lenders.

Respectfully submitted,

M. W. ELLIS,

*Superintendent of Banking,  
Ex-Officio Chairman.*

RALPH EASTBURN,

B. A. GRONSTAL,

B. F. KAUFFMAN,

B. P. ST. JOHN,

*Members State Banking Board.*

State of Iowa, Department of Banking

Consolidated reports as made to the superintendent of banking for the year ending December 31, 1942, by the 137 licensees engaged in the business of making loans of \$300 or less.

#### SCHEDULE B

Assets	1942	1941
Balance sheets, per books, as of December 31, 1941 and December 31, 1942.		
10 Cash in office and in banks.....	\$ 921,844.45	\$ 966,054.53
11 Loans receivable .....	8,194,010.61	11,282,713.09
12 Real estate (less deprec. reserve).....	8,063.81	12,508.79

13	Furniture, fixtures and equipment.....	139,696.78	148,341.47
14	Deferred charges .....	147,204.95	177,671.12
15	Other assets used in S. L. business.....	232,885.13	246,943.96
16	Total assets (items 10 to 15, inc.).....	\$ 9,643,705.73	\$12,834,232.96
16a	Assets not used in S. L. business.....	8,954,577.23	10,284,509.21
16b	Total all assets.....	\$18,598,282.96	\$23,118,742.17
Liabilities			
17	Borrowed money, small loans 51.85% .....	\$ 2,283,548.29	\$ 8,492,400.00
	Other assets 48.15% .....	2,074,162.99	
18	Bonds .....	56,157.87	57,824.59
19	Other liabilities .....	883,667.73	327,685.86
20a	Reserve for bad debts.....	215,005.88	217,175.04
20b	Reserve for license and taxes.....	439,442.66	484,490.78
20c	Other reserves .....	92,026.27	106,843.42
21	Branch office capital.....	1,850,132.45	2,864,716.85
22	Net worth (if individ. or partner).....	2,027,913.44	1,988,825.38
23	Capital stock (if corporation) .....	5,598,759.02	5,717,759.08
24	Capital reserve .....	10,858.36	58,825.71
25	Surplus and undivided profits.....	3,116,608.00	2,802,195.46
26	Total all liabilities.....	\$18,598,282.96	\$23,118,742.17
27	Average loans receivable of \$300.00 or less.....		\$ 9,738,361.85
28	Average total assets used in small loan business.....		\$11,238,969.34
29	Ratio total assets used to loans receivable.....		115.41%

## SCHEDULE C

Statement of income and expense for period from January 1, 1942, to December 31, 1942.

Gross income from small loan business.

30	Interest or charges collected.....	\$ 3,277,740.18
31	Fees collected on loans.....	1,147.68
32	Charges and fees earned but not collected .....	131,727.50
33	Collections on accounts previously charged off .....	85,992.64
34	Other income .....	7,058.12
35	Total Gross Income.....	\$ 3,503,666.12

Expenses and losses of small loan business.

\$ Per Acct.  
Per Mo.

36	Rent .....	\$ 124,147.34	\$ .111
37	Salaries .....	939,862.06	.840
38	Printing, stationery and supplies.....	51,971.47	.047
39	Postage and express.....	57,965.13	.052
40	Deprec. furniture, fixtures and equipment .....	31,212.57	.028
41	Recording and acknowledging fees.....	3,696.67	.003
42	Telephone and telegraph.....	43,364.40	.089
43	Travel .....	77,397.46	.069
44	Legal fees and disbursements.....	32,663.11	.029

45	Auditing .....	35,220.90	.031
46	Advertising .....	208,993.06	.187
47	Insurance and fidelity bonds.....	13,786.43	.013
48	License fees; investigation fees.....	19,075.00	.017
49	Supervision and administration.....	129,656.64	.116
50	Other expenses, excluding interest.....	98,558.33	.088
51	Total.....(1.75% per mo.).....\$	1,867,570.57	\$1.670
52	Bad debts or reserves for bad debts....\$	268,791.95	
53	Charges and fees earned but not collected .....	131,727.50	
54	Membership fees .....	15,251.61	
55	Other expenses and losses exc. int. and taxes .....	14,299.71	
56	Total....4.42% per yr....37% per mo....\$	430,070.77	
57	Taxes: Federal and state *11.69% of gross (51.40%) net.....	409,444.71	
58	Total expenses and losses of small loan business.....\$	2,707,086.05	
59	Total net earning for period.....\$	796,580.07	
59a	Per cent net earnings (before interest).....	7.09%	
59b	Per cent net earnings (after int. \$186,658.91).....\$	609,921.16	5.4%

## SCHEDULE D

Reconciliation schedule for period from January 1, 1942, to December 31, 1942.

60\* Surplus balance as of December 31, 1941.....\$ 7,269,778.35  
Additions.

61	Total net income small loans \$	796,580.07	(*Surp. 2,802,195.46)
62	Net income outside small loans	282,919.18	(Net W. 1,667,247.05)
63	Other credits to surplus.....	698,752.80	(B. O. C. 2,800,335.84)
64	Total additions for the period \$	1,778,252.05	

## Deductions.

65a	Int. paid S. L. business 51.85%	\$186,658.91	
65b	Int. paid outside S. L. 48.15%	\$173,338.99	(Surp. 3,116,608.00)
66	Amortization .....	3,440.35	(Net W. 1,660,976.13)
67	Dividends paid during period	398,294.72	(B. O. C. 1,807,092.92)
68	Other charges to surplus.....	1,701,620.38	

69 Total deductions for the period 2,463,353.35

70 Net additions to previous year surplus balance (RED) 685,101.30

71 \*Surplus balance as of December 31, 1942.....\$ 6,584,667.05

TABLE 1

Distribution of offices by cities:

	1 office	2 offices	3 offices	4 offices	5 or more offices
Number of cities.....	31	5	4	5	8

TABLE 2

Distribution of offices by population of cities:

	Population of cities				
	Under 3,000	3,000 to 5,000	5,000 to 10,000	10,000 to 25,000	Over 25,000
Number of offices.....	8	9	25	21	74

TABLE 3

Distribution of capital:	Number	Total Assets
Out of state corporations.....	29	\$ 2,364,683.99
Iowa corporations and individuals.....	108	7,279,021.74
Total assets used and useful in small loan business.....		\$ 9,643,705.73
Assets not used in small loan business.....		8,954,577.23
Total assets .....		\$18,598,282.96

TABLE 4

Number and amount of loans made during the year 1942:

Size of loans	Number of accounts	Amount
Loans of \$ 25.00 or less.....	5,565	\$ 123,137.61
Loans of 25.01 to \$ 50.00.....	19,341	841,839.47
Loans of 50.01 to 100.00.....	31,240	2,568,034.02
Loans of 100.01 to 150.00.....	20,715	2,752,984.45
Loans of 150.01 to 200.00.....	14,987	2,770,450.53
Loans of 200.01 to 300.00.....	24,758	6,781,200.78
Total of all loans of \$300.00 or less.....	116,606	\$15,837,646.86

TABLE 5

Dollar value of loan balances outstanding classified by size:

Loan balance	Dollar value	Per cent of total	
		Group	Cumulative
\$ 50.00 or less.....	\$ 850,204.18	10.37%	10.37%
\$ 50.01 to \$100.00.....	1,872,232.29	22.84%	33.21%
\$100.01 to \$150.00.....	1,816,589.07	22.16%	55.38%
\$150.01 to \$200.00.....	1,447,893.79	17.67%	73.07%
\$200.01 to \$300.00.....	2,207,091.28	26.93%	100.00%
	\$8,194,010.61	100.00%	

TABLE 6

Number of loan balances outstanding classified by size:

Loan balance	Number of loans	Per cent of total	
		Group	Cumulative
\$ 50.00 or less .....	29,019	33.70%	33.70%
\$ 50.01 to \$100.00.....	25,245	29.32%	63.02%
\$100.01 to \$150.00.....	14,559	16.90%	79.92%
\$150.01 to \$200.00.....	8,353	9.70%	89.62%



\$200.01 to \$300.00.....	8,934	10.38%	100.00%
	86,100	100.00%	

Average unpaid loan balance \$95.16.

TABLE 7

Types of loans made:

Security taken	Number	Per cent	Dollar value	Per cent
Household goods .....	61,183	52.47%	\$ 9,202,896.86	58.11%
Automobiles .....	21,790	18.68%	2,910,741.12	18.38%
Other chattels .....	5,071	4.35%	684,327.79	4.32%
Unsecured notes .....	16,638	14.27%	1,813,194.86	11.45%
Endorsed or comaker....	2,478	2.12%	263,306.18	1.66%
Wage assignments .....	7,984	6.85%	776,676.51	4.90%
Other considerations ....	1,462	1.26%	186,503.52	1.18%
	116,606	100.00%	\$15,837,646.86	100.00%

TABLE 8

Delinquencies: Principal or interest delinquent—

One month .....	7,268	\$ 680,808.62	8.31%
Two months .....	1,671	135,853.98	1.66%
Three months or more.....	1,809	152,706.17	1.86%
Total .....	10,748	\$ 969,368.77	11.83%
	* * *		
Interest only payments .....	1,630	194,008.91	2.37%

TABLE 9

Occupation of borrowers:

Skilled and semi-skilled workers.....	33.72%
Office and other non-manual workers.....	14.82%
Owners-managers .....	6.38%
Farmers .....	6.75%
Unskilled laborers .....	18.44%
Managers, superintendents and foremen.....	5.86%
School teachers .....	4.43%
Sales persons .....	4.44%
Professional persons (except school teachers).....	1.19%
Persons with independent incomes.....	1.45%
Not reported .....	2.52%

TABLE 10

Use borrowers made of loans:

Medical, dental and hospital bills.....	12.86%
Sundry overdue bills .....	18.12%
Business needs .....	6.94%
Tax bills .....	7.08%
Clothing .....	3.83%
Fuel .....	6.90%
Travel and vacations.....	4.31%
Automobiles .....	4.54%

Furnishings .....	2.91%
Repairs .....	4.24%
Insurance .....	2.50%
Assist relatives .....	3.19%
Food bills .....	2.71%
Rent .....	1.65%
Real estate mortgages and interest.....	1.75%
Education .....	2.63%
Moving .....	1.97%
Christmas .....	1.61%
Funeral Expense .....	.60%
Miscellaneous .....	5.27%
To pay off present loan.....	4.19%
Not reported .....	.20%
	<hr/> 100.00%

TABLE 11

Suits and foreclosures:

	No. Accounts	Amount Due
Suits for recovery pending Dec. 31, 1941.....	55	\$ 6,964.66
Suits instituted during year.....	176	20,080.41
Judgments secured during year.....	82	10,857.23
Suits settled before judgment.....	80	8,209.92
Suits pending December 31, 1942.....	69	7,977.92

TABLE 12

## Historical Data

The present chattel mortgage loan law has been effective since 1934 with the first report to the General Assembly made in 1935.

Year	Loan balances	Total assets used and useful	Number of loans	Number of licensees
1930	\$ 7,164,931.61	\$ 8,236,853.37	62,016	136
1931	7,774,891.48	9,342,281.24	72,008	164
1932	6,666,583.56	8,537,041.15	73,647	167
1933	5,861,330.15	7,608,142.64	68,200	155
1934	5,339,173.22	6,534,015.72	60,543	109
1935	6,403,186.04	7,195,486.20	69,099	114
1936	6,890,080.58	7,883,263.56	71,675	120
1937	7,758,654.20	8,807,168.94	74,903	126
1938	8,595,075.53	10,011,128.48	82,301	142
1939	10,475,324.36	11,942,908.10	97,036	148
1940	11,565,711.42	13,384,759.17	105,660	150
1941	11,685,343.28	13,115,045.96	105,441	161
1942	8,194,010.61	9,643,705.73	92,213	137

Year	Taxes paid	Interest paid	Bad debts	Uncollected earnings
1930	\$ 69,415.45	\$ 85,586.23	\$190,103.51	\$196,191.73
1931	88,776.35	254,927.30	342,352.08	273,189.01
1932	87,650.84	220,978.92	617,845.70	396,271.48

1933	89,414.57	157,316.98	370,147.31	382,854.81
1934	67,668.44	108,972.11	308,155.31	194,107.79
1935	97,886.32	111,718.11	254,856.46	138,243.98
1936	134,868.70	226,001.65	229,817.26	133,470.69
1937	189,373.71	169,238.24	234,246.69	128,197.29
1938	202,609.22	232,652.44	194,398.63	128,430.06
1939	233,975.14	203,950.54	223,946.53	141,369.30
1940	353,304.30	201,128.03	242,575.74	152,462.72
1941	458,238.75	226,757.59	291,645.33	164,239.24
1942	409,444.71	186,791.95	268,791.95	131,727.50

Year	Profit earned	Average monthly rate collected
1930	9.20%	3.09%
1931	6.97%	2.99%
1932	4.15%	2.97%
1933	3.78%	2.85%
1934	4.98%	2.88%
1935	6.59%	2.80%
1936	6.69%	2.74%
1937	8.00%	2.76%
1938	7.21%	2.69%
1939	7.13%	2.68%
1940	7.29%	2.68%
1941	5.98%	2.67%
1942	5.40%	2.71%

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on March 23rd he had approved the following:

Senate File 1, continuing in force certain capitol appropriations made by the Forty-ninth General Assembly.

Senate File 30, providing for acknowledgment of instruments by persons serving in or with the armed forces of the United States.

Senate File 54, relating to office of county surveyor.

Senate File 123, legalizing the action of the board of supervisors of Woodbury county.

Senate File 160, relating to insurance and requirement of insurance companies.

Senate File 293, making appropriations to certain named persons in settlement of damages sustained by them on account of highway accidents.

Senate File 297, making an appropriation to defray the ex-

penses of a national encampment of the Grand Army of the Republic.

Senate File 302, making appropriations to certain named persons in settlement of damages sustained by them on account of highway accidents.

Senate File 303, making an appropriation to certain named persons.

Senate File 304, making an appropriation to certain named persons.

Senate File 316, making an appropriation to certain named persons.

Senate File 317, making appropriations to certain named persons in settlement of damages sustained by them on account of highway accidents.

Senate File 318, making an appropriation to certain named persons.

Senate File 7, regulating the seizure, collection, protection and disposal of dogs.

Senate File 19, relating to permanent school fund interest rates and loans.

Senate File 49, relating to collection of taxes in cities acting under special charter.

#### AMENDMENTS FILED

Amend the committee amendment to Senate File 116 by adding to section nine (9) the following:

"The provisions of this act also shall not apply to open air theatres, except that the state fire marshal shall approve the equipment to be used in operation of such theatres."

HUGH W. LUNDY.

Amend Senate File 301 by striking in lines four (4) and six (6) of section one (1) the word "cold".

Further amend Senate File 301 by adding after the period in line nine (9) of section one (1) the following: "Any person who desires to use a method which has not been approved by the secretary of agriculture shall apply to the secretary of agriculture who upon application being made shall approve any method proven to be an effective bactericidal process."

J. BERG.

Amend Senate File 116, section nine (9) of the amendment filed by judiciary 1 on February 24th as follows:

Strike all of section nine (9) and substitute in lieu thereof the following: "The provisions of this act shall not apply to churches, schools,

clubs, or halls where moving-pictures are given only upon occasions, except when nitrocellulose or combustible film is used, the projectors shall be completely inclosed."

A. J. SHAW.

ED VRBA.

Amend House File 403 by striking from lines seven (7) and eight (8) the words "due to the services of the publisher in the armed forces of the United States" and substituting in lieu thereof the words "because of conditions attributable to the war effort."

G. W. HUNT.

Amend House File 393, section one (1), line three (3) by inserting after the word "line", the following: "six (6) and line".

ROSS R. MOWRY.

Amend House File 325 by striking all of section five (5), and renumbering the remaining sections.

JOHN R. HATTERY.

Amend Senate File 292 as follows: By striking the following words and comma from line 17, to wit, "its buildings,".

DEVERE WATSON.

Amend House File 325 as follows: By striking from lines two (2) and three (3) of section one (1) the following: "during the period from January 1, 1943" and substituting in lieu thereof the following: "from the effective date of this act".

Further amend House File 325 by striking from lines two (2) and three (3) of section two (2) the following: "during the period from January 1, 1943" and substituting in lieu thereof the following: "from the effective date of this act".

Further amend House File 325 by striking from lines two (2) and three (3) of section three (3) the following: "during the period from January 1, 1943" and substituting in lieu thereof the following: "from the effective date of this act".

Further amend House File 325 by striking from lines one (1) and two (2) of section four (4) the following: "during the period from January 1, 1943" and substituting in lieu thereof the following: "from the effective date of this act".

JOHN R. HATTERY.

Amend the title to House File 325 by striking therefrom the words "during the period from January 1, 1943" and inserting in lieu thereof the words "from the effective date of this act".

JOHN R. HATTERY.

Amend Senate File 257 as follows:

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

"Section 1. The acts of the labor commissioner in charging one dollar to each owner or user of a boiler, for a certificate of inspection, in the total amount of \$3,140 between the dates of September 1, 1941, and

March 10, 1943, which charge is not specifically authorized by chapter ninety-seven (97), acts of the Forty-ninth General Assembly, are hereby legalized and made as valid as though said fee was specifically authorized by said act.

Sec. 2. Chapter ninety-seven (97), acts of the Forty-ninth General Assembly, is amended by adding at the end of section two (2) thereof the following:

‘For the issuance of a certificate of inspection the commissioner may collect from the owner or user a fee of one dollar.’”

2. Amend the title by substituting in lieu thereof the following:

“An act to permit the labor commissioner to collect a fee for the issuance of a certificate of boiler inspection as required by chapter ninety-seven (97), acts of the Forty-ninth General Assembly, and to legalize the previous collection of said fees from owners and users which fee was not specifically authorized by said act.”

E. K. BEKMAN.

Amend the committee amendment to Senate File 116 by adding the following as section ten (10) and renumbering all subsequent sections:

“Sec. 10. Notwithstanding any provision of this chapter where any building is not equipped with a permanent fire resistant booth, a traveling exhibitor shall use a portable booth constructed of fire resistant materials which completely encloses all projection equipment when in operation, which is approved by the state fire marshal.”

G. R. HILL.

GEO. FAUL.

E. K. BEKMAN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 25, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. F. H. Weed, Pastor of the Methodist Church of Decorah.

## INTRODUCTION OF BILLS

Senate File 363, by committee on dairying, a bill for an act to suspend the provisions of section three thousand ninety-three and one-tenth (3093.1), Code, 1939, until six months after duration of the present war.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 364, by committee on dairying, a bill for an act to amend section six thousand nine hundred forty-three and seventy-six thousandths (6943.076), Code, 1939, to provide for exemption of gross receipts from sale of dairy products to patrons of creameries from imposition of sales tax.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 365, by committee on election reform, a bill for an act to provide for qualified electors of Iowa who may be in service in the armed forces of the United States to vote at the primary and general elections in 1944.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 366, by committee on election reform, a bill for an act to amend, revise and codify section six hundred fifty-five and one-hundredth (655.01), Code, 1939, and amend section six hundred fifty-five and fourteen one-hundredths (655.14), Code, 1939, relating to nominations by non-party political organizations.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 367, by committee on election reform, a bill for an act to amend sections five hundred eighty (580), five hundred eighty-one (581) and five hundred ninety-three (593), Code, 1939, providing for nomination in the event of the death of a candidate for nomination between the last day for filing nomination papers and the closing of the polls on primary election day.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 368, by committee on election reform, a bill for an act to amend section ten thousand eight hundred sixty-nine (10869), 1939 Code of Iowa, relating to certification of jury lists.

Read first and second times, is ready for commitment and amendment, 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 123, a bill for an act relating to retirement system for waterworks employees.

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

House File 303, a bill for an act relating to pension funds and annual assessments therefor.

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

House File 359, a bill for an act to establish standard time in Iowa.

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

Senate File 323, a bill for an act relating to the collection of license fees or taxes on motor vehicle fuel.

Also: That the House has receded from the first paragraph of amendment 1 to, and has passed, the following bill in which the concurrence of the House was asked:

Senate File 132, a bill for an act relating to legalizing improperly signed or acknowledged plats.

Also: That the House insists on its amendments to Senate File 239,



a bill for an act relating to aid to dependent children, and requests a conference committee and the Speaker has appointed as members of such conference committee on the part of the House, Representatives Nelson, Doud, Bryson and Lane.

Also: That the House insists upon its amendments to Senate File 350, a bill for an act making an appropriation for various departments of the State of Iowa, and requests a conference committee, and the Speaker appoints as such committee on the part of the House, Representatives Sharp, Kuester, Scott of Fayette, and Ritchie.

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

Senate Concurrent Resolution 23, relating to reception of broadcast of the speech of Anthony Eden, British Secretary of State for Foreign Affairs, on March 26, 1943.

A. C. GUSTAFSON, *Chief Clerk*.

### HOUSE MESSAGES CONSIDERED

House File 123, a bill for an act to provide for a pension and annuity retirement for employees of municipally owned waterworks in any city having a population of twenty thousand or more, in which said waterworks is operated by a board of waterworks trustees, and to authorize the board of waterworks trustees in any such city to formulate such plan and the necessary rules and regulations for the operation thereof; to provide for its termination; and to appropriate the necessary funds therefor.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 303, a bill for an act to amend sections six thousand three hundred fifteen (6315) and six thousand three hundred fourteen (6314), Code, 1939, relating to pension funds and annual assessments therefor, and providing that the same shall be applicable to certain deputy bailiffs of municipal courts in cities having a population of one hundred twenty-five thousand or more.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 359, a bill for an act to establish standard time in the state of Iowa.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

## THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Hattery, House File 325, a bill for an act to provide for increases in compensation for certain public officers and employees in counties and subdivisions thereof during the period from January 1, 1943, to June 30, 1945, was taken up and considered.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend section four (4) of House File 325 as amended by striking all of said section after the colon in line eight (8) and inserting in lieu thereof the following:

"Salaries of twelve hundred dollars (\$1,200.00) or less, fifteen per cent (15%) increase; salaries over twelve hundred dollars (\$1,200.00) and not over twenty-five hundred dollars (\$2,500.00), ten per cent (10%) increase; salaries over twenty-five hundred dollars (\$2,500.00) and not in excess of thirty-five hundred dollars (\$3,500.00), five per cent (5%) increase."

The amendment was adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend House File 325 by inserting after the comma (,) following the word "deputies" in line three (3) of section four (4) thereof the following: "including justices of the peace and constables,"

The amendment was lost.

Senator Faul offered the following amendment by Senators Faul, Byers, Clem, Martin and Reilly and moved its adoption:

Amend House File 325 by striking the period (.) at the end of line seven (7) of section two (2) and by substituting therefor a comma (,) and by adding thereto the following: "except in counties having a population in excess of sixty thousand (60,000) whose board of supervisors consist of not more than five members, and in such counties, county supervisors shall, for the period herein provided, receive an annual salary of twenty-five hundred dollars (\$2,500.00)".

Senator Henningsen offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Senator Faul et al. to House File 325 by striking from line five (5) the following: "sixty thousand (60,000)" and insert in lieu thereof the words and figures "forty-four thousand five hundred (44,500)".

The amendment to the amendment was adopted.

Senator Hess offered the following amendment to the amendment by Senator Faul et al and moved its adoption:

Amend the amendment to House File 325, filed on March 23 by Faul, Byers, Martin, Clem and Reilly, as follows:

Strike the period (.) after the figures "2,500" in the last line of the amendment and insert in lieu thereof a comma (,) and add the following: "which salary shall be in full payment of all services rendered to the county by said supervisor."

The amendment was lost.

The amendment as amended was adopted.

Senator Clem asked and received unanimous consent to withdraw the amendment filed by him to House File 325 and found on page 849 of the Senate Journal.

Senator Clem offered the following amendment and moved its adoption:

Amend section four (4) of House File 325 by adding immediately after the comma (,) in line four (4) the following: "or clerks or deputies whose salary is fixed by the board of supervisors, and any increase in salary granted any clerk or deputy since January 1, 1942, shall be taken into consideration by the board of supervisors in increasing salaries under the provisions of this act,".

The amendment was adopted.

Senator Hattery offered the following amendment and moved its adoption:

Amend House File 325 by striking all of section five (5), and renumbering the remaining sections.

The amendment was adopted.

Senator Hattery offered the following amendment and moved its adoption.

Amend House File 325 as follows: By striking from lines two (2) and three (3) of section one (1) the following: "during the period from January 1, 1943" and substituting in lieu thereof the following: "from the effective date of this act".

Further amend House File 325 by striking from lines two (2) and three (3) of section two (2) the following: "during the period from January 1, 1943" and substituting in lieu thereof the following: "from the effective date of this act".

Further amend House File 325 by striking from lines two (2) and three (3) of section three (3) the following: "during the period from January 1, 1943" and substituting in lieu thereof the following: "from the effective date of this act".

Further amend House File 325 by striking from lines one (1) and two (2) of section four (4) the following: "during the period from January 1, 1943" and substituting in lieu thereof the following: "from the effective date of this act".

The amendment was adopted.

Senator Hattery offered the following amendment to the title and moved its adoption:

Amend the title to House File 325 by striking therefrom the words "during the period from January 1, 1943" and inserting in lieu thereof the words "from the effective date of this act".

The amendment to the title was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend House File 325 as follows:

Add the following section after section 4:

"In those counties wherein the county general fund is insufficient to permit the increases of salaries as provided in this act, the board of supervisors is authorized to levy up to one-half mill in addition to the levy as provided in section seven thousand one hundred seventy-one (7171) of the 1939 Code of Iowa."

Renumber the remaining sections.

The amendment was adopted.

Senator Turner offered the following amendment by Senators Turner and Sjulín and moved its adoption:

Amend House File 325 by striking from lines five (5) and six (6) of section two (2) the following: "five and seventy-five one-hundredths dollars (\$5.75)" and substituting therefor the following: "six and fifty one-hundredths dollars (\$6.50)".

The amendment was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend House File 325 by adding thereto a new section as follows:

"The compensation of the deputy county treasurer provided for in subsection three (3) of section five thousand two hundred twenty-three (5223), Code, 1939, shall be eighteen hundred dollars (\$1,800.00) per year."

Renumber the remaining sections.

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend House File 325 by adding after the word "law" in line four (4) of section four (4) the words "or by order of court".

The amendment was adopted.

Senator Findlay moved that the bill be engrossed and printed in the Senate Journal before being placed on its passage, which motion lost.

Senator Hattery moved that the bill be read a third 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	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Sjulin
Byers	Hart	Lundy	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Mercer	Vrba
Dykhouse	Hess	Miller	Watson
Elthon	Hill	Mowry	Whitehill
Emerson	Hunt	Pelzer	Zastrow
Evans	Johnson	Pine	Zeigler
Faul	Jones		

**Nays, none.**

**Absent or not voting, none:**

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

Senator Cromwell offered the following amendment to the title and moved its adoption:

**Correct the title to House File 325 to read as follows:**

"A bill for an act to provide for increase in compensation for certain public officers and employees in counties and subdivisions thereof from the effective date of this act, and to provide for an additional levy for the county general fund for such increases."

The amendment to the title was adopted.

The title as amended was agreed to.

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

## UNFINISHED BUSINESS

On motion of Senator Hill, the Senate resumed consideration of Senate File 116, a bill for an act to regulate the construction of theatres, halls, auditoriums, or other places of public assembly where nitrocellulose or combustible films are used, to place supervision of such construction under the department of the state fire marshal, and to provide for regular annual inspection and licensing of all halls, theatres, auditoriums, and other places of public assembly using nitrocellulose or combustible film within the state of Iowa by the state fire marshal or his deputies, and to provide fees therefor, and the following committee amendment:

Amend Senate File 116 as follows:

Amend the title of Senate File 116 by striking all of the title and by inserting in lieu thereof the following:

An act to provide specifications for places of public assembly where nitrocellulose or combustible films are used and exhibited, to provide for regular annual inspection and licensing of all places of public assembly using and exhibiting nitrocellulose and combustible film within the state of Iowa by the state fire marshal or his deputies, to provide fees therefor, and to provide for penalties for violation.

Further amend Senate File 116 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. The word "marshal" as used in this act shall mean the state fire marshal or his deputy.

Sec. 2. All halls, theatres, auditoriums, or other places of public assembly within the state of Iowa using nitrocellulose or combustible film shall secure from the state fire marshal a license by October 1, 1943, and annually thereafter, showing that they have complied with the provisions of this act either by inspection by the marshal or his deputies, or by a letter to the marshal by the owner, manager, or person in charge certifying that the provisions of this act have been complied with, and such letter shall take the place of annual inspection until the marshal shall be able to make such regular inspection. A single annual fee for both licensing and inspection shall be five dollars for each hall, theatre, auditorium, or other place of public assembly using nitrocellulose or inflammable film and having less than eight hundred seating capacity, and ten dollars for each such place having more than eight hundred seating capacity. Such license fee shall become due and payable on the first day of October in each calendar year.

Sec. 3. It shall be the duty of the marshal, as soon as is possible after the effective date of this chapter, to enter, inspect, and examine, at any reasonable time, all halls, theatres, auditoriums, or other places of public assembly within the state of Iowa where nitrocellulose or inflammable film is used, in operation on the effective date of this chapter or thereafter, annually, and to approve and license or disapprove such halls, theatres, auditoriums, or other places of public assembly for further operation. Notice of approval and licensing or of disapproval shall

be sent to the owner, manager, or person in charge, with copies to the city or town fire chief, mayor or officer in charge in the city, town or place concerned.

Sec. 4. With respect to all halls, theatres, auditoriums, and other places of public assembly, using nitrocellulose, or combustible film, in existence on the effective date of this chapter, the following shall constitute the minimum requirements for approval and license on inspection by the marshal:

1. The building shall be of substantial construction, on good foundations, kept in good repair, be capable of sustaining capacity audiences with a margin of safety, and be equipped with suitable lighting and adequate ventilating facilities. Such places of assembly shall be separated from the rest of the building by substantial partitions, walls, and floors, shall not have exposed or dangerous electric wiring or open fuse, terminal or switch boxes, and shall be kept clean and free from accumulations of waste, rubbish, trash, papers, and combustible materials of every kind.

2. All seats in such places shall be of durable construction, securely fastened to floor, or fastened together in sections in a manner acceptable to the marshal, spaced not less than twenty-eight inches back to back, and kept in good repair. No row of seats shall contain more than fifteen seats between aisles and, where there is but one aisle, no row shall contain more than seven seats.

3. Aisles shall be not less than thirty-two inches in width. No seats or chairs shall be placed in the aisles, foyers, passageways, corridors, or exitways, and no persons shall be allowed to stand therein.

4. No smoking shall be allowed in such buildings except in properly ventilated restrooms or in segregated parts of the auditorium or balcony which are completely fireproof and directly ventilated.

5. Entrance and exit openings and emergency exits must be provided at a minimum rate of thirty inches horizontal measurements for each one hundred fifty seats, fitted with doors which shall open outward in such a manner as not to become an obstruction in a passageway, corridor, or exitway, and no such door shall be fastened so as to be inoperative from within when the building is occupied by an audience. Emergency exits shall be ample in number and conveniently located with respect to size and shape of hall, theatre, auditorium, or other place of public assembly and shall have clearly marked lighted signs over the doors which shall be kept fully lighted at night, or when the room is darkened. Such emergency exit doors shall be held closed by suitable panic bars, operative from within.

6. No nitrocellulose or inflammable film shall be used, projected, or shown unless the projectors for the use of such film shall be installed and operated within a booth of sufficient space to allow thirty inches of clear space on sides and rear of projectors.

7. The booth must be of fire resistive construction, as approved by the state fire marshal, provided with fire resistive door or doors of adequate size and location, which shall be so arranged as to close automatically, and which shall be kept closed, but not locked, when shows are in progress. All booths constructed after the effective date of this act shall

be equipped with two fire resistive doors as widely separated as possible.

8. Booths shall have adequate openings for picture, spot, effect, and flood-light machines; all such openings must be equipped with gravity shutters inside of the booth so suspended, arranged, fused, and interconnected that all shutters will close automatically upon the operation of some suitable fusible or mechanical releasing device in case of fire or other contingency requiring the immediate and complete isolation of the contents of the booth from other portions of the building or place. There must also be provided suitable means for manually closing all shutters simultaneously from a point near the door or doors. All shutters on openings not in use shall be kept closed. Suitable ventilation facilities of fire-proof construction for the booth and lamphouses shall be provided.

9. No films shall be exposed in the booth except those in the process of being transferred to or from the projectors or being rewound, inspected, or repaired. Each reel of film shall be kept in a separate metal case, or in approved metal cases with separate compartments made without solder and with tight-fitting covers. Film shall never be left in projectors or rewinds. The booth shall be kept clean and free from combustible material or waste at all times. A metal can made without solder and with a self-closing cover shall be provided as a receptacle for waste film and other material.

10. Electrical equipment and wiring in the booth shall conform to reasonable standards of safety; there shall be no exposed electric wires or open fuse, terminal, or switch boxes.

11. No person shall be permitted to operate any motion picture machine or projector using combustible film unless he shall be at least sixteen years of age.

12. Every audience room shall be supplied with at least two approved hand fire extinguishers, one of which shall be inside the booth and within easy reach of the operator, and one of which shall be in an accessible place in the main entrance to the room. In addition thereto there shall be at least one such extinguisher in the room where the furnace or heating plant is located where the plant is in the same building with the theatre.

Sec. 5. Whenever the state fire marshal or his deputies or assistants shall find upon investigation or examination that any of the provisions of this chapter have been violated or the defects of installation exist, he shall immediately notify the owner, manager, or person in charge, and the city officials concerned, in writing, stating the nature of such violation or defect. If such violation or defect is not remedied within a reasonable time after such notice has been given, then the marshal shall communicate the fact of such violation or defect, together with any evidence he may have, to the county attorney of the county in which the violation occurred, and it shall thereupon be the duty of such county attorney to cause the arrest and prosecution of the person or persons so violating. Any owner or person in charge of any theatre, or place of operation of any equipment under this chapter, who shall fail to comply with the provisions of this chapter or shall hinder or obstruct the carrying out of the requirements of this chapter shall be punished by imprisonment in the county jail not exceeding thirty days or by a fine not exceeding one hundred dollars.



Sec. 6 If any owner or person in charge of property or equipment covered by this chapter shall fail to provide the requirements herein specified, or such owner or agent neglect for twenty days after notice given in writing by the state fire marshal of such failure to remedy the same, the marshal may apply to the district court or any judge thereof in any action in the name of the state for a writ of injunction to restrain the operation of any equipment or property subject to this chapter.

Sec. 7. In addition to all other remedies the state fire marshal or his deputies are hereby empowered to cut off all electric current from the premises where a violation of this act has occurred and no person shall restore the supply of electric current until the defects have been remedied.

Sec. 8. In the municipalities having ordinances, or hereafter adopting ordinances relating to the construction of theatres, halls, auditoriums, and other places of public assembly where nitrocellulose or combustible films are used, and to the installation and operation of motion picture machines, and containing additional regulations for the safe and proper installation and operation of such machines, nothing herein shall be construed to abrogate or limit such local ordinances as may exist in any city or town covering the subject matter of this chapter, but the jurisdiction of said local authorities in this matter shall be subject to the jurisdiction of the state fire marshal, as herein provided.

Sec. 9. The provisions of this act shall not apply to churches, schools, clubs, or halls where moving picture exhibitions are given only upon occasions and solely for religious, benevolent, or scientific demonstrative purposes, except that when nitrocellulose or combustible film is used, permission of the marshal shall first be obtained for such exhibition.

Sec. 10. If any provision or provisions of this chapter are declared unconstitutional, or the applicability thereof to any persons or circumstances is held invalid, the validity of the remainder of the chapter and the applicability of such provisions to other persons or circumstances shall not be affected thereby, but shall remain in full force and effect.

Senator Hill offered the following amendment by Senators Hill, Faul and Bekman to the committee amendment and moved its adoption:

Amend the committee amendment to Senate File 116 by adding the following as section ten (10) and renumbering all subsequent sections:

"Sec. 10. Notwithstanding any provision of this chapter where any building is not equipped with a permanent fire resistant booth, a traveling exhibitor shall use a portable booth constructed of fire resistant materials which completely encloses all projection equipment when in operation, which is approved by the state fire marshal."

The amendment to the amendment was adopted.

Senator Lundy offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment to Senate File 116 by adding to section nine (9) the following:

"The provisions of this act also shall not apply to open air theatres, except that the state fire marshal shall approve the equipment to be used in operation of such theatres."

The amendment to the committee amendment was adopted.

The committee amendment as amended was adopted.

Senator Shaw asked and received unanimous consent to withdraw the amendment filed by Senators Shaw and Vrba and found on pages 890 and 891 of the Senate Journal.

Senator Hill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 46:

Augustine	Faul	Jones	Pine
Bekman	Findlay	Keir	Reilly
Benson	Foster	Leo	Schluter
Berg	Goode	Long	Shaw
Byers	Hart	Lundy	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vrba
Cromwell	Henningsen	Mercer	Watson
Dykhouse	Hess	Miller	Whitehill
Elthon	Hill	Mowry	Zastrow
Emerson	Hunt	Pelzer	Zeigler
Evans	Johnson		

Nays, none.

Absent or not voting, 4:

Fuller	Love	Sjulin	Vittetoe
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The bill having received a constitutional majority was declared to have passed the Senate 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.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 45, 182 and 337.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 45, 182 and 337.

#### BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 25th day of March, 1943, sent to the governor for his approval, Senate Files 45, 182 and 337.

ROBERT C. REILLY, *Chairman.*

Passed on file.

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

#### AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

#### INTRODUCTION OF BILLS

Senate File 369, by committee on post-war planning, a bill for an act to amend section three hundred and eighty (380), of the Code of 1939, relating to the local budget law to provide that municipalities, as defined in chapter 24 of the Code of 1939, may create a sinking fund to provide for the deposit of funds not needed for current use and to further provide for the investment and control of such funds.

Read first and second times, is ready for commitment and amendment, 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 332, a bill for an act making an appropriation to the Iowa state tax commission.

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

Senate File 340, a bill for an act creating a revolving audit fund from the special tax fund.

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

Senate File 348, a bill for an act to make an appropriation in payment of compensation claims of employees of the state highway commission.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 294, a bill for an act to make appropriations in payment of certain claims against the state of Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 343, a bill for an act authorizing expenditures by the state highway commission.

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

House Concurrent Resolution 30, creating a post-war economic planning commission.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 294

Amend section four (4) by striking the figures "\$555.00" in line three (3) and substituting in lieu thereof the figures "\$375.00".

#### HOUSE AMENDMENT TO SENATE FILE 343

Amend section one (1) by striking from lines four (4), five (5), and six (6) the words and figures "five million two hundred thirty-four thousand and sixty-six dollars (\$5,234,066.00)" and insert in lieu thereof the words and figures "five million dollars (\$5,000,000.00)".

Further amend section one (1) by striking all of subdivision three (3), being lines twenty-four (24) to thirty-two (32) both inclusive, and inserting in lieu thereof the following:

##### "(3) Maintaining of primary road system

For salaries and wages.....	\$1,889,000.00
For travel expense .....	18,000.00
For materials, supplies and services.....	1,260,934.00
For equipment, replacements and operation.....	1,061,000.00

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Total for maintenance of primary road system.....\$4,228,934.00"

Further amend by striking the figures "5,234,066.00" in line forty-four (44) and substituting in lieu thereof the figures "5,000,000.00".

## HOUSE CONCURRENT RESOLUTION 30

*Whereas*, There will be approximately ten million (10,000,000) men and women in the armed services and auxiliaries to return to peacetime employment after the war is over; and

*Whereas*, There will be millions of men and women to be transferred from war industries to peacetime employment; and

*Whereas*, The magnitude of this undertaking is such that it would be unwise to postpone its study until the war is over; and

*Whereas*, It is of the greatest importance that any post-war plan for the state of Iowa shall be adapted to the economic resources and conditions peculiar to this state, in preference to some ready-made plan coming from Washington; and

*Whereas*, It behooves the states to be prepared to enact state legislation and recommend federal legislation dealing with serious problems arising from post-war economy; therefore,

*Be It Resolved by the House of Representatives, the Senate Concurring*: That a post-war economic planning commission be created and said commission be hereby created. Said commission shall consist of fifteen (15) members to be appointed by the governor of Iowa. One member of said commission shall be designated by a majority of the members of said commission as chairman. Said members shall receive no compensation for their services, except their actual and necessary expenses to be audited by the comptroller of the state and paid from the general fund of the state.

The commission membership shall consist of persons interested in agriculture, industry, labor, transportation, education, the press, professional and other broad social and economic interests.

It shall be the duty of the post-war and economic planning commission to make a study of the post-war economic problems, cooperate with other groups, local and state and national, that are studying this subject, invite and consider suggestions from interested individuals and groups, make reports of its deliberations to the public, make recommendations to public officials, and public boards and commissions, and formulate policies for an orderly transfer of persons in the armed services, auxiliaries and war industries to peacetime employment.

It shall be the duty of all state and local public officers and employees to cooperate with this commission by supplying it such data and facts it may deem necessary to formulate its report.

Clerical help and office supplies, including provisions for publishing reports by said commission, shall be furnished by the executive council.

## HOUSE AMENDMENTS CONSIDERED

Senator Bekman called up for consideration Senate File 132, a bill for an act to amend sections ten thousand four hundred sixteen (10416) and ten thousand four hundred seventeen (10417), Code, 1939, relating to legalizing improperly signed or acknowl-

edged plats, amended by the House, and moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Findlay	Leo	Pelzer
Bekman	Foster	Long	Reilly
Berg	Goode	Love	Schluter
Byers	Harvey	Lynes	Shaw
Clem	Hattery	Martin	Stewart
Dykhouse	Henningsen	Mercer	Turner
Emerson	Hill	Miller	Vrba
Evans	Jones	Mowry	Zastrow

Nays, none.

Absent or not voting, 18:

Benson	Fuller	Keir	Vittetoe
Clark	Hart	Lundy	Watson
Cromwell	Heas	Pine	Whitehill
Elthon	Hunt	Sjulin	Zeigler
Faul	Johnson		

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.

### THIRD READING OF BILLS

Senator Bekman asked and received unanimous consent to take up Senate File 353, a bill for an act to amend section three thousand eight hundred twenty-eight and twenty-one thousandths (3828.021), Code, 1939, relating to funeral expenses paid from the old age assistance fund, instead of Senate File 142, since both contained the same subject matter.

Senator Goode offered the following amendment and moved its adoption:

Amend Senate File 353 by adding as section two (2) the following:

"Sec. 2. Section three thousand eight hundred twenty-eight and eighteen thousandths (3828.018), Code, 1939, as amended by chapter one hundred forty-six (146), acts of the Forty-ninth General Assembly, is hereby amended by striking the word "committed" in line seventeen (17) of section nine (9) of chapter one hundred forty-six (146), acts

of the Forty-ninth General Assembly, and inserting in lieu thereof the words "committed or admitted".

Senator Goode offered the following amendment to the amendment and moved its adoption:

Amend Senate File 353 by adding to the amendment by Senator Goode a new paragraph as follows:

Also amend said section by striking from lines thirteen (13) and fourteen (14). the words and figures "Section three thousand eight hundred twenty-eight and eighteen thousandths (3828.018)" and inserting in lieu thereof the words and figures "Section three thousand eight hundred twenty-eight and twenty-one thousandths (3828.021)".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Goode offered the following amendment and moved its adoption:

Amend by adding as section three (3) the following:

"Sec. 3. Amend section three thousand eight hundred twenty-eight and twenty-nine thousandths (3828.029), Code, 1939. by adding after the word "for" in line three (3) the words "funeral expenses or"."

Also amend by striking the title and inserting in lieu thereof the following:

"An Act to amend section three thousand eight hundred twenty-eight and twenty-one thousandths (3828.021), Code, 1939, and section three thousand eight hundred twenty-eight and twenty-nine thousandths (3828.029), Code, 1939, and section three thousand eight hundred twenty-eight and eighteen thousandths (3828.018), Code, 1939, as amended by chapter one hundred forty-six (146), acts of the Forty-ninth General Assembly, all relating to funeral expenses paid from the old age assistance fund."

The amendment was adopted.

Senator Goode moved that the bill be read a third 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	Emerson	Jones	Pelzer
Bekman	Evans	Keir	Pine
Benson	Faul	Leo	Reilly
Berg	Findlay	Long	Schluter
Byers	Goode	Love	Shaw
Clark	Hart	Lynes	Stewart
Clem	Harvey	Martin	Turner
Cromwell	Hattery	Mercer	Watson
Dykhouse	Hill	Miller	Whitehill
Elthon	Hunt	Mowry	Zastrow

**Nays, none.**

Absent or not voting, 10:

Foster	Hess	Sjulin	Vrba
Fuller	Johnson	Vittetoe	Zeigler
Henningsen	Lundy		

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

On motion of Senator Whitehill, Senate File 362, a bill for an act to extend the time for filing claims for exemptions under sections six thousand nine hundred forty-six (6946), six thousand nine hundred forty-seven (6947) and six thousand nine hundred forty-eight (6948), Code, 1939, for 1942 taxes payable in 1943 to July 1st, 1943, was taken up and considered.

Senator Hattery moved that the bill be read a third 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	Evans	Jones	Pelzer
Bekman	Faul	Keir	Pine
Benson	Findlay	Leo	Reilly
Berg	Foster	Long	Schluter
Byers	Goode	Love	Shaw
Clark	Hart	Lynes	Stewart
Clem	Harvey	Martin	Turner
Cromwell	Hattery	Mercer	Watson
Dykhouse	Henningsen	Miller	Whitehill
Elthon	Hill	Mowry	Zastrow
Emerson	Hunt		

Nays, none.

Absent or not voting, 8:

Fuller	Johnson	Sjulin	Vrba
Hess	Lundy	Vittetoe	Zeigler

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

Senator Hattery moved that the 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 Hattery asked and received unanimous consent that Senate File 362 be immediately messaged to the House, which request was complied with.



On motion of Senator Clark, House File 167, a bill for an act to amend section one thousand seven hundred ninety-four and eleven thousandths (1794.011), Code, 1939, to change the open season on quail and the time for shooting quail each day during the open season, was taken up and considered.

Senator Clark moved that the bill be read a third 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	Findlay	Long	Reilly
Bekman	Foster	Love	Schluter
Benson	Hart	Lynes	Shaw
Clark	Harvey	Martin	Stewart
Clem	Hattery	Mercer	Turner
Cromwell	Hill	Miller	Vrba
Dykhouse	Hunt	Mowry	Watson
Elthon	Jones	Pelzer	Whitehill
Emerson	Keir	Pine	Zastrow
Evans	Leo		

**Nays, none.**

**Absent or not voting, 12:**

Berg	Fuller	Hess	Sjulin
Byers	Goode	Johnson	Vittetoe
Faul	Henningsen	Lundy	Zeigler

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

Senator Clark moved that the 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 Mercer, House File 403, a bill for an act to amend section eleven thousand ninety-nine and one-tenth (11099.1), Code, 1939, relating to the defining of qualified newspapers for publishing proceedings and notices and providing for newspapers previously qualified to retain their qualification notwithstanding suspension of publication by reason of the publisher's service in the nation's armed forces, was taken up and considered.

Senator Hunt offered the following amendment and moved its adoption:

Amend House File 403 by striking from lines seven (7) and eight (8) the words "due to the services of the publisher in the armed forces of the

United States" and substituting in lieu thereof the words "because of conditions attributable to the war effort."

The amendment was adopted.

Senator Hunt asked and received unanimous consent to withdraw the following portion of the amendment filed by him to House File 403 and found on page 793 of the Senate Journal:

Amend House File 403 by adding the words "or manager" after the word "publisher" in line seven.

Senator Hunt offered the following amendment and moved its adoption:

Amend House File 403 by striking all after the word "within" in line fourteen and substituting the words "one year after the cessation of hostilities."

The amendment was adopted.

Senator Hunt moved that the bill be read a third 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	Faul	Keir	Pine
Bekman	Findlay	Leo	Reilly
Benson	Foster	Long	Schluter
Byers	Goode	Love	Sjulin
Clark	Hart	Lynes	Stewart
Clem	Harvey	Martin	Turner
Cromwell	Hattery	Mercer	Vrba
Dykhous	Henningsen	Miller	Watson
Elthon	Hill	Mowry	Whitehill
Evans	Hunt	Pelzer	Zastrow
Emerson	Jones		

**Nays, none.**

**Absent or not voting, 8:**

Berg	Hess	Lundy	Vittetoe
Fuller	Johnson	Shaw	Zeigler

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

Senator Mercer moved that the 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 131, a bill for an act to appropriate not to exceed the sum of twenty-six hundred fifty dollars for the purpose of paying one-half of the cost of

the construction and installation of a sewer, septic tank and disposal field in the city of Davenport, Iowa, in a public street named Eastern Avenue adjoining real estate owned by the state of Iowa and used for the Iowa Soldiers' Orphans Home, 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, 39:**

Augustine	Findlay	Keir	Pine
Benson	Foster	Leo	Reilly
Byers	Goode	Long	Schluter
Clark	Hart	Love	Shaw
Clem	Harvey	Lynes	Stewart
Cromwell	Hattery	Martin	Turner
Dykhous	Henningsen	Mercer	Vittetoe
Elthon	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Zastrow
Evans	Jones	Pelzer	

**Nays, 1:**

Watson

**Absent or not voting, 10:**

Bekman	Fuller	Lundy	Whitehill
Berg	Hess	Sjulin	Zeigler
Faul	Johnson		

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 Stewart, Senate Joint Resolution 5, a joint resolution providing for the appointment of a committee for the Centennial of the statehood of Iowa, and providing an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stewart offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 5 by striking in line four (4) of section one (1) the word and figure "nine (9)" and substituting in lieu thereof "not to exceed fifteen (15)."

The amendment was adopted.

Senator Stewart 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 pass?" the vote was:

**Ayes, 45:**

Augustine	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Stewart
Byers	Hart	Lynes	Turner
Clark	Harvey	Martin	Vittetoe
Clem	Hattery	Mercer	Vrba
Cromwell	Henningsen	Miller	Watson
Dykhousé	Hill	Mowry	Whitehill
Elthon	Hunt	Pelzer	Zastrow
Emerson	Jones	Pine	Zeigler
Evans			

**Nays, none.**

**Absent or not voting, 5:**

Faul	Johnson	Lundy	Sjulin
Hess			

The resolution 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 resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Emerson, Senate File 236, a bill for an act to provide for the better preservation and usefulness of the archives of the state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Emerson moved that the bill be read a third 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	Faul	Hunt	Reilly
Bekman	Findlay	Johnson	Schluter
Benson	Foster	Jones	Shaw
Berg	Fuller	Keir	Stewart
Byers	Goode	Long	Turner
Clark	Hart	Love	Vittetoe
Clem	Harvey	Lynes	Vrba
Dykhousé	Hattery	Martin	Watson
Elthon	Henningsen	Mercer	Whitehill
Emerson	Hess	Miller	Zastrow
Evans	Hill	Pine	Zeigler

Nays, 1:

Leo

Absent or not voting, 4:

Cromwell

Lundy

Pelzer

Sjulin

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

Senator Emerson moved that the 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 Evans called up for consideration Senate File 343, a bill for an act authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1943, and ending June 30, 1945, amended by the House, and moved that the Senate refuse to concur in the House amendments.

The Senate refused to concur in the House amendments.

#### PRESENTATION OF VISITORS

Senator Hattery asked and received unanimous consent to present a class from the Boxholm school who were present in the balcony with their principal.

Senator Miller asked and received unanimous consent to present a class from the Waukee high school who were present in the Senate chamber.

Senator Hattery asked and received unanimous consent to present a class from the Milford school who were present in the Senate balcony.

#### SENATE FILE 142 WITHDRAWN

Senator Goode asked and received unanimous consent to withdraw from the further consideration of the Senate, Senate File 142.

#### CONFERENCE COMMITTEES APPOINTED

The President appointed Senators Faul, Pine, Bekman and Hattery on the part of the Senate on Senate File 239.

The President appointed Senators Henningsen, Elthon, Long and Zastrow on the part of the Senate on Senate File 350.

## 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 363 and 185, House Files 160 and 401, Senate Files 369, House Files 247 and 212, Senate File 320.

STANLEY L. HART, *Chairman*.

## REQUEST TO WITHDRAW AMENDMENT

MR. PRESIDENT: I ask unanimous consent of the Senate to withdraw section one (1) of the Bekman amendment to Senate File 257.

Also to further amend the title as contained in said amendment by striking all after the words "General Assembly". E. K. BEKMAN.

## AMENDMENTS FILED

Amend Senate File 357 as follows: By striking words and figures "twenty-nine thousand four hundred dollars (\$29,400.00)" from line three (3) of section one (1) and insert in lieu thereof the words and figures "thirty-one thousand four hundred dollars (\$31,400.00)."

Further amend by inserting in line eighteen (18) "Carpet and Linoleum.....(\$2,000.00)".

Further amend by striking the figures "\$29,400.00" following the word "Total" in line nineteen (19) and inserting in lieu thereof the figures "\$31,400.00". K. A. EVANS.

Amend the House amendment to Senate File 178 by adding thereto the following:

"Sec. 2. Section thirty-six hundred twelve (3612), Code, 1939, is hereby amended by striking the words "two thousand" in line four (4) of subdivision three (3) and inserting in lieu thereof the words "twenty-six hundred" and by striking from lines six (6) and seven (7) of said subdivision three (3) the words "fifteen hundred" and by inserting in lieu thereof the words "two thousand".

"Sec. 3. Section thirty-six hundred twelve (3612), Code, 1939, is further amended by striking the period (.) in line seven (7) and by adding the following: "and by striking the words 'fifteen hundred' in line seven (7) of subdivision two (2) and inserting in lieu thereof the words 'eighteen hundred'."

FRANK C. BYERS.

OSCAR E. JOHNSON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 26, 1943.

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

Prayer was offered by Rev. Geo. W. Robinson, pastor of the Corinthian Baptist Church of Des Moines.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Fuller, from residents of Jackson county, favoring repeal of daylight savings time.

By Senator Hattery, from residents of Story county, favoring adoption of the new school code.

By Senator Cromwell, from over 2,000 residents of Des Moines county, favoring local option.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Pelzer for the day on request of Senator Vittetoe.

## INTRODUCTION OF BILLS

Senate File 370, by Committee on Judiciary 2, a bill for an act to amend chapter two hundred ninety-two (292) of the acts of the Forty-ninth General Assembly, relating to certificates of health furnished by members of the armed forces of the United States.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 371, by committee on judiciary 2, a bill for an act to amend Senate File 82, acts of the Fiftieth (50th) General Assembly, relating to deductions for medical care when computing net income for taxation purposes.

Read first and second times, is ready for commitment and amendment, 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 243, a bill for an act relating to motor vehicles.

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

House File 285, a bill for an act relating to release and satisfaction of mortgages and conditional sales contracts.

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

House Concurrent Resolution 32, providing for the attendance of two members of the General Assembly at the regional conference, sponsored by the council of state governments in Chicago, Illinois.

Also: That the House has concurred in Senate amendments to and passed House File 61, a bill for an act authorizing certain cemetery officers to attend meetings of cemetery officials.

Also: 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 providing for transfer of funds to state general fund.

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

Senate File 166, a bill for an act relating to allocation of license fees and taxes collected on beer.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 192, a bill for an act providing for postponement of the issuance of a new code.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 313, a bill for an act relating to corporations for pecuniary profit.

Also: That the House insists upon its amendments to Senate File 21, a bill for an act relating to the committee on retrenchment and reform, and requests a conference committee, and the Speaker appoints as such committee on the part of the House: Representatives Whitehead, Moyle, Johnson of Marion, Hicklin.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION 32

*Whereas*, There is being held in Chicago, Illinois, on April 2 and 3, 1943, a regional conference, regarding consideration and organization



of plans for post-war reconstruction and development, sponsored by the council of state governments, and

*Whereas*, It is important that the state of Iowa, through its legislature, participate in this conference, now therefore:

*Be It Resolved by the House and the Senate Concurring:*

That two members of the General Assembly be appointed as delegates to attend said meeting, one member from the House, to be appointed by the Speaker, and one member from the Senate, to be appointed by the President of the Senate, and that each delegate be reimbursed as to his actual expenses, not to exceed fifty dollars (\$50) each, and that said amounts be allowed and paid from any unexpended funds appropriated under chapter forty (40), laws of the Forty-ninth General Assembly.

#### HOUSE AMENDMENT TO SENATE FILE 192

Amend Senate File 192 by striking all thereof following the enacting clause and inserting in lieu thereof the following:

"Section 1. Strike from lines one (1) and two (2) of subsection two (2) of section one hundred fifty-six (156), Code, 1939, the word 'even-numbered' and insert in lieu thereof the word 'odd-numbered'.

Sec. 2. Strike from line three (3) of section one hundred seventy (170), Code, 1939, the word 'even-numbered' and insert in lieu thereof the word 'odd-numbered'.

Sec. 3. Amend section one hundred seventy-one (171), Code, 1939, by adding thereto the following:

'All new editions of the Code may be printed in one or two volumes as shall be determined by the majority of a committee consisting of the code editor, the chief justice of the supreme court and the superintendent of printing.'

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Manchester Press, a newspaper published at Manchester, Iowa, and in the Villisca Review, a newspaper published at Villisca, Iowa."

Further amend Senate File 192 by striking the title and inserting in lieu thereof the following:

"An Act to amend sections one hundred fifty-six (156), one hundred seventy (170) and one hundred seventy-one (171), Code, 1939, relating to the publication of new editions to the Code of Iowa."

#### HOUSE AMENDMENT TO SENATE FILE 313

Amend Senate File 313 by adding to section two (2) thereof the following:

"The fees, except the recording fees, required by this section to be paid, shall not be collected from a corporation organized for the purpose of carrying into effect a plan of reorganization approved in bankruptcy proceedings under the laws of the United States or in a general equity receivership in a court of competent jurisdiction, for the period until

the termination of the time for which such fees were paid by the corporation so organized."

#### HOUSE MESSAGES CONSIDERED

House File 243, a bill for an act to amend section five thousand and one hundredth (5000.01), Code, 1939, by amending subsection 19 defining "where a vehicle is kept", by amending subsection 23 defining "authorized emergency vehicles", by amending subsection 40 defining "chauffeur"; to amend section five thousand one and two hundredths (5001.02), Code, 1939, so as to exempt from registration any vehicle propelled by electric power obtained from overhead trolley wires, but not operated on rails; to amend section five thousand one and three hundredths (5001.03), five thousand one and twelve hundredths (5001.12), five thousand one and thirteen hundredths (5001.13), five thousand one and twenty-seven hundredths (5001.27), five thousand two and one-hundredth (5002.01), five thousand two and two hundredths (5002.02), five thousand two and three hundredths (5002.03), five thousand two and six hundredths (5002.06), five thousand two and seven hundredths (5002.07), five thousand two and eight hundredths (5002.08), five thousand three and four hundredths (5003.04), five thousand eight and three hundredths (5008.03), five thousand eight and twenty-seven hundredths (5008.27), five thousand nine and one hundredth (5009.01), five thousand ten and seven hundredths (5010.07), and five thousand ten and eight hundredths (5010.08), Code, 1939, by changing the term "motor vehicle" in each of such sections to "vehicle"; to amend section five thousand one and four hundredths (5001.04), Code, 1939, relating to application for registration of a vehicle; to amend section five thousand one and ten hundredths (5001.10), Code, 1939, relating to use of "registration applied for" cards; to amend section five thousand one and fifteen hundredths (5001.15), Code, 1939, relating to files of the motor vehicle department; to amend section five thousand one and twenty-five hundredths (5001.25), Code, 1939, relating to change of address or name of applicant for registration; to amend section five thousand two and five hundredths (5002.05), Code, 1939, relating to dealer transfers; to amend section five thousand five and four hundredths (5005.04), Code, 1939, so as to permit registered motor vehicle dealers to secure a waiver of the unpaid second installment of the current annual registration fee on all used trucks, truck tractors, road tractors, trailers and semi-trailers

held by them for sale or trade, by listing the same on or before July fifth of each year with the county treasurer and the motor vehicle department and to further permit the reregistration of any such vehicle under the provisions of section five thousand eight and two hundredths (5008.02) at such time as a dealer ceases to hold any such vehicle for sale or trade; to amend section five thousand thirty-four and eleven hundredths (5034.11), Code, 1939, relating to spot lamps on motor vehicles; to amend section five thousand thirty-four and fifty-six hundredths (5034.56), Code, 1939, by providing that every motor vehicle transporting flammables shall carry red reflectors or red electric lanterns at night and that during daylight hours every truck shall carry not less than three red flags; to amend section five thousand thirty-four and fifty-seven hundredths (5034.57), Code, 1939, so as to permit the use of reflectors by vehicles used for transportation of flammable liquids or gases; to amend section five thousand thirty-four and fifty-eight hundredths (5034.58), Code, 1939, relating to the transportation of explosives by motor truck.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 285, a bill for an act to amend section ten thousand twenty-eight (10028), Code, 1939, relating to release and satisfaction of mortgages and conditional sales contracts.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senator Vrba called up the following resolution:

#### SENATE MEMORIAL RESOLUTION

*Whereas*, The Honorable William H. Klemme, of Winneshiek county, who was a member of the House of Representatives in the Twenty-fifth, Twenty-sixth, Twenty-sixth Extra and Twenty-seventh General Assemblies, and a member of the Senate in the Forty-second, Forty-second Extra, Forty-third, Forty-fourth, Forty-fifth and Forty-fifth Extra General Assemblies, died on March 11th, 1943;

*Therefore, Be It Resolved by the Senate of the Fiftieth General Assembly:* That a committee of three be appointed to draft suitable resolutions commemorating his life, character and services to the state.

The motion prevailed and the resolution was adopted.

The President appointed as such committee: Senators Vrba, Byers and Elthon.

President Robert D. Blue took the chair at 10:12 a. m.

### HOUSE AMENDMENTS CONSIDERED

Senator Cromwell called up for consideration Senate File 178, a bill for an act to amend section three thousand six hundred twelve (3612), Code, 1939, concerning the compensation of probation officers in counties of less than thirty thousand (30,000) population, amended by the House, as follows:

Amend Senate File 178 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend section three thousand six hundred twelve (3612), Code, 1939, as follows:

"Strike all of subsection one (1) and insert in lieu thereof:

'In and for any county having a population of less than thirty thousand, not more than one probation officer who may serve part time or in special cases only as may be required, who, on approval of the judge of the district court in that county, may be paid the sum of five dollars per day or fifty cents per hour for services actually rendered, in no event more than eighteen hundred dollars per year.'

Senator Byers offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment to Senate File 178 by adding thereto the following:

"Sec. 2. Section thirty-six hundred twelve (3612), Code, 1939, is hereby amended by striking the words "two thousand" in line four (4) of subdivision three (3) and inserting in lieu thereof the words "twenty-six hundred" and by striking from lines six (6) and seven (7) of said subdivision three (3) the words "fifteen hundred" and by inserting in lieu thereof the words "two thousand".

"Sec. 3. Section thirty-six hundred twelve (3612), Code, 1939, is further amended by striking the period (.) in line seven (7) and by adding the following: "and by striking the words 'fifteen hundred' in line seven (7) of subdivision two (2) and inserting in lieu thereof the words 'eighteen hundred'."

Senator Mowry moved to strike section three (3) of the amendment by Senator Byers to the House amendment.

Senator Byers raised the point of order that the amendment by Senator Mowry was out of order as it was an amendment to an amendment to an amendment.

The Chair held that since the amendment by the House was a complete substitution for the bill, it would be considered as an original bill for the purposes of parliamentary procedure.

Senator Byers raised the point that since the Senate had not adopted the House amendment, it was still an amendment to an amendment to an amendment.

The Chair held that technically Senator Byers was correct, but that the point was not well taken.

Senator Cromwell moved the previous question on the amendment by Senator Mowry to the amendment by Senator Byers, which motion prevailed.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 21:**

Bekman	Hunt	Mowry	Turner
Clark	Jones	Schluter	Vittetoe
Dykhouse	Love	Shaw	Watson
Foster	Lundy	Sjulin	Whitehill
Fuller	Miller	Stewart	Zeigler
Hess			

**Nays, 10.**

Byers	Findlay	Johnson	Reilly
Clem	Hart	Mercer	Vrba
Faul	Hill		

**Absent or not voting, 19:**

Augustine	Emerson	Henningsen	Martin
Benson	Evans	Keir	Pelzer
Berg	Goode	Leo	Pine
Cromwell	Harvey	Long	Zastrow
Elthon	Hattery	Lynes	

The amendment to the amendment by Senator Byers was adopted.

The amendment by Senator Byers to the House amendment was lost.

Senator Cromwell moved that the Senate refuse to concur in the House amendments to Senate File 178.

Senator Faul moved as a substitute motion, that the Senate concur in the House amendments to Senate File 178, which motion prevailed.

The Senate concurred in the House amendments.

Senator Cromwell moved that the bill as amended by the House and concurred in by the Senate be read a third 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:

Berg	Hart	Love	Shaw
Byers	Harvey	Lynes	Sjulin
Clem	Hattery	Martin	Stewart
Cromwell	Hill	Mercer	Turner
Dykhouse	Hunt	Miller	Vittetoe
Faul	Jones	Reilly	Vrba
Findlay	Keir	Schluter	Watson
Goode	Leo		

Nays 4:

Clark	Fuller	Whitehill	Zeigler
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Absent or not voting, 16:

Augustine	Emerson	Hess	Mowry
Bekman	Evans	Johnson	Pelzer
Benson	Foster	Long	Pine
Elthon	Henningsen	Lundy	Zastrow

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.

Senator Evans called up for consideration Senate File 192, a bill for an act to provide for the postponement of the issuance and publication of a new code as provided for in section one hundred seventy (170), Code, 1939, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 192 by striking all thereof following the enacting clause and inserting in lieu thereof the following:

"Section 1. Strike from lines one (1) and two (2) of subsection two (2) of section one hundred fifty-six (156), Code, 1939, the word 'even-numbered' and insert in lieu thereof the word 'odd-numbered'.

Sec. 2. Strike from line three (3) of section one hundred seventy (170), Code, 1939, the word 'even-numbered' and insert in lieu thereof the word 'odd-numbered'.

Sec. 3. Amend section one hundred seventy-one (171), Code, 1939, by adding thereto the following:

'All new editions of the code may be printed in one or two volumes as shall be determined by the majority of a committee consisting of the code editor, the chief justice of the supreme court and the superintendent of printing.'

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the *Manchester Press*, a newspaper published at Manchester, Iowa, and in the *Villisca Review*, a newspaper published at Villisca, Iowa."

Further amend Senate File 192 by striking the title and inserting in lieu thereof the following:

"An Act to amend sections one hundred fifty-six (156), one hundred seventy (170) and one hundred seventy-one (171), Code, 1939, relating to the publication of new editions to the Code of Iowa."

The Senate concurred in the House amendments.

Senator Evans moved that the bill as amended by the House and concurred in by the Senate be read a third 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:

Bekman	Foster	Jones	Schluter
Benson	Fuller	Keir	Shaw
Berg	Goode	Leo	Sjulin
Byers	Hart	Love	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Dykhous	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
Faul	Johnson	Reilly	Zeigler
Findlay			

Nays, none.

Absent or not voting, 9:

Augustine	Henningsen	Lundy	Pine
Elthon	Long	Pelzer	Zastrow
Emerson			

The bill having received a constitutional majority was declared to have passed the Senate 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 Lynes called up for consideration Senate File 313, a bill for an act to amend section eight thousand three hundred forty-three (8343), eight thousand three hundred fifty-seven (8357), eight thousand three hundred sixty-four (8364), eight thousand three hundred sixty-five (8365), and chapter three hundred eighty-four (384), Code, 1939, relating to corporations for pecuniary profit; to authorize perpetual existence, and fix

the fees of corporations having such existence, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 313 by adding to section two (2) thereof the following:

"The fees, except the recording fees, required by this section to be paid, shall not be collected from a corporation organized for the purpose of carrying into effect a plan of reorganization approved in bankruptcy proceedings under the laws of the United States or in a general equity receivership in a court of competent jurisdiction, for the period until the termination of the time for which such fees were paid by the corporation so reorganized."

The Senate concurred in the House amendments.

Senator Lynes moved that the bill as amended by the House and concurred in by the Senate be read a third 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:

Bekman	Findlay	Keir	Shaw
Benson	Foster	Leo	Sjulin
Berg	Goode	Love	Stewart
Byers	Hart	Lynes	Turner
Clark	Harvey	Martin	Vittetoe
Clem	Hattery	Mercer	Vrba
Cromwell	Hess	Miller	Watson
Dykhouse	Hill	Mowry	Whitehill
Evans	Hunt	Reilly	Zeigler
Faul	Jones	Schluter	

Nays, none.

Absent or not voting, 11:

Augustine	Fuller	Long	Pine
Elthon	Henningsen	Lundy	Zastrow
Emerson	Johnson	Pelzer	

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

Senator Lynes moved that the 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 Johnson called up for consideration Senate File 294, a bill for an act to make appropriations to M. D. Synhorst, Orange City, Iowa; James Babcock, Drakesville, Iowa; Esther Deahl, Centerville, Iowa; Ben Brasser, Cherokee, Iowa; Dr. James McKenzie, Baxter, Iowa; M. W. Ellis, receiver of the



American Trust and Savings Bank, LeMars, Iowa, amended by the House, and moved that the Senate concur in the following amendments:

Amend section four (4) by striking the figures "\$555.00" in line three (3) and substituting in lieu thereof the figures "\$375.00".

The Senate concurred in the House amendments.

Senator Johnson moved that the bill as amended by the House and concurred in by the Senate be read a third 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:

Bekman	Findlay	Jones	Schluter
Benson	Foster	Keir	Shaw
Berg	Fuller	Leo	Sjulin
Byers	Goode	Love	Stewart
Clark	Hart	Lynes	Turner
Clem	Harvey	Martin	Vittetoe
Cromwell	Hattery	Mercer	Vrba
Dykhouse	Hess	Miller	Watson
Emerson	Hill	Mowry	Whitehill
Evans	Hunt	Reilly	Zeigler
Faul	Johnson		

Nays, none.

Absent or not voting, 8:

Augustine	Henningsen	Lundy	Pine
Elthon	Long	Pelzer	Zastrow

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

### THIRD READING OF BILLS

On motion of Senator Goode, Senate File 257, a bill for an act to make transfer of funds from the state general fund to the state commissioner of labor for the purpose of making refunds, 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 Senate File 257 as follows:

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

"Section 1. The acts of the labor commissioner in charging one dollar to each owner or user of a boiler, for a certificate of inspection, in the total amount of \$3,140 between the dates of September 1, 1941, and

March 10, 1943, which charge is not specifically authorized by chapter ninety-seven (97), acts of the Forty-ninth General Assembly, are hereby legalized and made as valid as though said fee was specifically authorized by said act.

Sec. 2. Chapter ninety-seven (97), acts of the Forty-ninth General Assembly, is amended by adding at the end of section two (2) thereof the following:

‘For the issuance of a certificate of inspection the commissioner may collect from the owner or user a fee of one dollar.’”

2. Amend the title by substituting in lieu thereof the following:

“An act to permit the labor commissioner to collect a fee for the issuance of a certificate of boiler inspection as required by chapter ninety-seven (97), acts of the Forty-ninth General Assembly, and to legalize the previous collection of said fees from owners and users which fee was not specifically authorized by said act.”

Senator Bekman asked and received unanimous consent to withdraw section one (1) of the amendment filed by him to Senate File 257.

Also to further amend the title as contained in said amendment by striking all after the words “General Assembly”.

Senator Goode raised the point of order that the amendment was out of order as it was not germane to the main bill.

Senator Bekman asked and received unanimous consent that action be deferred on Senate File 257 and that it retain its place on the calendar.

#### CONFERENCE COMMITTEE APPOINTED

The President appointed Senators Evans, Lynes, Turner and Jones on the part of the Senate on Senate File 21.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 19, 151, 340, 388 and 447.

ROBERT C. REILLY, *Chairman Senate Committee.*  
E. L. EDWARDS, *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 19, 151, 340, 388 and 447.

#### **BILLS SIGNED BY THE GOVERNOR**

A communication was received from the governor announcing that on March 25 he had approved the following:

Senate File 45, providing for a limitation of time within which the state tax commission may appeal from the ruling of the county board of supervisors in connection with applications for homestead exemption tax credits.

Senate File 182, relating to the consolidated tax levy in cities and towns.

Senate File 337, making an appropriation to the board of education for the support, repairs, replacement or alterations of institutions under the board of education.

#### **PRESENTATION OF VISITORS**

Senator Hattery asked and received unanimous consent to present the senior class and the superintendent of schools of Nevada, who were present in the balcony.

Senator Mowry asked and received unanimous consent to present a group of students from Vandalia, who, with their teacher, Pauline Busby, were present in the balcony.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 29, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. Stanley Larsen, pastor of the Bethesda Lutheran church of Des Moines.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from residents of Black Hawk county, in opposition to the return to central standard time.

By Senator Hart, as chairman of the sifting committee, from the county officers of Hancock, Davis, Winneshiek, Woodbury, Allamakee, Plymouth, and Cedar counties, favoring an increase in salary for county officers.

By Senator Findlay, from members of the Riverside Parent Teachers association, favoring adoption of the new school code.

By Senator Vittetoe, from farmers of Poweshiek county, favoring the return to central standard time in Iowa.

By Senator Cromwell, from members of the Mason City Lodge 885 of Locomotive, Firemen and Engineers, in opposition to proposed legislation relative to seasonal employees.

By Senator Goode, from members of the Moulton Parent Teachers association, favoring adoption of the new school code.

By Senator Mowry, from residents of Jasper county, favoring return to central standard time in Iowa.

By Senator Johnson, from city employees of Mason City, favoring establishment of pensions and annuity retirement system for city employees.

By Senator Vrba, from city employees of Decorah, favoring establishment of pensions and annuity retirement system for city employees.

Senator Cromwell called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 32

*Whereas*, There is being held in Chicago, Illinois, on April 2 and 3, 1943, a regional conference, regarding consideration and organization of plans for post-war reconstruction and development, sponsored by the council of state governments, and

*Whereas*, It is important that the state of Iowa, through its legislature, participate in this conference, now therefore:

*Be It Resolved by the House and the Senate Concurring:*

That two members of the General Assembly be appointed as delegates to attend said meeting, one member from the House, to be appointed by the Speaker, and one member from the Senate, to be appointed by the President of the Senate, and that each delegate be reimbursed as to his actual expenses, not to exceed fifty dollars (\$50) each, and that said amounts be allowed and paid from any unexpended funds appropriated under chapter forty (40), laws of the Forty-ninth General Assembly.

The motion prevailed and the resolution was adopted.

The President appointed Senator Cromwell, on the part of the Senate, as a delegate to the regional conference for post-war construction in Chicago on April 2 and 3.

#### 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 salaries of employees at state penitentiary and men's reformatory.

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

House File 153, a bill for an act relating to audits of cities and school districts.

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 relating to affidavits of adverse possession under tax deed.

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

House File 254, a bill for an act giving cities and towns power to levy one mill for city or town hall maintenance.

Also: 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 use of drinking cups and sterilization of all drinking utensils.

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

House File 299, a bill for an act relating to operator's or chauffeur's licenses.

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

House File 343, a bill for an act relating to compensation of University Hospital ambulance escorts.

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

House File 470, a bill for an act relating to certification of jury lists.

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 relating to issuance of chauffeur's licenses.

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

Senate File 33, a bill for an act relating to returns to policyholders of associations transacting hail insurance business.

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

Senate File 194, a bill for an act relating to expenditures from the court expense fund, and legalizing expenditures heretofore made.

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

Senate File 217, a bill for an act relating to registration plates.

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

Senate File 312, a bill for an act to preserve state aid to county and district fair societies.

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

Senate File 338, a bill for an act relating to the control, management and use of the unemployment compensation fund.

Also: 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 sale of property acquired by counties by tax deed.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked.

Senate File 161, a bill for an act relating to bonds executed by reciprocal or inter-insurance exchanges.

Also: That the House has refused to concur in Senate amendments to House File 325, a bill for an act relating to the compensation of certain public officers and employees in counties and subdivisions thereof.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 2

Amend title by striking all after the figures "1939" in line two (2) and inserting in lieu thereof the following: "relating to sale of property acquired by counties by tax deed."

#### HOUSE AMENDMENT TO SENATE FILE 161

Amend by striking the period (.) at the end of section one (1), and substituting a comma (,) therefor and adding the following: "provided, however, that such reciprocal companies before being permitted to qualify for writing fidelity or surety bonds shall be required to maintain a surplus of \$300,000."

#### HOUSE MESSAGES CONSIDERED

House File 138, a bill for an act to amend section three thousand seven hundred forty-one (3741), Code, 1939; to repeal section three thousand seven hundred forty-two (3742), Code, 1939, relating to salaries at the state penitentiary and men's reformatory and to enact a substitute therefor.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

House File 153, a bill for an act to amend sections one hundred twenty-four (124) and one hundred twenty-four and one-tenth (124.1) of the 1939 Code of Iowa relating to audits of cities and school districts and providing for filing of reports with the auditor of state.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 210, a bill for an act to amend chapter two hundred fifty-seven (257) of the laws of the Forty-ninth General Assembly relating to affidavits of adverse possession under tax deed.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 254, a bill for an act to amend section six thousand two hundred and eleven (6211), Code, 1939, to give cities and towns power to levy one mill for city or town hall maintenance.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 260, a bill for an act to provide for the public health and to amend section two thousand eight hundred twenty-seven (2827), Code, 1939, relating to the use of common drinking cups in hotels, restaurants and food establishments, and providing for the sterilization of all drinking utensils used for dispensing cold beverages in food establishments.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 299, a bill for an act to amend sections five thousand thirteen and four hundredths (5013.4), five thousand thirteen and six hundredths (5013.06), five thousand thirteen and seven hundredths (5013.07), five thousand thirteen and eight hundredths (5013.08), five thousand thirteen and nine hundredths (5013.09), five thousand thirteen and ten hundredths (5013.10), five thousand thirteen and twelve hundredths (5013.12), five thousand thirteen and fourteen hundredths (5013.14), five thousand thirteen and nineteen hundredths (5013.19), five thousand thirteen and twenty hundredths (5013.20), five thousand thirteen and twenty-two hundredths (5013.22), five thousand fourteen and two hundredths (5014.02), five thousand fourteen and seven hundredths (5014.07), five thousand fourteen and twelve hundredths (5014.12), and five thousand fourteen and thirteen hundredths (5014.13), Code, 1939, and chapter one hundred seventy-three (173), acts of the Forty-ninth General Assembly, all relating to the application and issuance of operator's and chauffeur's licenses, examination of applicant or holder of operator's or chauffeur's licenses, form of licenses issued, reports on traffic violations by operators and chauffeurs, suspension of operator's or chauffeur's licenses, and providing for issuance of duplicate license or extension certificates.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 343, a bill for an act to amend section three thousand eight hundred twenty-eight and one hundred fifty-two thousandths (3828.152), Code, 1939, to allow the compensation of



ambulance escorts of the University hospital to be fixed by the Iowa state board of education.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 470, a bill for an act to amend section ten thousand eight hundred sixty-nine (10869), Code, 1939, relating to certification of jury lists.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 477, a bill for an act to amend chapter two hundred fifty-one and one-tenth (251.1), Code, 1939, to provide for issuance by the county sheriff of a limited period chauffeur's license and to permit issuance by the department of a chauffeur's license to a person seventeen years of age.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

#### HOUSE AMENDMENTS CONSIDERED

Senator Faul called up for consideration Senate File 161, a bill for an act to amend chapter four hundred eight (408) of title XX, Code, 1939, relating to bonds executed by reciprocal or inter-insurance exchanges and providing for the acceptance thereof, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking the period (.) at the end of section one (1), and substituting a comma (,) therefor and adding the following:

"provided, however, that such reciprocal companies before being permitted to qualify for writing fidelity or surety bonds shall be required to maintain a surplus of \$300,000."

The Senate concurred in the House amendments.

Senator Faul moved that the bill as amended by the House and concurred in by the Senate be read a third 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  
Bekman  
Berg

Byers  
Clark  
Clem

Cromwell  
Dykhouse  
Elthon

Evans  
Faul  
Findlay

Foster	Johnson	Lynes	Shaw
Fuller	Jones	Martin	Sjulin
Goode	Keir	Miller	Turner
Hart	Leo	Mowry	Vittetoe
Harvey	Long	Pine	Watson
Hill	Love	Schluter	Whitehill

Nays, 1:

Zeigler

Absent or not voting, 13:

Benson	Hess	Mercer	Stewart
Emerson	Hunt	Pelzer	Vrba
Hattery	Lundy	Reilly	Zastrow
Henningsen			

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 Faul called up for consideration Senate File 2, a bill for an act to amend section ten thousand two hundred sixty and four tenths (10260.4) of the Code, 1939, authorizing the sale of real estate acquired by a county for delinquent taxes, amended by the House, and moved that the Senate concur in the following amendment:

Amend title by striking all after the figures "1939" in line two (2) and inserting in lieu thereof the following: "relating to sale of property acquired by counties by tax deed."

The Senate concurred in the House amendment.

Senator Faul moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Foster	Leo	Pine
Bekman	Fuller	Long	Reilly
Berg	Goode	Love	Schluter
Byers	Hart	Lundy	Shaw
Clark	Harvey	Lynes	Sjulin
Clem	Hattery	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Evans	Johnson	Mowry	Whitehill
Faul	Jones	Pelzer	Zastrow
Findlay	Keir		

Nays, none.

Absent or not voting, 8:

Benson	Emerson	Hunt	Turner
Dykhouse	Henningsen	Stewart	Zeigler

The bill having received a constitutional majority was declared to have passed the Senate 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 Hattery called up for consideration House File 325, a bill for an act to provide for increases in compensation for certain public officers and employees in counties and subdivisions thereof during the period from January 1, 1943, to June 30, 1945, and moved that the Senate insist on its amendments.

The Senate insisted on its amendments.

#### CONFERENCE COMMITTEE APPOINTED

The President appointed Senators Hess, Hattery, Faul and Mowry on the part of the Senate on House File 325.

#### UNFINISHED BUSINESS

On motion of Senator Goode, the Senate resumed consideration of Senate File 257, a bill for an act to make transfer of funds from the state general fund to the state commissioner of labor for the purpose of making refunds.

Senator Bekman asked and received unanimous consent to withdraw the amendment filed by him and found on page 927 of the Senate Journal.

Senator Goode moved that the bill be read a third 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	Fuller	Jones	Pine
Bekman	Goode	Keir	Schluter
Benson	Hart	Leo	Shaw
Berg	Harvey	Long	Sjulin
Byers	Hattery	Love	Turner
Clark	Henningsen	Lundy	Vittetoe
Clem	Hess	Lynes	Watson
Cromwell	Hill	Miller	Whitehill
Dykhouse	Hunt	Mowry	Zastrow
Emerson	Johnson	Pelzer	Zeigler
Findlay			

Nays, none.

Absent or not voting, 9:

Elthon  
Evans  
Faul

Foster  
Martin

Mercer  
Reilly

Stewart  
Vrba

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

Senator Goode moved that the 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 Johnson, Senate File 355, a bill for an act to make appropriations to Henry and Eleanor Broderson, Harlan, Iowa; to Daisy E. Johnson, Des Moines, Iowa; to Herman F. Graff, Minneapolis, Minnesota; to Dr. John Eiel, Osage, Iowa; to Nissen Hospital, Osage, Iowa; to H. R. Harris, Oskaloosa, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Augustine offered the following amendment and moved its adoption:

Amend Senate File 355, section six (6), lines three (3) and four (4) by substituting for the sum of one hundred ninety-five and sixty-two one-hundredths dollars (\$195.62), the words and figures "two thousand one hundred seventy and sixty-two one-hundredths dollars (\$2,170.62)".

Senator Bekman offered the following amendment as a substitute for the amendment by Senator Augustine and moved the substitution be made:

Strike from lines three (3) and four (4) of section six (6) the following: "One hundred ninety-five and sixty-two hundredths (\$195.-62)" and insert in lieu thereof "six hundred ninety-five and sixty-two hundredths (\$695.62)".

Senator Faul moved the previous question on all amendments and the main bill, which motion prevailed.

The motion by Senator Bekman to substitute the amendment filed by him for the amendment by Senator Augustine was lost.

The amendment by Senator Augustine was lost.

Senator Johnson moved that the bill be read a third 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	Findlay	Jones	Reilly
Bekman	Foster	Keir	Schluter
Berg	Fuller	Leo	Shaw
Byers	Goode	Lundy	Sjulin
Clark	Hart	Lynes	Turner
Clem	Harvey	Martin	Vittetoe
Cromwell	Hattery	Mercer	Vrba
Dykhouse	Hess	Miller	Watson
Elthon	Hill	Mowry	Whitehill
Evans	Hunt	Pelzer	Zastrow
Faul	Johnson	Pine	

Nays, 2:

Long Love

Absent or not voting, 5:

Benson	Henningsen	Stewart	Zeigler
Emerson			

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

Senator Hunt moved that the Senate recess until 2:00 p. m.

Senator Watson moved as a substitute that the Senate adjourn until 10:00 a. m., which motion was lost.

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

## AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

## INTRODUCTION OF BILLS

Senate File 372, 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, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 373, by committee on claims, a bill for an act to make appropriations to Giles Funeral Home, Burlington, Iowa, Oral C. Johnson, Hamburg, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 374, by committee on claims, a bill for an act to make appropriations to certain insurance companies in full settlement of damages sustained by them on account of cancellation of various insurance policies by the Iowa state liquor control commission in 1935.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 375, by committee on highways, a bill for an act to authorize the Iowa state highway commission to cooperate with the public roads administration of the United States in the construction and maintenance of flight strips, and in the acquisition of right of way for such flight strips.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 376, by committee on claims, a bill for an act to make appropriations to the First National Bank of Council Bluffs, Iowa; Ray Butler, Arnolds Park, Iowa; LeFebure Corporation, Cedar Rapids, Iowa; Harry Jenkins, LaCrosse, Wisconsin; George F. Brown, Sioux City, Iowa; Paul Fellman, Davenport, Iowa; Earl Scherf and K. M. Rooker, Ottumwa, Iowa; Johnath Gauger, Boone, Iowa; City of Ames, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

### THIRD READING OF BILLS

On motion of Senator Lynes, House File 294, a bill for an act to make permanent a certain temporary transfer of funds of Butler county, Iowa, made by authority of the state comptroller, was taken up and considered.

Senator Lynes moved that the bill be read a third 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  
Bekman  
Benson

Byers  
Clark  
Clem

Dykhouse  
Elthon  
Faul

Findlay  
Hart  
Harvey

Hess	Love	Pelzer	Stewart
Hill	Lundy	Pine	Vittetoe
Hunt	Lynes	Reilly	Vrba
Johnson	Martin	Schluter	Watson
Jones	Mercer	Shaw	Whitehill
Leo	Mowry	Sjulin	Zeigler
Long			

Nays, none.

Absent or not voting, 13:

Berg	Foster	Hattery	Miller
Cromwell	Fuller	Henningsen	Turner
Emerson	Goode	Keir	Zastrow
Evans			

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

On motion of Senator Lynes, House File 295, a bill for an act to make permanent a certain temporary transfer of funds of the Allison Independent School District, Allison, Iowa, made by authority of the state comptroller, was taken up and considered.

Senator Lynes moved that the bill be read a third 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	Fuller	Long	Reilly
Bekman	Hart	Love	Schluter
Benson	Harvey	Lundy	Shaw
Byers	Hattery	Lynes	Stewart
Clark	Hess	Martin	Vittetoe
Clem	Hill	Mercer	Vrba
Dykhous	Hunt	Miller	Watson
Elthon	Johnson	Mowry	Whitehill
Faul	Jones	Pelzer	Zastrow
Findlay	Leo	Pine	Zeigler

Nays, none.

Absent or not voting, 10:

Berg	Evans	Henningsen	Sjulin
Cromwell	Foster	Keir	Turner
Emerson	Goode		

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

On motion of Senator Whitehill, House File 398, a bill for an act to legalize the corporate acts and the renewal of the charter of the H. A. Petersen Company of Marshalltown, Iowa, 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, 41:

Augustine	Hart	Love	Schluter
Bekman	Harvey	Lundy	Shaw
Benson	Hattery	Lynes	Sjulin
Byers	Hess	Martin	Stewart
Clark	Hill	Mercer	Vittetoe
Clem	Hunt	Miller	Vrba
Cromwell	Johnson	Mowry	Watson
Dykhous	Jones	Pelzer	Whitehill
Faul	Leo	Pine	Zastrow
Findlay	Long	Reilly	Zeigler
Fuller			

Nays, none.

Absent or not voting, 9:

Berg	Evans	Goode	Keir
Elthon	Foster	Henningsen	Turner
Emerson			

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

On motion of Senator Stewart, House File 382, a bill for an act to legalize the actions of the city council of the city of Lansing, Iowa, with respect to the expenditure of funds for the management of the city hall and memorial building, 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, 42:

Augustine	Foster	Love	Shaw
Bekman	Fuller	Lundy	Sjulin
Benson	Hart	Lynes	Stewart
Byers	Harvey	Martin	Turner
Clark	Hattery	Mercer	Vittetoe
Clem	Hess	Miller	Vrba
Cromwell	Hill	Mowry	Watson
Dykhous	Hunt	Pelzer	Whitehill
Elthon	Jones	Reilly	Zastrow
Faul	Leo	Schluter	Zeigler
Findlay	Long		

Nays, none.

Absent or not voting, 8:

Berg	Evans	Henningsen	Keir
Emerson	Goode	Johnson	Pine



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

On motion of Senator Lynes, House File 379, 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 Waverly Gravel and Tile Company and to provide for the renewal of the charter of said Waverly Gravel and Tile Company, was taken up and considered.

Senator Lynes moved that the bill be read a third 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	Goode	Love	Shaw
Bekman	Hart	Lundy	Sjulin
Benson	Harvey	Lynes	Stewart
Byers	Hattery	Martin	Turner
Clark	Hess	Mercer	Vittetoe
Clem	Hill	Mowry	Vrba
Cromwell	Johnson	Pelzer	Watson
Elthon	Jones	Pine	Whitehill
Evans	Keir	Reilly	Zastrow
Findlay	Leo	Schluter	Zeigler
Fuller	Long		

Nays, none.

Absent or not voting, 8:

Berg	Emerson	Foster	Hunt
Dykhous	Faul	Henningsen	Miller

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

On motion of Senator Sjulin, House File 369, a bill for an act to make permanent a temporary transfer of certain funds from the bond fund to the cemetery fund in the town of Coin, Iowa, was taken up and considered.

Senator Sjulin moved that the bill be read a third 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:

Benson	Clem	Emerson	Foster
Berg	Cromwell	Evans	Fuller
Byers	Dykhous	Faul	Hart
Clark	Elthon	Findlay	Harvey

Henningsen	Leo	Mowry	Stewart
Hess	Long	Pelzer	Turner
Hill	Love	Pine	Vrba
Hunt	Lynes	Reilly	Watson
Johnson	Martin	Schluter	Whitehill
Jones	Mercer	Shaw	Zastrow
Keir	Miller	Sjulin	Zeigler

Nays, none.

Absent or not voting, 6:

Augustine	Goode	Lundy	Vittetoe
Bekman	Hattery		

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

On motion of Senator Emerson, House File 222, a bill for an act to make permanent certain temporary transfers of funds of Ringgold county, Iowa, made by authority of the state comptroller, was taken up and considered.

Senator Emerson moved that the bill be read a third 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	Findlay	Leo	Shaw
Benson	Foster	Long	Sjulin
Berg	Fuller	Love	Stewart
Byers	Hart	Lundy	Turner
Clark	Harvey	Lynes	Vittetoe
Clem	Hattery	Martin	Vrba
Cromwell	Henningsen	Mowry	Watson
Dykhouse	Hess	Pelzer	Whitehill
Elthon	Hill	Pine	Zastrow
Emerson	Jones	Reilly	Zeigler
Evans	Keir	Schluter	

Nays, none.

Absent or not voting, 7:

Bekman	Goode	Johnson	Miller
Faul	Hunt	Mercer	

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

On motion of Senator Henningsen, House File 468, a bill for an act to legalize action of the boards of supervisors of Clinton county, Iowa, in making expenditures from the Clinton county insane fund to the poor relief fund, was taken up and considered.

Senator Henningsen asked and received unanimous consent to

change the word "legislature" in the last line of section three (3) to "litigation".

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, 45:

Augustine	Fuller	Long	Schluter
Benson	Hart	Love	Shaw
Berg	Harvey	Lundy	Sjulin
Byers	Henningsen	Lynes	Stewart
Clark	Hess	Martin	Turner
Clem	Hill	Mercer	Vittetoe
Cromwell	Hunt	Miller	Vrha
Elthon	Johnson	Mowry	Watson
Emerson	Jones	Pelzer	Whitehill
Evans	Keir	Pine	Zastrow
Findlay	Leo	Reilly	Zeigler
Foster			

Nays, none.

Absent or not voting, 5:

Bekman	Faul	Goode	Hattery
Dykhouse			

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 357, a bill for an act to appropriate from the general fund of the state of Iowa for improvements, repairs, and supplies for the state capitol buildings and grounds, was taken up and considered.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 357, line sixteen (16) of section one (1) as follows:

Strike the words "Material for painting" and insert in lieu thereof "Painting".

The amendment was adopted:

Senator Evans offered the following amendment and moved its adoption:

Amend Senate File 357 as follows: By striking words and figures "twenty-nine thousand four hundred dollars (\$29,400.00)" from line three (3) of section one (1) and insert in lieu thereof the words and figures "thirty-one thousand four hundred dollars (\$31,400.00)."

Further amend by inserting in line eighteen (18) "Carpet and Linoleum.....(\$2,000.00)".

Further amend by striking the figures "\$29,400.00" following the word "Total" in line nineteen (19) and inserting in lieu thereof the figures "\$31,400.00".

The amendment was adopted.

Senator Lundy took the chair at 2:48 p. m.

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, 37:

Augustine	Evans	Long	Shaw
Benson	Findlay	Love	Sjulin
Berg	Harvey	Lundy	Stewart
Byers	Hattery	Lynes	Turner
Clark	Henningsen	Martin	Vittetoe
Clem	Hill	Miller	Vrba
Cromwell	Johnson	Mowry	Watson
Dykhouse	Keir	Pine	Whitehill
Elthon	Leo	Schluter	Zeigler
Emerson			

Nays, 1:

Pelzer

Absent or not voting, 12:

Bekman	Fuller	Hess	Mercer
Faul	Goode	Hunt	Reilly
Foster	Hart	Jones	Zastrow

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

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

On motion of Senator Henningsen, Senate File 358, a bill for an act to appropriate funds to the state comptroller from the motor vehicle fuel tax fund, was taken up and considered.

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, 41:

Bekman	Clem	Foster	Hess
Benson	Cromwell	Fuller	Hill
Berg	Dykhouse	Harvey	Johnson
Byers	Evans	Hattery	Jones
Clark	Findlay	Henningsen	Keir

Leo	Miller	Shaw	Vrba
Long	Mowry	Sjulin	Watson
Love	Pine	Stewart	Whitehill
Lundy	Reilly	Turner	Zastrow
Lynes	Schluter	Vittetoe	Zeigler
Martin			

Nays, none.

Absent or not voting, 9:

Augustine	Faul	Hart	Mercer
Elthon	Goode	Hunt	Pelzer
Emerson			

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 Whitehill, Senate File 351, a bill for an act to amend, revise and codify section four hundred sixty-seven and twenty-seven hundredths (467.27), Code, 1939, relating to the military and naval staff of the governor, was taken up and considered.

Senator Hattery offered the following amendment and moved its adoption:

Amend Senate File 351, section two (2), by striking all after the word "the" in line three (3) and adding the following: Boone News Republican, a newspaper published at Boone, Iowa, and in the Nevada Evening Journal, a newspaper published at Nevada, 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, 45:

Augustine	Foster	Long	Schluter
Benson	Fuller	Love	Shaw
Berg	Harvey	Lundy	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Cromwell	Hill	Mercer	Vittetoe
Dykhouse	Hunt	Miller	Vrba
Elthon	Johnson	Mowry	Watson
Emerson	Jones	Pelzer	Whitehill
Evans	Keir	Pine	Zastrow
Faul	Leo	Reilly	Zeigler
Findlay			

Nays, none.

Absent or not voting, 5:

Bekman  
Byers

Goode

Hart

Hess

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 CONFERENCE COMMITTEE ON SENATE FILE 21

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 21, relating to the committee on retrenchment and reform, beg leave to report that we have had the same under consideration and recommend that the House recede from its amendment to section one (1), and that the Senate concur in House amendment to section two (2).

Also by striking lines three (3), four (4), five (5) and six (6) of section three (3), Senate File 21, and insert in lieu thereof the following: "in the Newton Daily News, a newspaper published at Newton, Iowa, and in the Ames Daily Tribune, a newspaper published at Ames, Iowa."

Respectfully submitted,

K. A. EVANS,  
FLOYD JONES,  
OLIVER TURNER,

*On the part of the Senate.*

G. E. WHITEHEAD,  
CARROLL JOHNSON,  
B. S. MOYLE,

*On the part of the House.*

#### AMENDMENTS FILED

Amend House File 344 at line fifty-two (52) of section one (1) following the semicolon (;) after the words "Disabled American Veterans;" by inserting the following: "United Spanish War Veterans;"

B. C. WHITEHILL.

Amend House File 123 by adding the following as section five (5):

Sec. 5. The provisions of this act shall apply also to such cities as do not have a board of waterworks trustees, and in such cities the city council shall formulate the pension and retirement system and shall make all necessary rules and regulations governing said retirement plan.

C. V. FINDLAY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 30, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by Rev. E. A. Elliott, pastor of the Congregational church of Des Moines.

## 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 188, a bill for an act relating to dairy herds and milk.

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

House File 244, a bill for an act amending existing motor vehicle laws.

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 quarry equipment.

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

House File 320, a bill for an act relating to open season on pheasants.

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

House File 346, a bill for an act relating to licenses for food establishments.

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

House File 411, a bill for an act providing state aid for fairs and short courses in agriculture.

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

House File 484, a bill for an act to appropriate funds to the state comptroller from the motor vehicle fuel tax fund.

Also: That the House has adopted the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 5, a joint resolution making an appropriation for the Iowa centennial.

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

Senate File 74, a bill for an act relating to landlord's lien.

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

Senate File 117, a bill for an act relating to demands not yet due in an estate.

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

Senate File 128, a bill for an act relating to conveyances of homesteads and legalizing conveyances of homesteads.

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

Senate File 130, a bill for an act legalizing certain acts of notaries public and attorneys in fact.

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

Senate File 131, a bill for an act relating to conveyances of real property.

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

Senate File 148, a bill for an act relating to compensation of certain county officers in counties having two district courts.

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

Senate File 335, a bill for an act authorizing junior colleges to enter into agreements for training aviation cadets.

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

Senate File 339, a bill for an act relating to narcotic drugs and license therefor.

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

Senate File 346, a bill for an act providing an appropriation for the Iowa co-operative commission and council of state governments.

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

Senate File 349, a bill for an act to make appropriations for payment of claims of employees of the Iowa liquor control commission.

Also: That the House has amended and passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 3, providing for investigation of the maintenance and operation of the Iowa great lakes sewage disposal system.



Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 47, a bill for an act relating to the unemployment compensation act.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 118, a bill for an act relating to liability and property damage insurance for counties.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 207, a bill for an act relating to tax records.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 345, a bill for an act relating to the Iowa emergency relief fund.

Also: That the House has concurred in Senate amendments to and passed House File 403, a bill for an act relating to the deficiency of qualified newspapers for publishing proceedings.

Also: That the House has concurred in Senate amendments to and passed House File 468, a bill for an act to legalize the action of the board of supervisors of Clinton county, Iowa.

Also: That the House has adopted the conference committee report and has receded from its amendment to section one (1) as recommended therein, and has passed Senate File 21 relating to the committee on retrenchment and reform.

Also: That the Speaker has appointed as members of the conference committee on the part of the House on House File 325, a bill for an act to provide for increases in compensation for certain public officers and employees in counties and subdivisions thereof: Representatives Reed, Blatti, Pieper, and Orebaugh.

Also: That the House insists upon its amendments to Senate File 343, a bill for an act authorizing expenditures by the state highway commission, and requests a conference committee, and the Speaker appoints as such committee on the part of the House: Representatives Bryson, Orebaugh, Butterfield and Poston.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE AMENDMENT TO SENATE JOINT RESOLUTION 3

Amend section three (3) by striking from lines four (4) and five (5) thereof the words and figures "seven thousand five hundred dollars (\$7,500.00)" and inserting in lieu thereof the words and figures "five thousand dollars (\$5,000.00) or so much thereof as may be necessary".

## HOUSE AMENDMENT TO SENATE FILE 47

Amend Senate File 47 by striking from subsection eight (8) of section one (1) all after the word "brought" in the second (2nd) line of said subsection and inserting in lieu thereof the following: "in Polk county, or in the county in which such services were performed."

## HOUSE AMENDMENT TO SENATE FILE 118

Amend Senate File 118 in the following manner:

1. Insert after the word "vehicle" in line seven (7) of section one (1) the following: "owned by the county".

2. Insert after the period (.) in line nine (9) of section one (1) the following:

"The amount of insurance a county may purchase shall not exceed five thousand dollars (\$5,000.00) for property damage or five thousand dollars (\$5,000.00) for personal injury or death of one person or ten thousand dollars (\$10,000.00) for personal injury or death of more than one person arising out of a single accident."

## HOUSE AMENDMENT TO SENATE FILE 207,

Amend Senate File 207 as follows:

1. By adding the word "personal" after the word "delinquent" at the end of line four (4) in section six (6).

2. By inserting a period (.) after the word "entry" in line eight (8) of section six (6), and by striking the balance of section six (6).

## HOUSE AMENDMENT TO SENATE FILE 345

Amend Senate File 345 as follows:

1. By adding a new sentence at the end of line fifteen (15), section two (2), as follows:

"Nor shall the committee on retrenchment and reform allocate any funds for any purpose or project which was presented to the General Assembly by way of a bill and which failed to become enacted into law."

2. By striking from lines four (4) and five (5), section two (2) the following: "six hundred thousand dollars (\$600,000.00)", and inserting in lieu thereof the following: "seven hundred thousand dollars (\$700,000.00)".

## HOUSE MESSAGES CONSIDERED

House File 188, a bill for an act to amend section five thousand seven hundred forty-seven (5747), Code, 1939, relating to dairy herds and milk.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 244, a bill for an act to amend section five thousand three and three hundredths (5003.03), Code, 1939, so as to except from the registration requirements thereof a person commuting from his residence in another state or whose employment is seasonal or temporary; to amend section five thousand eight and five hundredths (5008.05), Code, 1939, by providing for the issuance upon the payment of a five dollar fee of transit plates for new motor vehicles purchased in Iowa by a nonresident for removal to his state of residence; to amend section five thousand eight and twenty-two hundredths (5008.22), Code, 1939, by changing the time when the plates therein referred to must be returned to the county treasurer, by providing for the time in which the affidavit therein referred to must be filed with the county treasurer, and by adding a new subsection permitting a refund of the registration fee for a vehicle placed in storage by an owner entering the military service of the United States; to amend section five thousand eight and twenty-three hundredths (5008.23), Code, 1939, by definitely fixing the period covered by the refund of a registration fee and the time when such refund shall be made; to amend section five thousand eight and twenty-four hundredths (5008.24), Code, 1939, relating to the authority of the motor vehicle department to make payment of refunds of registration fees; to amend section five thousand nine and two hundredths (5009.02), Code, 1939, by changing the term "motor vehicle" to "vehicle", by changing the date of the surrender of registration plates therein referred to, and by providing that the provision therein permitting the payment of the registration fees for certain vehicles in two installments shall apply only when the annual registration fee is in excess of thirty dollars; to amend chapter two hundred fifty-one and one tenth (251.1), Code, 1939, by adding a new section authorizing the commissioner of public safety to designate a privately owned ambulance, rescue or disaster vehicle as an authorized emergency vehicle and issue a certificate of designation therefor, and to revoke such certificate upon showing of abuse thereof; and to amend section five thousand thirty-five and fifteen hundredths (5035.15), Code, 1939, by providing for the manner in which an increased gross weight registration may be obtained for any vehicle held by a dealer for sale or trade, by further providing the manner in which an owner of a motor truck, truck tractor, road tractor, semitrailer or trailer may obtain an increased gross weight registration

therefor on or after July first of each year, and by further providing the manner in which an increased gross weight registration may be obtained for a truck converted to a truck tractor and a truck tractor converted to a truck.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 317, a bill for an act to permit boards of supervisors to lease equipment, used to crush rock in county limestone quarries, to private persons for the years 1943 and 1944 and to this end to amend section three thousand one hundred forty-two and ten hundredths (3142.10), Code, 1939.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 320, a bill for an act to amend section one thousand seven hundred ninety-four and eleven thousandths (1794.011), Code, 1939, relating to open season for pheasants.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 346, a bill for an act to amend sections two thousand eight hundred nine (2809) and two thousand eight hundred twelve (2812), Code, 1939, relating to licenses for food establishments.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 411, a bill for an act to amend section two thousand nine hundred twenty-one (2921), Code, 1939, to provide state aid for fairs and short courses in agriculture in counties having two farm aid associations.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 484, a bill for an act to appropriate funds to the state comptroller from the motor vehicle fuel tax fund.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 2.

## CONFERENCE REPORT ADOPTED

Senator Evans called up the conference committee report on Senate File 21, a bill for an act to amend sections thirty-nine (39) and forty (40), Code, 1339, relating to the committee on re-trenchment and reform, and moved its adoption.

The motion prevailed and the report was adopted.

Senator Evans moved the adoption of the amendments contained in the conference committee report.

The amendments were adopted.

Senator Evans moved that the bill as amended by the conference committee be read a third 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	Faul	Hunt	Pine
Bekman	Findlay	Johnson	Reilly
Benson	Fuller	Jones	Schluter
Berg	Goode	Keir	Shaw
Byers	Hart	Leo	Sjulin
Clark	Harvey	Long	Turner
Clem	Hattery	Martin	Vittetoe
Dykhouse	Henningsen	Mercer	Vrba
Emerson	Hess	Miller	Whitehill
Evans	Hill	Mowry	Zastrow

## Nays, 4:

Lynes	Stewart	Watson	Zeigler
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## Absent or not voting, 6:

Cromwell	Foster	Lundy	Pelzer
Elthon	Love		

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.

Senator Evans asked and received unanimous consent that Senate File 21 be immediately messaged to the House, which request was complied with.

## THIRD READING OF BILLS

On motion of Senator Zeigler, Senate File 341, a bill for an act to amend section seven thousand seventy-six (7076), Code, 1939, relating to the collection of the tax levied on freight line and equipment companies, was taken up and considered.

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, 45:**

Bekman	Foster	Keir	Reilly
Benson	Goode	Leo	Schluter
Berg	Hart	Long	Shaw
Byers	Harvey	Love	Sjulin
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay			

**Nays, none.**

**Absent or not voting, 5:**

Augustine	Fuller	Lundy	Stewart
Cromwell			

The bill having received a constitutional majority was declared to have passed the Senate and the title 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 Mowry, Senate File 334, a bill for an act to amend section four thousand two hundred seventy-seven (4277), Code, 1939, relating to the payment of tuition for non-resident pupils attending an approved public high school in another district and to repeal chapter one hundred fifty-nine (159), acts of the Forty-ninth General Assembly, was taken up and considered.

Senator Dykhouse moved that the bill be read a third 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	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Berg	Fuller	Long	Shaw
Byers	Hart	Love	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Dykhouse	Hill	Miller	Watson
Elthon	Hunt	Mowry	Whitehill
Emerson	Johnson	Pelzer	Zastrow
Evans	Jones	Pine	Zeigler
Faul			

**Nays, 1:**

Goode

**Absent or not voting, 4:**

Benson	Henningsen	Lundy	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 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 Byers, House File 76, a bill for an act to amend, revise and codify section eight thousand five hundred eighty-two (8582), Code, 1939, relating to the formation of corporations not for pecuniary profit, and to provide for a record in the office of the secretary of state of corporations not for pecuniary profit now and heretofore existing in the state of Iowa, was taken up and considered.

Senator Byers moved that he bill be read a third 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	Foster	Jones	Pine
Bekman	Fuller	Keir	Reilly
Berg	Goode	Leo	Schluter
Byers	Hart	Long	Shaw
Clark	Harvey	Love	Sjulin
Clem	Hattery	Lynes	Stewart
Cromwell	Henningsen	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Zastrow
Faul	Johnson	Pelzer	Zeigler
Findlay			

**Nays, none.**

**Absent or not voting, 5:**

Benson	Lundy	Turner	Whitehill
Evans			

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

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

On motion of Senator Leo, House File 406, a bill for an act to repeal chapter four hundred twenty-six (426), Code, 1939, relating to bonded warehouses for agricultural products, and to enact a substitute therefor, 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, 45:**

Augustine	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Berg	Fuller	Long	Shaw
Byers	Goode	Love	Sjulin
Clark	Hart	Lynes	Stewart
Clem	Harvey	Martin	Turner
Cromwell	Henningsen	Mercer	Vittetoe
Dykhouse	Hess	Miller	Watson
Elthon	Hill	Mowry	Whitehill
Emerson	Johnson	Pelzer	Zastrow
Evans	Jones	Pine	Zeigler
Faul			

**Nays, none.****Absent or not voting, 5:**

Benson	Hunt	Lundy	Vrba
Hattery			

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.

On motion of Senator Faul, Senate File 193, a bill for an act to amend section nine thousand three hundred forty and eight hundredths (9340.08), Code, 1939, relating to loans by savings and loan associations, 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	Faul	Jones	Reilly
Bekman	Findlay	Keir	Schluter
Berg	Fuller	Leo	Shaw
Byers	Goode	Long	Sjulin
Clark	Hart	Love	Stewart
Clem	Harvey	Lynes	Vittetoe
Cromwell	Henningesen	Martin	Vrba
Dykhous	Hess	Mercer	Watson
Elthon	Hill	Miller	Zastrow
Emerson	Hunt	Mowry	Zeigler
Evans	Johnson		

**Nays, 1:**

Pelzer

**Absent or not voting, 7:**

Benson	Hattery	Pine	Whitehill
Foster	Lundy	Turner	

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 Hess called up for consideration Senate File 207, a bill for an act to amend sections seven thousand one hundred forty-five (7145), seven thousand one hundred fifty-two (7152), seven thousand one hundred eighty-four (7184), seven thousand one hundred eighty-eight (7188), seven thousand one hundred ninety (7190), seven thousand one hundred ninety-three (7193), seven thousand one hundred ninety-seven (7197), seven thousand three hundred (7300), seven thousand three hundred one (7301), Code, 1939, relating to the books to be kept by the auditor and treasurer showing the tax lists of real property taxes and personal property taxes by providing for tax lists that may not only be by books but by other records, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 207 as follows:

1. By adding the word "personal" after the word "delinquent" at the end of line four (4) in section six (6).

2. By inserting a period (.) after the word "entry" in line eight (8) of section (6), and by striking the balance of section six (6).

The Senate concurred in the House amendments.

Senator Hess moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Fuller	Leo	Shaw
Bekman	Goode	Long	Sjulin
Berg	Hart	Lynes	Stewart
Byers	Harvey	Martin	Turner
Clark	Henningsen	Mercer	Vittetoe
Clem	Hess	Miller	Vrba
Cromwell	Hill	Mowry	Watson
Dykhouse	Hunt	Pelzer	Whitehill
Elthon	Johnson	Pine	Zastrow
Findlay	Jones	Reilly	Zeigler
Foster	Keir	Schluter	

**Nays, none.**

**Absent or not voting, 7:**

Benson	Evans	Hattery	Lundy
Emerson	Faul	Love	

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

Senator Hess moved that the 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 Zeigler called up for consideration Senate File 118, a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, relating to the general powers of the board of supervisors providing for the additional power to purchase and pay for liability and property damage insurance which shall insure against individual personal liability of county employees while in the performance of their duties, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 118 in the following manner:

1. Insert after the word "vehicle" in line seven (7) of section one (1) the following: "owned by the county".

2. Insert after the period (.) in line nine (9) of section one (1) the following:

"The amount of insurance a county may purchase shall not exceed five thousand dollars (\$5,000.00) for property damage or five thousand

dollars (\$5,000.00) for personal injury or death of one person or ten thousand dollars (\$10,000.00) for personal injury or death of more than one person arising out of a single accident."

The Senate concurred in the House amendments.

Senator Zeigler moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Fuller	Leo	Schluter
Bekman	Goode	Long	Shaw
Benson	Hart	Love	Sjulin
Byers	Harvey	Lynes	Stewart
Clark	Henningsen	Martin	Turner
Clem	Hess	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dykhouse	Hunt	Mowry	Watson
Elthon	Johnson	Pelzer	Whitehill
Evans	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Berg	Faul	Hattery	Lundy
Emerson	Foster		

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

Senator Hill called up for consideration Senate File 47, a bill for an act to correct the reference in the Unemployment Compensation Act as to the method of obtaining service of notice in civil action on nonresident employing units, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 47 by striking from subsection eight (8) of section one (1) all after the word "brought" in the second (2nd) line of said subsection and inserting in lieu thereof the following: "in Polk county, or in the county in which such services were performed."

The Senate concurred in the House amendments.

Senator Hill moved that the bill as amended by the House and concurred in by the Senate be read a third 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:

Bekman	Faul	Keir	Schluter
Benson	Findlay	Long	Shaw
Berg	Foster	Love	Sjulin
Byers	Fuller	Lynes	Stewart
Clark	Goode	Martin	Turner
Clem	Hart	Mercer	Vittetoe
Cromwell	Harvey	Miller	Vrba
Dykhouse	Hess	Mowry	Watson
Elthon	Hill	Pelzer	Whitehill
Emerson	Johnson	Pine	Zastrow
Evans	Jones	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Augustine	Henningsen	Leo	Lundy
Hattery	Hunt		

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

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

Senator Hill called up for consideration Senate Joint Resolution 3, a joint resolution to provide for the investigation by the Iowa state conservation commission and the state department of health under the supervision of the attorney general, of the problem of maintenance and operation of the Iowa Great Lakes Sewage Disposal System, and reporting the results thereof, together with proposals for legislation to the Fifty-first General Assembly and providing funds therefor, amended by the House, and moved that the Senate concur in the following amendment:

Amend section three (3) by striking from lines four (4) and five (5) thereof the words and figures "seven thousand five hundred dollars (\$7,500.00)" and inserting in lieu thereof the words and figures "five thousand dollars (\$5,000.00) or so much thereof as may be necessary".

The Senate concurred in the House amendment.

Senator Hill moved that the joint resolution as amended by the House and concurred in by the Senate 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, 44:**

Augustine	Foster	Jones	Pine
Benson	Fuller	Keir	Reilly
Berg	Goode	Leo	Schluter
Byers	Hart	Long	Shaw
Clark	Harvey	Love	Turner
Clem	Hattery	Lynes	Vittetoe
Cromwell	Henningsen	Martin	Vrba
Dykhouse	Hess	Mercer	Watson
Elthon	Hill	Miller	Whitehill
Evans	Hunt	Mowry	Zastrow
Findlay	Johnson	Pelzer	Zeigler

Nays, none.

**Absent or not voting, 6:**

Bekman	Faul	Sjulin	Stewart
Emerson	Lundy		

The joint resolution 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 resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Henningsen called up for consideration Senate File 345, a bill for an act to provide for the disposition of the balance in the Iowa emergency relief fund, created in chapter one hundred forty-two (142), acts of the Forty-ninth General Assembly, by creating therefrom a general contingent fund and an Iowa emergency relief fund, both for the ensuing biennium and providing for the administration of said funds, amended by the House, and moved that the Senate refuse to concur in the House amendments.

The Senate refused to concur in the House amendments.

**THIRD READING OF BILLS**

On motion of Senator Mowry, House File 393, a bill for an act to amend section one thousand eight hundred forty-one (1841), Code, 1939, relating to fences, was taken up and considered.

Senator Mowry offered the following amendment and moved its adoption:

Amend House File 393, section one (1), line three (3) by inserting after the word "line", the following: "six (6) and line".

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, 41:

Benson	Findlay	Keir	Reilly
Berg	Fuller	Leo	Schluter
Byers	Goode	Long	Shaw
Clark	Hart	Love	Sjulin
Clem	Harvey	Lynes	Stewart
Cromwell	Henningsen	Martin	Turner
Dykhouse	Hess	Mercer	Vittetoe
Elthon	Hill	Mowry	Vrba
Emerson	Hunt	Pelzer	Watson
Evans	Jones	Pine	Whitehill
Faul			

Nays, none.

Absent or not voting, 9:

Augustine	Hattery	Lundy	Zastrow
Bekman	Johnson	Miller	Zeigler
Foster			

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.

Senator Mowry asked and received unanimous consent that House File 393 be immediately messaged to the House, which request was complied with.

On motion of Senator Berg, House File 242, a bill for an act to amend section six thousand three hundred twenty-six and ten hundredths (6326.10), Code, 1939, to provide for continuation of benefits for members of the policemen's and firemen's retirement system, who are serving in the armed forces of the United States; and to provide for the continuation of contributions for such members by the cities during the period of military service, 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, 47:

Augustine	Byers	Cromwell	Emerson
Benson	Clark	Dykhouse	Evans
Berg	Clem	Elthon	Faul

Findlay	Hunt	Mercer	Stewart
Foster	Johnson	Miller	Turner
Fuller	Jones	Mowry	Vittetoe
Goode	Keir	Pelzer	Vrba
Hart	Leo	Pine	Watson
Harvey	Long	Reilly	Whitehill
Henningsen	Love	Schluter	Zastrow
Hess	Lynes	Shaw	Zeigler
Hill	Martin	Sjulin	

Nays, none.

Absent or not voting, 3:

Bekman                      Hattery                      Lundy

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

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

Senator Hart asked and received unanimous consent to substitute House File 260, a bill for an act to provide for the public health and to amend section two thousand eight hundred twenty-seven (2827), Code, 1939, relating to the use of common drinking cups in hotels, restaurants and food establishments, and providing for the sterilization of all drinking utensils used for dispensing cold beverages in food establishments, for Senate File 301.

On motion of Senator Schluter, House File 260 was taken up and considered.

Senator Berg offered the following amendments and moved their adoption:

Amend House File 260 by striking in lines four (4) and six (6) of section one (1) the word "cold".

Further amend House File 260 by adding after the period in line eight (8) of section one (1) the following: "Any person who desires to use a method which has not been approved by the secretary of agriculture shall apply to the secretary of agriculture who upon application being made shall approve any method proven to be an effective bactericidal process."

Also amend the title by striking the word "cold" in the last line.

The amendment was adopted.

Senator Schluter offered the following amendment and moved its adoption:

Amend House File 260 by striking all of section two (2).

The amendment was adopted.

Senator Schluter moved that the bill be read a third 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	Foster	Keir	Schluter
Benson	Fuller	Leo	Shaw
Berg	Goode	Long	Sjulin
Byers	Hart	Love	Stewart
Clark	Harvey	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Dykhous	Hill	Miller	Watson
Elthon	Hunt	Pelzer	Whitehill
Emerson	Johnson	Pine	Zastrow
Faul	Jones	Reilly	Zeigler
Findlay			

**Nays, none.**

**Absent or not voting, 5:**

Bekman	Hattery	Lundy	Mowry
Evans			

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

Senator Schluter moved that the 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 Johnson, Senate File 356, a bill for an act to amend chapter sixty-one (61), acts of the Forty-ninth (49th) General Assembly, relating to claims between the state of Iowa and others, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Johnson moved that the bill be read a third 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:**

Berg	Foster	Keir	Shaw
Byers	Fuller	Leo	Sjulin
Clark	Goode	Long	Stewart
Clem	Hart	Lynes	Turner
Cromwell	Harvey	Martin	Vittetoe
Dykhous	Henningsen	Mercer	Vrba
Elthon	Hess	Miller	Watson
Emerson	Hill	Mowry	Whitehill
Evans	Hunt	Pelzer	Zastrow
Faul	Johnson	Reilly	Zeigler
Findlay	Jones	Schluter	



Nays, 1:

Augustine

Absent or not voting, 6:

Bekman  
Benson

Hattery  
Love

Lundy

Pine

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

Senator Johnson moved that the 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 292, a bill for an act to amend section one thousand five hundred and fifty-one and twenty-five one-hundredths (1551.25-G (7) (d), of the 1939 Code of Iowa, defining the meaning of the words "agricultural labor", was taken up and considered.

Senator Zastrow offered the following amendment by Senators Zastrow, Fuller, Hattery and Henningsen and moved its adoption:

Amend Senate File 292 by adding thereto the following:

"Section 1. (f) The phrase 'agricultural labor' as used herein, shall be construed to apply only to the social security act and shall not be construed to apply or define 'agricultural labor' as used in the workmen's compensation act, or in any cause where the term or phrase 'agricultural labor' is in controversy."

Senator Faul offered the following amendment to the amendment and moved its adoption:

Amend the amendment to Senate File 292, filed February 19 by Zastrow and others, by striking the comma (,) after the word "act" in line four (4) and by substituting a period (.) therefor, and by striking the remainder of said amendment.

The amendment to the amendment was adopted.

Senator Faul offered the following amendment to the amendment and moved its adoption:

Amend the amendment to Senate File 292, filed on page 484 of the Senate Journal of February 19, 1943, as follows:

Strike the words "social security" in line two (2) and insert in lieu thereof the word "this".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Watson offered the following amendment and moved its adoption:

Amend Senate File 292 as follows: By striking the following words and comma from line 17, to wit, "its buildings,".

The amendment was adopted.

Senator Hess asked and received unanimous consent to withdraw the amendment filed by him to Senate File 292 and found on page 561 of the Senate Journal.

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	Findlay	Jones	Reilly
Bekman	Foster	Keir	Schluter
Benson	Fuller	Leo	Shaw
Berg	Goode	Long	Sjulin
Byers	Hart	Love	Turner
Clark	Harvey	Lynes	Vittetoe
Clem	Henningsen	Mercer	Vrba
Emerson	Hess	Miller	Watson
Evans	Hill	Mowry	Whitehill
Faul	Hunt	Pelzer	Zeigler

Nays, 2:

Martin Pine

Absent or not voting, 8:

Cromwell	Elthon	Johnson	Stewart
Dykhouse	Hattery	Lundy	Zastrow

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 Kier, House File 205, a bill for an act to amend section one thousand seven hundred three and two-hundredths (1703.02), Code, 1939, relating to the privilege of boats licensed for hire using the state pier located on West Okoboji Lake at Arnolds Park, Dickinson county, Iowa, was taken up and considered.

Senator Keir moved that the bill be read a third 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	Findlay	Keir	Reilly
Bekman	Fuller	Leo	Schluter
Benson	Goode	Long	Shaw
Byers	Harvey	Love	Sjulin
Clark	Hattery	Lundy	Stewart
Clem	Henningsen	Lynes	Vittetoe
Cromwell	Hess	Martin	Vrba
Dykhousc	Hill	Mercer	Watson
Elthon	Hunt	Miller	Whitehill
Emerson	Jonsson	Mowry	Zastrow
Evans	Jones	Pelzer	Zeigler
Faul			

Nays, none.

Absent or not voting, 5:

Berg	Hart	Pine	Turner
Foster			

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

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

#### PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present a group of students from Canary Lake School, who were present in the balcony with their teacher, Pauline Webster.

#### CONFERENCE COMMITTEE ON SENATE FILE 343

The President appointed Senators Hill, Clark, Goode and Stewart on the part of the Senate on Senate File 343.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 48, 132, 166, 178, 192, 294, 313, 323, 332, 340 and 348.

ROBERT C. REILLY *Chairman Senate Committee.*  
E. L. EDWARDS, *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 48, 132, 166, 178, 192, 294, 313, 323, 332, 340 and 348.

## BILLS SENT TO THE GOVERNOR

Senator Reilly, 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, 1943, sent to the governor for his approval: Senate Files 48, 132, 166, 178, 192, 294, 313, 323, 332, 340 and 348.

ROBERT C. REILLY, *Chairman.*

Passed on file.

## COMMUNICATION FROM THE STATE APPEAL BOARD

State House

Des Moines, Iowa  
March 30, 1943

WR. WM. SCARBOROUGH, Secretary  
Senate  
Building  
Dear Sir:

We are enclosing claim to be referred to the claims committee, which claim bears the recommendation of the state appeal board.

H-138, Modern Launderers & Dry Cleaners, Cedar Rapids, \$108.16.  
Approved for \$54.08.

Very truly yours,

C. FRED PORTER, *Chairman.*  
W. G. C. BAGLEY,  
C. B. AKERS,  
*Members.*

## REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 350

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

We, your conference committee appointed to consider the differences between the Senate and the House on Senate File 350, beg leave to report that we have had the same under consideration and desire to report as follows:

1. That section one (1) read as follows:

"Section 1. For the office of attorney general there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of thirty-three thousand eight hundred fifty-two dollars (\$33,852.00) or so much thereof as may be necessary to be used in the following manner:

For salary of attorney general.....	\$ 6,000.00
For salaries, support, maintenance and miscellaneous purposes .....	\$ 27,852.00

Grand total of all appropriations for all purposes for each  
year of the biennium for the office of attorney general....\$ 33,852.00"

2. Section five (5), line ten (10), change figures "\$3,000.00" to  
"\$3,600.00".

3. Section five (5), line eighteen (18), change figures "\$45,400.00" to  
"\$46,000.00".

4. Section five (5), lines four (4) and five (5), change words and figures  
"forty-five thousand four hundred dollars (\$45,400.00), to "forty-six thou-  
sand dollars (\$46,000.00)".

5. Section seven (7), lines four (4) and five (5), change the words and  
figures "twenty-four thousand one hundred dollars (\$24,100.00)" to  
"twenty-four thousand four hundred dollars (\$24,400.00)".

6. Section seven (7), line eight (8), change the figures "21,100.00"  
to "21,400.00".

7. Section seven (7), line twelve (12), change the figures "\$24,100.00" to  
"\$24,400.00".

8. That section nine (9) read as follows:

"Sec. 9. For the department of the commerce commission there is  
hereby appropriated from the general fund of the state for each year  
of the biennium beginning July 1, 1943, and ending June 30, 1945,  
the sum of two hundred one thousand three hundred fifty dollars  
(\$201,350.00) or so much thereof as may be necessary to be used in  
the following manner:

#### General Administration

For salaries of commissioners (3 at \$3,850.00 each).....	\$ 11,550.00
For salaries, support, maintenance and miscellaneous pur- poses .....	69,000.00

Total for general administration of commerce commission	\$ 80,550.00
Class rates cases .....	\$ 10,000.00

#### Motor Transportation Division

For salaries, support, maintenance and miscellaneous purposes .....	\$ 98,500.00
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#### Warehouse Division

For salaries, support, maintenance and miscellaneous purposes .....	\$ 12,300.00
--	--------------

Grand total of all appropriations for all purposes for each  
year of the biennium for the department of the com-  
merce commission .....\$201,350.00"

9. Section thirteen (13), to read as follows:

"Sec. 13. For the office of the conservation commission there is here-  
by appropriated from the general fund of the state for each year of  
the biennium beginning July 1, 1943, and ending June 30, 1945, the sum

of two hundred twelve thousand five hundred dollars (\$212,500.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes of the office and the maintenance of state parks, purchase of land and general improvements and for the construction, maintenance and improvements of roads and highways in said parks.....	\$200,000.00
Land acquisition—Clear Lake, Iowa.....	12,500.00

Grand total of all appropriations for all purposes for each year of the biennium for the conservation commission \$212,500.00"

10. Section fifteen (15), line four (4), change the words and figures "three hundred eighty-seven thousand eight hundred dollars (\$387,800.00)" to "three hundred eighty-five thousand eight hundred four dollars (\$385,804.00)".

11. Section fifteen (15), main office, line two (2), change the figures "127,500.00" to "125,504.00".

12. Section fifteen (15), main office, line three (3), change the figures "\$132,500.00" to "\$130,504.00".

13. Section fifteen (15), line seventy-six (76), change the figures "\$387,800.00" to "\$385,804.00".

14. Section sixteen (16), lines four (4) and five (5), change the words and figures "two hundred twenty-nine thousand seven hundred sixty-five dollars (\$229,765.00)" to "two hundred thirty thousand one hundred eighty dollars (\$230,180.00)".

15. Section sixteen (16), sub-section seven (7), change the figures "500.00" to "750.00".

16. Section sixteen (16), sub-section nine (9), change the figures "7,185.00" to "7,350.00".

17. Section sixteen (16), line fifty-seven (57), change the figures "\$229,765.00" to "\$230,180.00".

18. Section twenty-two (22), line eight (8), change the words and figures "two thousand dollars (\$2,000.00)" to "two thousand five hundred dollars (\$2,500.00)".

19. Section twenty-two (22), line thirteen (13), change the figures "\$2,000.00" to "\$2,500.00".

20. Section twenty-two (22), line ten (10), change the figures "\$2,000.00" to "\$2,500.00".

21. Section twenty-four (24) to read as follows:

"Sec. 24. For the historical society there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of thirty-eight thousand dollars (\$38,000.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 38,000.00
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Grand total of all appropriations for all purposes for each year of the biennium for the historical society.....	38,000.00"
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22. That section twenty-six (26) read as follows:

"Sec. 26. For the industrial commissioner there is hereby appropriated

from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of forty-two thousand one hundred seventy dollars (\$42,170.00) or so much thereof as may be necessary to be used in the following manner:

For salary of industrial commissioner.....	\$ 3,450.00
For salaries, support, maintenance and miscellaneous purposes .....	38,720.00

Grand total of all appropriations for all purposes for each year of the biennium for the industrial commissioner.....\$ 42,170.00"

23. That section thirty-one (31) read as follows:

Sec. 31. For the Iowa national guard and state guard there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of three hundred fifty thousand dollars (\$350,000.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$350,000.00
---	--------------

Grand total of all appropriations for all purposes for each year of the biennium for the Iowa national guard and state guard .....

Section five (5), chapter seventy-four (74), Acts of the 49th General Assembly, is hereby repealed."

24. Section thirty-six (36), lines four (4) and five (5), change the words and figures "nine hundred twenty-three thousand five dollars (\$923,005.00)" to "nine hundred twenty-seven thousand six hundred five dollars (\$927,605.00)".

25. Section thirty-six (36), line ten (10), in sub-section one (1), change the figures "13,030.00" to "14,000.00".

26. Section thirty-six (36), line twelve (12), in sub-section one (1), change the figures "\$17,030.00" to "\$18,000.00".

27. Section thirty-six (36), line forty-four (44), in sub-section seven (7), change the figures "\$2,790.00" to "\$3,000.00".

28. Section thirty-six (36), line forty-six (46), change the figures "17,370.00" to "20,700.00".

29. Section thirty-six (36), line forty-eight (48), sub-section seven (7), change the figures "20,070.00" to "23,700.00".

30. Section thirty-six (36), line sixty-three (63), change the figures "\$923,005.00" to "\$927,605.00".

31. Section thirty-nine (39) to read as follows:

"Sec. 39. For the department of the secretary of state there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, the sum of forty thousand five hundred twenty dollars (\$40,520.00) or so much thereof as may be necessary to be used in the following manner:

General Office

For salary of secretary of state.....	\$ 5,000.00
For salaries, support, maintenance and miscellaneous purposes .....	16,520.00

\$ 21,520.00

## Land Office Division

For salaries, support, maintenance and miscellaneous  
purposes .....\$ 4,000.00

## Real Estate Division

For salary of secretary..... 3,300.00  
For salaries, support, maintenance and miscellaneous  
purposes ..... 11,700.00  

---

\$ 15,000.00

Grand total of all appropriations for all purposes for each  
year of the biennium for the department of the secre-  
tary of state.....\$ 40,520.00"

32. Section forty-seven (47) to read as follows:

"Sec. 47. For the supreme court there is hereby appropriated from  
the general fund of the state for each year of the biennium beginning  
July 1, 1943, and ending June 30, 1945, the sum of eighty-six thousand  
four hundred forty dollars (\$86,440.00) 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 salary of bailiff..... 2,100.00  
For salaries, support, maintenance and miscellaneous  
purposes ..... 16,840.00  

---

Grand total of all appropriations for all purposes for each  
year of the biennium for the supreme court.....\$ 86,440.00"

33. Section forty-eight (48), lines four (4), and five (5), change the  
words and figures "forty-one thousand eight hundred three dollars and  
thirty-three cents (\$41,803.33)" to "forty-three thousand eight hundred  
three dollars (\$43,803.00)".

34. Section forty-eight (48), line eight (8), change the figures  
"\$6,803.33" to "\$8,803.00".

35. Section forty-eight (48), line twelve (12), change the figures  
"\$41,803.33" to "\$43,803.00".

36. Amend the Fishbaugh amendment as follows:

"No department or commission of state shall expend any funds for  
publication or distribution of books or pamphlets or reports unless the  
publication thereof be expressly required by law or approved by execu-  
tive council."

Respectfully submitted,

F. E. SHARP.  
G. T. KUESTER.  
GEO. L. SCOTT.  
FRED J. RITCHIE.

O. H. HENNINGSEN.  
LEO ELTHON.  
IRVING D. LONG.  
RALPH W. ZASTROW.

*On the part of the House.*

*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 375 and 371, House File 320, Senate File 227, House Files 343, 477, 327, 218, 107 and 411, Senate File 212, House Files 116 and 153.

STANLEY L. HART, *Chairman*.

### REPORTS OF COMMITTEES

Senator Evans submitted the following reports:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 372, 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.

K. A. EVANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 373, a bill for an act to make appropriations to Giles Funeral Home, Burlington, Iowa, Oral C. Johnson, Hamburg, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 374, a bill for an act to make appropriations to certain insurance companies in full settlement of damages sustained by them on account of cancellation of various insurance policies by the Iowa state liquor control commission in 1935, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred House File 138, a bill for an act relating to salaries of employees in state penitentiary and men's reformatory, 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.

Senator Henningsen submitted the following reports:

MR. PRESIDENT: Your committee on appropriations 2, to which was referred Senate File 359, a bill for an act to make appropriations to

county treasurer of Worth county, Iowa, T. W. Coulter, Clarinda, Iowa, Chicago, Rock Island & Pacific Railway Company, Chicago, Illinois, Primghar Savings Bank, Primghar, Iowa, Dr. J. W. Peterson, Waterloo, Iowa, Standard Oil Company, Des Moines, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 2, to which was referred Senate File 360, 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 recommends the same do pass.

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 2, to which was referred House File 465, a bill for an act to provide an emergency appropriation to cover remaining expenses incurred by the advisory committee of the supreme court on rules of procedure, begs leave to report it has had the same under consideration and returns the bill without recommendation.

O. H. HENNINGSEN, *Chairman*.

#### AMENDMENTS FILED

Amend Senate File 258 by adding the following section:

"For the duration of the hostilities of the present war the commission shall not conduct any campaign of commodity advertising, publicity and sales promotion, research and educational campaigns to increase the consumption of dairy products, and shall not contract for any advertising, publicity and sales promotion or educational service and shall invest the surplus funds collected from the excise tax in bonds or other interest bearing obligations of the United States for the payment of which the faith and credit of the United States is pledged."

H. S. LOVE.

FRED CROMWELL.

Amend House File 23, as it passed the House, by striking therefrom the second section thereof and by substituting for the section so stricken the following:

Sec. 2. That section six thousand nine hundred eighty-six (6986), Code, 1939, be amended by adding thereto, at the end thereof, the following:

"For the purpose of computing and apportioning taxes as provided by this section, a taxing district shall be construed to be a school district or that part of a school district which carries a uniform tax rate on all real and personal property assessed therein."

FRANK C. BYERS.

FLOYD JONES.

Amend House File 283 by adding after the word "agreement" in line three (3) of section two (2) the following:

"and in case any improvement contemplated by section one (1) is for the sole purpose of improving any stream and not mainly for the purpose of preventing silting in a state-owned lake, then said agreement with the landowner shall include an easement of public access to said stream where improved and along the banks thereof".

J. T. DYKHOUSE.

Amend Senate File 258 as follows:

Amend section five (5) by adding after the words "first dealer" found in lines twenty (20) and twenty-one (21), the following: "provided however, that:

There is hereby levied and imposed an excise tax of one cent (1c) per pound or fraction thereof on all butter fat purchased by the first dealer in the state of Iowa during the period beginning June 1st and terminating June 15th inclusive, 1943, and annually thereafter during the same period, provided, however, the provision of this section shall not apply to butter fat, milk and cream produced outside of the state of Iowa."

DEWEY E. GOODE.

H. S. LOVE.

Amend the Cromwell amendment to Senate File 254, filed February 23, 1943, by striking the word "or" in line three (3) of paragraph one (1) and by inserting the words "college or" after the word "any" in line three (3) of paragraph one (1).

Further amend by striking the word "or" in line three (3) of paragraph two (2) and by inserting the words "college or" after the word "any" in line three (3) of paragraph two (2).

Further amend by striking the word "or" in line four (4) of the last paragraph and by inserting the words "college or" after the word "any" in line four (4) of the last paragraph thereof.

HUGH W. LUNDY.

Amend House File 218 by striking the period following the word "Iowa" in line twelve (12) and insert in lieu thereof a semicolon and thereafter the following words: "that part of the Mississippi river known as 'Davenport Harbor of Refuge' covering an area between Credit Island and the Iowa shore, and between the causeway from the Iowa shore to Credit Island and the foot of Credit Island, and legally described as sections three (3), four (4) and nine (9), township seventy-seven (77) north, range three (3) east of the fifth (5th) P. M., Scott county, Iowa".

Further amend House File 218 by striking the word "Claire" in line eight (8) and inserting in lieu thereof "Le Claire".

FRANK D. MARTIN.

Amend Senate File 227 as follows:

1. Strike from line nine (9) of section three (3) the word "he" and insert in lieu thereof the words "the code editor";
2. Strike all of section five (5).

ROBERT KEIR.

A. J. SHAW.

K. A. EVANS.

Amend House File 392 by striking the title and inserting in lieu thereof, and as the title, the following:

#### A BILL FOR

An Act to amend the law as it appears in section seventy-five hundred and fifty-six (7556), Code, 1939, relating to the repair and improvement of drainage ditches, and to repeal the law as it appears in section seventy-five hundred and fifty-eight (7558), Code, 1939, and to enact a substitute therefor, and also to amend the law as it appears in section seventy-five hundred and fifty-nine (7559), Code, 1939, relating to drainage districts; providing the method and procedure for making certain repairs and improvements in drainage districts, and the levy of assessments for the costs thereof; specifying the nature of notice to be given of a proposal for additional improvements, and preserving the right of appeal to affected property owners.

Further amend House File 392 by striking everything after the enacting clause and adding the following:

Section 1. That the law as it appears in section seventy-five hundred and fifty-six (7556), Code, 1939, be and the same is hereby amended by substituting a semicolon (;) for the period (.) at the end of the sixteenth line thereof and by adding thereto, immediately following such semicolon, the following:

provided, however, that before the board of supervisors or the board of trustees, as the case may be, can legally enter into a valid and binding contract for work or materials in making any repairs which would cost in excess of ten per cent (10%) of the actual cost of the original improvements in the district, or for any improvement or repair work which includes any enlarging, deepening, widening, lengthening or relocating of the improvements as originally constructed, or constituting any other material change thereof, then it must first:

(a) Cause the drainage engineer in charge of such proposed repairs or improvements to file in the office of the county auditor of the county, or counties, in which the drainage district is located, a written report and recommendation in such matter, clearly setting forth the location, character and extent of such proposed repairs or improvements, together with an itemized statement of the probable cost of such proposed improvements, with such other facts and recommendations as he shall deem material;

(b) Enter a record in its proceedings a tentative approval of the plan and the report of the said engineer, if it favors and so approves the same;

(c) Enter a further order fixing a date for hearing upon the proposed improvements not less than thirty (30) days from the date of the order of such tentative approval;

(d) Direct the auditor or auditors immediately to cause notice of the pendency of such proposed action to be legally served upon the owner of each property within their respective counties in the district in the same manner as that required for the original establishment and assessment of a district, and not less than twenty (20) days before the date set for hearing;

(e) Provides a reasonable opportunity for all property owners within the district to file objections and be heard in protest, with the same right of appeal from any adverse action on the part of the board of supervisors, or the board of trustees, as the case may be, as is provided for in section seventy-five hundred thirteen (7513), Code, 1939.

Provided, however, that the notice above specified by paragraph (d) need not be served upon any person who, twenty (20) days before the hearing, has entered his appearance in the proceedings, or has filed with the auditor of his county a written instrument, signed by him, waiving such notice and agreeing that the assessment for such repairs or improvements may be made on the basis of the old apportionment and without further notice of such assessment.

Sec. 2. That the law as it appears in section seventy-five hundred and fifty-eight (7558), Code, 1939, be and the same is hereby repealed and the following enacted in lieu thereof:

If such funds are not sufficient and if the cost of such repairs does not exceed ten per cent of the cost of the original improvements in the district, and if the proposed repairs do not include any enlarging, deepening, widening, lengthening or relocating of the improvements as originally constructed, or constitute any other substantial change thereof, then a new assessment therefor shall be made on the basis of the old apportionment, and no notice of such assessment shall be necessary; provided, however, that when no such notice is given then not more than ten (10%) per cent of the cost of the original improvements in the district shall be levied in any one year for all repairs made; neither shall the moneys obtained from any levy and assessment for such repairs be expended for any purpose other than paying the contract price of such repairs for which the additional assessment was made.

Sec. 3. That the law as it appears in section seventy-five hundred and fifty-nine (7559), Code, 1939, be amended by striking from lines three (3), four (4) and five (5) thereof the words: "and the nature and/or amount of work proposed differs from mere repairs as defined in section seven thousand five hundred sixty-one (7561)" and by substituting in lieu thereof the words: "or if the proposed repairs or improvements include any enlarging, deepening, widening, lengthening, or relocating of the improvement as originally constructed, or constitute any other material change thereof,".

Also amend said section seventy-five hundred and fifty-nine (7559), Code, 1939, by substituting a semicolon (;) for the period (.) at the end thereof, and by adding thereto, immediately after said semicolon the following: "provided, however, that the board of supervisors, or the board of trustees, as the case may be, shall make the assessment on the basis of the old apportionment, without notice of such assessment, in all cases where all the owners of each tract of land, or lot, within the drainage district, as shown by the transfer books of the auditor's office, has filed with the auditor of his county a signed instrument agreeing

to such assessment on the old apportionment and waiving notice as provided for in the last paragraph of section 1 of this act."

COMMITTEE ON AGRICULTURE 2,

By LEO ELTHON, *Chairman*.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 31, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. H. Lee Jacobs, pastor of the Congregational church of Fort Dodge.

## PETITIONS AND MEMORIALS

The following petition was presented and placed on file:

By Senator Whitehill, from residents of Marshall county, favoring return to standard time in Iowa.

## INTRODUCTION OF BILLS

Senate File 377, by committee on appropriations 2, a bill for an act to appropriate from the general fund of the state of Iowa to the executive council of Iowa for the period from the effective date of this act and ending June 30, 1943, the sum of five thousand dollars (\$5,000.00) for the purpose of paying the cost of supplies and services rendered to the Fiftieth General Assembly of Iowa.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 378, by committee on appropriations 2, a bill for an act to appropriate from the general fund of the state of Iowa for the period from the effective date of this act and ending June 30, 1945, the sum of five thousand dollars (\$5,000.00) for the purpose of repairs to stop the slides of ground at the state capitol grounds.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate Joint Resolution 6, by committee on post-war planning, a joint resolution to provide for the appointment of a post-war rehabilitation commission by the governor to study the problems of economic and social readjustments following the termination of the war and to report its recommendations and findings to the

Fifty-first General Assembly, and to authorize necessary expenditures for the functioning of said commission from the state general fund.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate Joint Resolution 7, by committee on agriculture 2, a joint resolution to authorize and direct the standing committee on retrenchment and reform to make an intensive study of the drainage laws of Iowa; to direct the committee to arrange for and hold necessary public hearings on the subject in the city of Des Moines, Iowa, and to give timely notice of the time and place of such hearings; to empower the committee to employ required professional and clerical help and to authorize the use of its appropriated funds for paying the salaries and expenses therefor; to prepare a proposed bill revising and codifying the laws of Iowa relating to such drainage districts and their improvement.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

#### PRESENTATION OF E. R. MOORE

Senator Byers asked and received unanimous consent to present to the Senate the Honorable E. R. Moore, former lieutenant governor of Iowa.

Senator Byers escorted Mr. Moore to the rostrum, he was introduced by President Blue, and addressed the Senate briefly.

#### 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 319, a bill for an act requiring railroads to furnish employees statements of wage deductions.

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

House File 392, a bill for an act relating to drainage districts.

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

Senate File 31, a bill for an act relating to carrier pigeons.



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

Senate File 133, a bill for an act relating to limitations of actions regarding recovery of interests in real estate.

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 providing for disposition of excess revenues from tax levies.

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

Senate File 306, a bill for an act relating to foreign corporations qualifying in the state.

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

Senate File 326, a bill for an act relating to photographic copies of tax commission's records.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 181, a bill for an act relating to insurance on aircraft.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 344, a bill for an act relating to revenues from taxes collected.

Also: That the House has concurred in Senate amendments to and passed House File 260, a bill for an act relating to drinking utensils.

Also: That the House has concurred in Senate amendments to and passed House File 393, a bill for an act relating to fences.

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

Senate Concurrent Resolution 24, memorializing congress regarding highway construction after the war. A. C. GUSTAFSON, *Chief Clerk*.

#### HOUSE AMENDMENT TO SENATE FILE 181

Amend Senate File 181 by striking the word "automobiles" in line three (3) of section one (1), and inserting in lieu thereof the word "automobile".

#### HOUSE AMENDMENT TO SENATE FILE 344

Amend Senate File 344 by inserting in line eight (8) of section one (1), after the word "annually", the following:

" , for each year of the biennium beginning July 1, 1943, and ending June 30, 1945, "

## HOUSE MESSAGES CONSIDERED

House File 319, a bill for an act to amend section seven thousand nine hundred ninety (7990), Code, 1939, requiring railroads to furnish employees statements of wage deductions.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 392, a bill for an act to repeal section seven thousand five hundred fifty-eight (7558), Code, 1939, and enact a substitute therefor, and to amend section seven thousand five hundred fifty-nine (7559), Code, 1939, relating to drainage districts; providing for making repairs and improvements in levee and drainage districts without the necessity of giving notice of assessment in certain instances, and providing that for all other repairs and improvements the same proceedings shall be had as are provided for an original establishment and assessment.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

## CONFERENCE REPORT ADOPTED

Senator Henningsen called up the conference committee report on Senate File 350, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1943, and ending June 30, 1945, funds for various departments and various divisions thereof, of the state of Iowa, for purposes provided by law, and moved its adoption.

The motion prevailed and the report was adopted.

Senator Henningsen moved the adoption of the amendments contained in the conference committee report.

The amendments were adopted.

Senator Henningsen moved that the bill as amended by the conference committee be read a third 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  
Bekman  
Benson  
Berg  
Byers

Clark  
Clem  
Cromwell  
Dykhous  
Elthon

Emerson  
Evans  
Faul  
Findlay  
Foster

Fuller  
Goode  
Hart  
Harvey  
Hattery

Henningsen	Long	Pelzer	Turner
Hess	Love	Pine	Vittetoe
Hill	Lundy	Reilly	Vrba
Hunt	Lynes	Schluter	Watson
Johnson	Martin	Shaw	Whitehill
Jones	Mercer	Sjulin	Zastrow
Keir	Miller	Stewart	Zeigler
Leo	Mowry		

Nays, none.

Absent or not voting, none.

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

Senator Henningsen asked and received unanimous consent to have the typographical errors in the title and in the bill corrected.

Senator Henningsen asked and received unanimous consent to correct the title as follows:

Amend by changing the period (.) at the end thereof to a comma (,) and adding the following: "and to amend chapter seventy-four (74), acts of the Forty-ninth General Assembly."

The title as amended 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.

Senator Henningsen asked and received unanimous consent that Senate File 350 be immediately messaged to the House, which request was complied with.

#### HOUSE AMENDMENTS CONSIDERED

Senator Faul called up for consideration Senate File 181, a bill for an act to amend sections nine thousand twenty-nine (9029) and nine thousand forty-six (9046), Code, 1939, relating to insurance and policies of insurance on aircraft, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 181 by striking the word "automobiles" in line three (3) of section one (1), and inserting in lieu thereof the word "automobile".

The Senate concurred in the House amendment.

Senator Faul moved that the bill as amended by the House

and concurred in by the Senate be read a third 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	Findlay	Leo	Schluter
Bekman	Foster	Long	Shaw
Benson	Fuller	Lundy	Sjulin
Byers	Goode	Lynes	Stewart
Clark	Hart	Martin	Turner
Clem	Harvey	Mercer	Vittetoe
Cromwell	Hattery	Miller	Vrba
Dykhousé	Hill	Mowry	Watson
Elthon	Hunt	Pelzer	Whitehill
Emerson	Johnson	Pine	Zastrow
Evans	Jones	Reilly	Zeigler
Faul	Keir		

Nays, none.

Absent or not voting, 4:

Berg	Henningsen	Hess	Love
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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.

### THIRD READING OF BILLS

On motion of Senator Keir, House File 183, a bill for an act to amend section one thousand seven hundred ninety-four and forty-nine thousandths (1794.049), Code, 1939, relating to the open season on fur-bearing animals, was taken up and considered.

Senator Keir moved that the bill be read a third 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	Findlay	Leo	Schluter
Bekman	Foster	Long	Sjulin
Benson	Fuller	Love	Stewart
Berg	Hart	Lynes	Turner
Clark	Harvey	Martin	Vittetoe
Clem	Hill	Mercer	Vrba
Cromwell	Hunt	Miller	Watson
Dykhousé	Johnson	Mowry	Whitehill
Elthon	Jones	Pine	Zastrow
Emerson	Keir	Reilly	Zeigler
Faul			

Nays, 1:

Goode

Absent or not voting, 8:

Byers	Hattery	Hess	Pelzer
Evans	Henningsen	Lundy	Shaw

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

Senator Keir moved that the 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 Dykhous, House File 283, a bill for an act to permit the state conservation commission to improve streams draining into state-owned lakes and other waters, was taken up and considered.

Senator Dykhous offered the following amendment and moved its adoption:

Amend House File 283 by adding after the word "agreement" in line three (3) of section two (2) the following:

"and in case any improvement contemplated by section one (1) is for the sole purpose of improving any stream and not mainly for the purpose of preventing silting in a state-owned lake, then said agreement with the landowner shall include an easement of public access to said stream where improved and along the banks thereof".

The amendment was adopted.

Senator Dykhous moved that the bill be read a third 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	Faul	Jones	Shaw
Bekman	Findlay	Keir	Sjulin
Berg	Fuller	Long	Stewart
Byers	Goode	Love	Turner
Clark	Hart	Lynes	Vittetoe
Clem	Harvey	Martin	Vrba
Cromwell	Hattery	Mercer	Watson
Dykhous	Henningsen	Miller	Whitehill
Elthon	Hess	Mowry	Zastrow
Emerson	Hill	Pine	Zeigler
Evans	Johnson	Schluter	

Nays, none.

Absent or not voting, 7:

Benson	Hunt	Lundy	Reilly
Foster	Leo	Pelzer	

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

Senator Dykhouse moved that the 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 Lynes, Senate File 258, 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 butterfat produced in this state during the period from June 1 to June 15, inclusive, of each year and to provide for the collection thereof by the producer or dealer, 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 the violation of this act, was taken up and considered.

Senator Goode offered the following amendment by Senators Goode and Love and moved its adoption:

Amend Senate File 258 as follows:

Amend section five (5) by adding after the words "first dealer" found in lines twenty (20) and twenty-one (21), the following: "provided however, that:

There is hereby levied and imposed an excise tax of one cent (1c) per pound or fraction thereof on all butterfat purchased by the first dealer in the state of Iowa during the period beginning June 1st and terminating June 15th inclusive, 1943, and annually thereafter during the same period, provided, however, the provision of this section shall not apply to butterfat, milk and cream produced outside of the state of Iowa."

Senator Clark moved the previous question on the amendment, which motion prevailed.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 7:

Cromwell  
Goode

Hess  
Love

Mowry  
Zastrow

Zeigler

Nays, 38:

Benson	Findlay	Keir	Schluter
Berg	Foster	Leo	Shaw
Byers	Fuller	Long	Sjulin
Clark	Hart	Lundy	Stewart
Clem	Hattery	Lynes	Turner
Dykhousc	Henningsen	Martin	Vittetoe
Elthon	Hill	Miller	Vrba
Emerson	Hunt	Pine	Watson
Evans	Johnson	Reilly	Whitehill
Faul	Jones		

Absent or not voting, 5:

Augustine	Harvey	Mercer	Pelzer
Bekman			

The amendment was lost.

Senator Love offered the following amendment by Senators Love and Cromwell and moved its adoption:

Amend Senate File 258 by adding the following section:

"For the duration of the hostilities of the present war the commission shall not conduct any campaign of commodity advertising, publicity and sales promotion, research and educational campaigns to increase the consumption of dairy products, and shall not contract for any advertising, publicity and sales promotion or educational service and shall invest the surplus funds collected from the excise tax in bonds or other interest bearing obligations of the United States for the payment of which the faith and credit of the United States is pledged."

Senator Hunt moved the previous question on the amendment, which motion prevailed.

Roll call was demanded.

Senator Cromwell asked and received unanimous consent to withdraw the amendment filed by Senators Love and Cromwell.

Senator Vrba asked and received unanimous consent to withdraw the amendment filed by him to Senate File 258 and found on page 430 of the Senate Journal.

Senator Lynes moved that the bill be read a third 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	Clem	Faul	Henningsen
Bekman	Cromwell	Findlay	Hill
Benson	Dykhousc	Foster	Hunt
Berg	Elthon	Fuller	Johnson
Byers	Emerson	Hart	Jones
Clark	Evans	Hattery	Keir

Leo	Mercer	Schluter	Vittetoe
Long	Miller	Shaw	Vrba
Lundy	Mowry	Sjulin	Watson
Lynes	Pine	Stewart	Whitehill
Martin	Reilly	Turner	

Nays, 5:

Goode	Love	Zastrow	Zeigler
Hess			

Absent or not voting, 2:

Harvey	Pelzer
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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 Lynes moved that the 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 Lynes asked and received unanimous consent that Senate File 258 be immediately messaged to the House, which request was complied with.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report and the amendments recommended therein and passed Senate File 350, a bill for an act making an appropriation for the various departments and divisions of the state government.

A. C. GUSTAFSON, *Chief Clerk.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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, 21, 33, 161, 194, 217, 312 and 338.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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, 21, 33, 161, 194, 217, 312, and 338.



## BILLS SENT TO THE GOVERNOR

Senator Reilly, 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, 1943, sent to the governor for his approval: Senate Files 2, 21, 33, 161, 194, 217, 312 and 338.

ROBERT C. REILLY, *Chairman.*

Report adopted.

## EXECUTIVE SESSION

On motion of Senator Hart, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

## 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 365, 366, 367 and 368. Senate Joint Resolution 6. House Files 344, 317, 381, 254, 285 and 24.

STANLEY L. HART, *Chairman.*

## REPORT OF COMMITTEE

Senator Evans submitted the following report:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 376, a bill for an act to make appropriations to the First National Bank of Council Bluffs, Iowa, Ray Butler, Arnolds Park, Iowa, LeFebure Corporations, Cedar Rapids, Iowa, Harry Jenkins, LaCrosse, Wisconsin, George F. Brown, Sioux City, Iowa, Paul Fellman, Davenport, Iowa, Earl Scherf and K. M. Rooker, Ottumwa, Iowa, Johnath Gauger, Boone, Iowa, City of Ames, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman.*

Ordered passed on file.

Senator Faul asked and received unanimous consent that the following poem by Senator Emerson be printed in the Journal:

## HAPPY BIRTHDAY TO STAN

The custom has been for the past several years  
To take some time off for refreshment and cheers,  
And eat cheese and crackers to our hearts' delight,  
Washed down with hot coffee—everything is all right.

Our host is a good one—a natural, thank heaven!  
 And ten days ago he was just forty-seven.  
 I refer to old Stanley, so gracious and fine.  
 With this hombre in charge, we'll have a good time.

We sing and we orate and tell stories, too,  
 For today we are happy and no one is blue,  
 A good old rump session—everybody at ease  
 Raise lawyer's umbrellas, discuss Bang's disease.

Now the food is all gone and we're full to the top,  
 We want to eat more but we can't or we'll drop,  
 I'm sure all the Senate will join me this day  
 "Thanks a Million, Old Top, Happy Birthday" we say.

Tho' the Senators come and the Senators go,  
 Here friendships are made that just live and grow.  
 In years to come when we're far, far apart  
 We'll always remember our old Stanley Hart.

S. RAY EMERSON.

#### AMENDMENTS FILED

Amend House File 148 by striking from line three (3) of section two (2) the words "seventy-five thousand dollars" and inserting in lieu thereof the words "twenty-five thousand dollars."

LEO ELTHON.

ROSS R. MOWRY.

CARL O. SJULIN.

A. E. AUGUSTINE.

OSCAR E. JOHNSON.

A. D. CLEM.

OLIVER TURNER.

RALPH E. BENSON.

D. D. FULLER.

HARLAN C. FOSTER.

FLOYD JONES.

A. J. SHAW.

PAUL P. STEWART.

B. C. WHITEHILL.

ROBERT KEIR.

LUKE VITTETOE.

J. T. DYKHOUSE.

ROBT. W. HARVEY.

SANFORD ZEIGLER, JR.

H. S. LOVE.

LEROY MERCER.

EDWIN C. SCHLUTER.

F. J. PINE.

IRVING D. LONG.

GEO. FAUL.

E. K. BEKMAN.

G. R. HILL.

FRANK PELZER.

R. W. ZASTROW.

Amend Senate File 369 by inserting after the word "May" in line five (5) of section one (1) the words "for the duration of the present war."

Further amend Senate File 369 by placing a period (.) after the word "cash" in line eleven (11) of section two (2), striking the word "and" at the end of said line and inserting in lieu thereof the words "It shall" and by striking the words "any time" in line fourteen (14) and inserting in lieu thereof the words "as soon as practicable."

G. W. HUNT.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 1, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. John F. Arnold, retired minister of the Methodist church, Des Moines.

Senator Bekman moved that the Secretary of the Senate be directed to send birthday congratulations to the Honorable George A. Wilson, U. S. Senator, congratulating him on his fifty-ninth birthday anniversary, 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 275, a bill for an act relating to disposition of property of persons dying simultaneously.

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

House File 386, a bill for an act relating to property of deceased inmates of state institutions.

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

House File 387, a bill for an act relating to adjudication of an alleged feeble-minded person.

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

Senate File 66, a bill for an act relating to minors entering nine or ten pin alleys.

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 issuance of bonds for improvements in cities and towns.

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

Senate File 236, a bill for an act making an appropriation to the state department of history and archives.

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

Senate File 329, a bill for an act legalizing certain acts of Swedish Mutual Insurance Association of Polk County.

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

Senate File 355, a bill for an act making appropriations for certain claims against the state.

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

Senate File 357, a bill for an act making an appropriation for the state capitol buildings and grounds.

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

Senate File 358, a bill for an act making an appropriation to the state comptroller.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 9, a bill for an act relating to tax for support of the poor.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 50, a bill for an act relating to insurance companies' funds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 347, a bill for an act relating to compensation of state employees.

Also: That the House has concurred in Senate amendments to and passed House File 283, a bill for an act permitting the conservation commission to improve streams.

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

House Concurrent Resolution 33, providing for the payment of miscellaneous expense of the Fiftieth General Assembly.

Also: That the House insists upon its amendments to Senate File 345, a bill for an act providing for the disposition of the balance in the Iowa emergency relief fund, and requests a conference committee, and the Speaker appoints as such committee on the part of the House: Representatives Farmer, Dvorak, Tyrrell, and Donohue.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 9

Amend Senate File 9 as follows:

1. Amend the title by striking all of the title after "1939" in line three

(3) and inserting in lieu thereof the following: "relating to the levying of a poor tax for the support of the poor."

#### HOUSE AMENDMENT TO SENATE FILE 50

Amend Senate File 50 by striking the words and figures and punctuation "forty percent (40%)" in line eleven (11) of section one (1), and inserting in lieu thereof the following: "thirty percent (30%)".

#### HOUSE AMENDMENT TO SENATE FILE 347

Amend Senate File 347 by inserting in line eight (8), following the word "of", the words "the Comptroller and".

#### HOUSE CONCURRENT RESOLUTION 33

*Be It Resolved by the House, the Senate Concurring:*

That the following bills, authorized by legislative action, are hereby approved and ordered paid as provided by chapter 26 of the Forty-ninth General Assembly:

Piano from Davidsons for House Memorial Session.....\$10.00  
Lozier's,

Flowers for Hoover address, 3-15.....\$36.00

Flowers for presentation of silver service, 3-22..... 15.00

..... 51.00

Typewriter rental (House)

Dorothy Forbes ..... 10.00

Mae Furbush ..... 10.00

Victoria, cleaning page jackets..... 15.30

Stoner's, decorating House chamber for Hoover meeting..... 20.00

United Artists Bureau, amplification for Hoover meeting..... 25.00

Des Moines Rubber Stamp Works (House)..... 3.30

Younkers, balance on page jackets..... 1.02

L. C. Smith, typewriter repairs (House)..... 24.20

Earl Schwartz, glasses damaged in services replaced..... 12.50

Koch Brothers, repair roller curtain case (House)..... 2.00

Hotel Fort Des Moines, claims committee expense (Senate)..... 2.50

M and M Sales Company, rental on adding machine, 3-20 to 4-49  
(Senate) ..... 5.00

Railway Express Agency, express charges (Senate)..... .43

Storey-Kenworthy Co., supplies (Senate)..... 55.82

Mrs. Martin Schaeferle, music in connection with House memorial  
session ..... 10.00

Gordon L. Elliott, transcript of proceedings of Pioneer Law Makers  
Assn. at Joint Session, Feb. 24, 1943..... 6.50

The state comptroller is hereby authorized and directed to issue warrants for amounts above listed and to the persons and firms to whom such amounts are due.

## HOUSE MESSAGES CONSIDERED

House File 275, a bill for an act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 386, a bill for an act to amend section three thousand three hundred fifty-two (3352), Code, 1939, relating to the property of deceased inmates of state institutions under the supervision of the board of control.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 387, a bill for an act to amend section three thousand four hundred twenty-one (3421) and section three thousand four hundred twenty-five (3425), Code, 1939, relating to the adjudication of an alleged feeble-minded person.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

## HOUSE AMENDMENTS CONSIDERED

Senator Henningsen called up for consideration Senate File 344, a bill for an act to amend section sixty-nine hundred forty-three point one hundred (6943.100), Code of Iowa, 1939, as amended by chapter two hundred thirty-seven (237), acts of the Forty-ninth General Assembly, relating to allocations of revenues of the income, corporations and sales tax collected under the provisions of chapter three hundred twenty-nine point three (329.3), Code of Iowa, 1939, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 344 by inserting in line eight (8) of section one (1), after the word "annually", the following:

"for each year of the biennium beginning July 1, 1943, and ending June 30, 1945,".

The Senate concurred in the House amendment.

Senator Henningsen moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Goode	Long	Reilly
Berg	Hart	Love	Schluter
Byers	Harvey	Lundy	Stewart
Clark	Henningsen	Lynes	Turner
Clem	Hill	Martin	Vittetoe
Cromwell	Hunt	Mercer	Vrba
Dykhouse	Johnson	Miller	Watson
Emerson	Jones	Mowry	Whitehill
Evans	Keir	Pelzer	Zastrow
Findlay	Leo	Pine	Zeigler
Foster			

Nays, none.

Absent or not voting, 9:

Berkman	Faul	Hattery	Shaw
Benson	Fuller	Hess	Sjulin
Elthon			

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.

Senator Faul called up for consideration Senate File 50, a bill for an act to amend paragraph six (6) of section eighty-nine hundred twenty-seven (8927)), chapter four hundred four (404), Code, 1939, as amended by chapter two hundred seventy-six (276), acts of the Forty-ninth (49th) General Assembly, to increase the amount that insurance companies organized under chapter four hundred four (404), Code, 1939, may invest in corporate bonds and stocks, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 50 by striking the words and figures and punctuation "forty percent (40%)" in line eleven (11) of section one (1), and inserting in lieu thereof the following: "thirty percent (30%)".

The Senate concurred in the House amendment.

Senator Faul moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 41:

Augustine	Berg	Cromwell	Emerson
Bekman	Clem	Elthon	Evans

Faul	Johnson	Miller	Stewart
Findlay	Jones	Mowry	Turner
Goode	Leo	Pelzer	Vittetoe
Hart	Long	Pine	Vrba
Harvey	Love	Reilly	Watson
Hattery	Lynes	Schluter	Whitehill
Henningsen	Martin	Shaw	Zastrow
Hill	Mercer	Sjulin	Zeigler
Hunt			

Nays, 1:

Clark

Absent or not voting, 8:

Benson	Dykhouse	Fuller	Keir
Byers	Foster	Hess	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.

Senator Hunt took the chair at 10:22 a. m.

Senator Mowry called up for consideration Senate File 9, a bill for an act to amend section three thousand eight hundred twenty-eight and one hundred fourteen thousandths (3828.114), Code, 1939, permitting the boards of supervisors of the various counties of the state to levy an additional millage for the support of the poor, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 9 as follows:

1. Amend the title by striking all of the title after "1939," in line three (3) and inserting in lieu thereof the following: "relating to the levying of a poor tax for the support of the poor."

The Senate concurred in the House amendment.

Senator Mowry moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Goode	Hunt
Berg	Emerson	Hart	Johnson
Clark	Evans	Harvey	Jones
Clem	Faul	Hattery	Leo
Cromwell	Findlay	Henningsen	Long
Dykhouse	Foster	Hill	Love



Lundy  
Lynes  
Martin  
Miller  
Mowry

Pine  
Reilly  
Schluter  
Shaw  
Sjulin

Stewart  
Turner  
Vittetoe  
Vrba

Watson  
Whitehill  
Zastrow  
Zeigler

Nays, none.

Absent or not voting, 8:

Bekman  
Benson

Byers  
Fuller

Hess  
Keir

Mercer  
Pelzer

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.

Senator Henningsen called up for consideration Senate File 347, a bill for an act relating to the approval of compensation of employees of the state during the biennial fiscal period beginning July 1, 1943, and ending June 30, 1945, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 347 by inserting in line eight (8), following the word "of", the words "the Comptroller and".

The Senate concurred in the House amendment.

Senator Henningsen moved that the bill as amended by the House and concurred in by the Senate be read a third 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  
Berg  
Clark  
Clem  
Cromwell  
Dykhouse  
Elthon  
Evans  
Faul  
Findlay  
Foster

Goode  
Hart  
Harvey  
Hattery  
Henningsen  
Hill  
Hunt  
Johnson  
Jones  
Keir  
Leo

Long  
Lundy  
Lynes  
Martin  
Mercer  
Miller  
Mowry  
Pelzer  
Pine  
Reilly  
Schluter

Shaw  
Sjulin  
Stewart  
Turner  
Vittetoe  
Vrba  
Watson  
Whitehill  
Zastrow  
Zeigler

Nays, none.

Absent or not voting, 7:

Bekman  
Benson

Byers  
Emerson

Fuller  
Hess

Love

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.

### THIRD READING OF BILLS

On motion of Senator Watson, House File 268, a bill for an act to limit the time within which judgments or decrees obtained prior to January 1, 1930, under chapter six (6), Title XII, Code of 1897, or chapter ninety-eight (98), Code, 1939, may be enforced against real or personal property and limiting the life of the lien or encumbrance on real or personal property of any such judgment or decree and providing for the renewal of liens or encumbrances, was taken up and considered.

Senator Watson moved that the bill be read a third 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	Foster	Love	Shaw
Berg	Goode	Lundy	Sjulin
Byers	Hart	Lynes	Stewart
Clark	Harvey	Martin	Turner
Cromwell	Hattery	Mercer	Vittetoe
Dykhouse	Hess	Miller	Vrba
Elthon	Hill	Mowry	Watson
Emerson	Hunt	Pelzer	Whitehill
Evans	Jones	Pine	Zastrow
Faul	Keir	Reilly	Zeigler
Findlay	Leo	Schluter	

#### Nays, none.

#### Absent or not voting, 7:

Bekman	Clem	Henningsen	Long
Benson	Fuller	Johnson	

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

Senator Watson moved that the 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 Blue took the chair at 10:33 a. m.

On motion of Senator Whitehill, House File 318, a bill for an act to amend section three thousand eight hundred twenty-eight and fifty-one thousandths (3828.051), Code, 1939, relating to tax

levy for the relief of indigent soldiers, sailors, marines and nurses and their indigent wives, widows and minor children, 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	Findlay	Keir	Schluter
Bekman	Foster	Leo	Shaw
Benson	Fuller	Long	Sjulin
Berg	Goode	Lundy	Stewart
Byers	Hart	Lynes	Turner
Clark	Harvey	Martin	Vittetoe
Clem	Hattery	Mercer	Vrba
Cromwell	Henningsen	Miller	Watson
Dykhousé	Hess	Mowry	Whitehill
Elthon	Hill	Pelzer	Zastrow
Evans	Hunt	Pine	Zeigler
Faul	Johnson	Reilly	

Nays, none.

Absent or not voting, 3:

Emerson	Jones	Love
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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 motion of Senator Lynes, Senate File 363, a bill for an act to suspend the provisions of section three thousand ninety-three and one-tenth (3093.1), Code, 1939, until six months after duration of the present war, was taken up and considered.

Senator Lynes asked and received unanimous consent to change the word "nine" to "ninety" in line 2 of section 1.

Senator Lynes moved that the bill be read a third 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	Emerson	Hattery	Leo
Berg	Evans	Henningsen	Long
Byers	Faul	Hess	Love
Clerk	Findlay	Hill	Lynes
Clem	Foster	Hunt	Martin
Cremwell	Goode	Johnson	Mercer
Dykhousé	Hart	Jones	Miller
Elthon	Harvey	Keir	Mowry

Pelzer	Shaw	Vittetoe	Whitehill
Pine	Sjulin	Vrba	Zastrow
Reilly	Stewart	Watson	Zeigler
Schluter	Turner		

Nays, 1:

Fuller

Absent or not voting, 3:

Bekman	Benson	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 Lynes moved that the 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 Lynes asked and received unanimous consent that Senate File 363 be immediately messaged to the House, which request was complied with.

On motion of Senator Zastrow, Senate File 135, a bill for an act to amend section ten thousand three hundred thirteen (10313), Code, 1939, relating to labor and material on public improvements, and the time for filing claims and bringing action thereon, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Zastrow moved that the bill be read a third 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	Fuller	Keir	Pine
Berg	Goode	Leo	Reilly
Byers	Hart	Long	Schluter
Clark	Harvey	Love	Shaw
Clem	Hattery	Lundy	Stewart
Cromwell	Henningsen	Lynes	Turner
Dykhousc	Hess	Martin	Vittetoe
Elthon	Hill	Mercer	Vrba
Emerson	Hunt	Miller	Whitehill
Evans	Johnson	Mowry	Zastrow
Findlay	Jones	Pelzer	Zeigler
Foster			

Nays, none.

Absent or not voting, 5:

Bekman	Faul	Sjulin	Watson
Benson			

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

Senator Zastrow moved that the 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 Hattery, House File 160, a bill for an act to amend section ten thousand eight hundred nine (10809) and section ten thousand eight hundred ten (10810), Code, 1939, relating to compensation of shorthand reporters of the district courts, was taken up and considered.

Senator Hattery moved that the bill be read a third 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	Findlay	Jones	Reilly
Bekman	Fuller	Keir	Schluter
Benson	Goode	Long	Shaw
Byers	Hart	Love	Stewart
Clark	Harvey	Lundy	Turner
Clem	Hattery	Lynes	Vittetoe
Dykhous	Henningsen	Martin	Vrba
Elthon	Hill	Mercer	Watson
Emerson	Hunt	Miller	Zastrow
Faul	Johnson	Mowry	Zeigler

Nays, 3:

Cromwell	Pelzer	Whitehill
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Absent or not voting, 7:

Berg	Foster	Leo	Sjulin
Evans	Hess	Pine	

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

Senator Hattery moved that the 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 Hess, House File 401, a bill for an act to amend section seven thousand two hundred fourteen (7214), Code, 1939, relating to interest as penalty on delinquent taxes, was taken up and considered.

Senator Watson offered the following amendment and moved its adoption:

Amend House File 401 by inserting after the word "interest" in line three (3) the words "and penalties".

The amendment was adopted.

Senator Hess moved that the bill be read a third 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	Foster	Keir	Schluter
Benson	Fuller	Leo	Shaw
Berg	Goode	Long	Sjulin
Byers	Hart	Love	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Miller	Vrba
Dykhous	Hess	Mowry	Watson
Elthon	Hunt	Pelzer	Whitehill
Evans	Johnson	Pine	Zastrow
Faul	Jones	Reilly	Zeigler
Findlay			

Nays, none.

Absent or not voting, 5:

Bekman	Hill	Lundy	Mercer
Emerson			

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

Senator Hess moved that the 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 tempore Frank C. Byers took the chair at 11:15 a. m.

On motion of Senator Cromwell, Senate File 369, a bill for an act to amend section three hundred and eighty (380), of the Code of 1939, relating to the local budget law to provide that municipalities, as defined in chapter 24 of the Code of 1939, may create a sinking fund to provide for the deposit of funds not needed for current use and to further provide for the investment and control of such funds, was taken up and considered.

Senator Hunt offered the following amendment and moved its adoption:

Amend Senate File 369 by inserting after the word "May" in line five (5) of section one (1) the words "for the duration of the present war."

Further amend Senate File 369 by placing a period (.) after the word "cash" in line eleven (11) of section two (2), striking the word "and" at the end of said line and inserting in lieu thereof the words "It shall" and by striking the words "any time" in line fourteen (14) and inserting in lieu thereof the words "as soon as practicable."

The amendment was adopted.

Senator Clark moved the previous question on the bill, which motion prevailed.

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, 17:**

Bekman	Fuller	Hess	Mercer
Benson	Goode	Hunt	Stewart
Cromwell	Hart	Johnson	Vrba
Elthon	Hattery	Keir	Watson
Foster			

**Nays, 32:**

Augustine	Faul	Love	Reilly
Berg	Findlay	Lundy	Schluter
Byers	Harvey	Lynes	Shaw
Clark	Henningsen	Martin	Turner
Clem	Hill	Miller	Vittetoe
Dykhouse	Jones	Mowry	Whitehill
Emerson	Leo	Pelzer	Zastrow
Evans	Long	Pine	Zeigler

**Absent or not voting, 1:**

Sjulin

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.

On motion of Senator Clem, House File 247, a bill for an act to amend chapter four hundred thirty (430), Code, 1939, relating to the registration of trademarks, labels and advertisements, providing for a limitation of the registration, and for the renewal of registrations, and fees therefor, and for renewal of registrations heretofore made, was taken up and considered.

Senator Clem moved that the bill be read a third 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	Faul	Leo	Rielly
Bekman	Findlay	Long	Schluter
Benson	Fuller	Love	Shaw
Berg	Goode	Lundy	Sjulin
Byers	Hart	Lynes	Stewart
Clark	Harvey	Martin	Turner
Clem	Hattery	Mercer	Vittetoe
Cromwell	Henningsen	Miller	Vrba
Dykhous	Hess	Mowry	Watson
Elthon	Hill	Pelzer	Whitehill
Emerson	Jones	Pine	Zeigler
Evans	Keir		

Nays, none.

**Absent or not voting, 4:**

Foster	Hunt	Johnson	Zastrow
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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 Clem moved that the 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 Blue took the chair at 11:50 a. m.

On motion of Senator Hill, House File 212, a bill for an act to amend section six thousand nine hundred sixty-two (6962), Code, 1939, relating to description of tracts, was taken up and considered.

Senator Hill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

**Ayes, 40:**

Augustine	Fuller	Love	Schluter
Bekman	Hart	Lundy	Shaw
Benson	Harvey	Lynes	Sjulin
Berg	Hattery	Martin	Stewart
Byers	Hess	Mercer	Turner
Clark	Hill	Miller	Vittetoe
Clem	Johnson	Mowry	Vrba
Emerson	Jones	Pelzer	Watson
Evans	Leo	Pine	Whitehill
Findlay	Long	Reilly	Zeigler

Nays, none.

**Absent or not voting, 10:**

Cromwell	Faul	Henningsen	Keir
Dykhous	Foster	Hunt	Zastrow
Elthon	Goode		



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

On motion of Senator Bekman, Senate File 320, a bill for an act to clarify and make consistent the law regarding the payment and control of money into and out of the state treasury in coordination with the budget and financial control act and to this end to amend various sections of the code relating to the deposit and withdrawal of funds in the state treasury, was taken up and considered.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 320 by striking the figures "3383" in line two (2) of section twenty-four (24) and inserting in lieu thereof the figures "3883".

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, 46:**

Augustine	Findlay	Leo	Schluter
Bekman	Foster	Long	Shaw
Benson	Goode	Love	Sjulin
Berg	Hart	Lynes	Stewart
Byers	Harvey	Martin	Turner
Clark	Hattery	Mercer	Vittetoe
Clem	Hess	Miller	Vrba
Cromwell	Hill	Mowry	Watson
Dykhouse	Hunt	Pelzer	Whitehill
Elthon	Johnson	Pine	Zastrow
Emerson	Jones	Reilly	Zeigler
Evans	Keir		

**Nays, none.**

**Absent or not voting, 4:**

Faul	Fuller	Henningsen	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.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 Resolutions 3 and 5, and Senate Files 47, 74, 117, 118, 128, 130, 131, 148, 207, 335, 339, 346 and 349, and House Files 61, 131, 167, 222, 294, 295, 369, 379, 382, 398, 403 and 468.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 Resolutions 3 and 5, and Senate Files 47, 74, 117, 118, 128, 130, 131, 148, 207, 335, 339, 346, and 349, and House Files 61, 131, 167, 222, 294, 295, 369, 379, 382, 398, 403, and 468.

## BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 1st day of April, 1943, sent to the governor for his approval: Senate Joint Resolutions 3 and 5, and Senate Files 47, 74, 117, 118, 128, 130, 131, 148, 207, 335, 339, 346 and 349.

ROBERT C. REILLY, *Chairman.*

Passed on file.

## SPECIAL ORDER

Senator Hunt asked and received unanimous consent that the memorial resolutions before the Senate be considered as a special order at 10:15 a. m. Friday.

## PRESENTATION OF VISITORS

Senator Hill asked and received unanimous consent to present the senior class of the Blairsburg consolidated school who were present in the balcony.

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

## AFTERNOON SESSION

The Senate resumed regular session, President Blue presiding.

## THIRD READING OF BILLS

On motion of Senator Hattery, Senate File 375, a bill for an act to authorize the Iowa state highway commission to cooperate with the public roads administration of the United States in the construction and maintenance of flight strips, and in the acquisition of right of way for such flight strips, was taken up and considered.

Senator Hattery moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 40:

Augustine	Evans	Johnson	Miller
Benson	Faul	Jones	Mowry
Berg	Findlay	Keir	Pine
Byers	Foster	Leo	Reilly
Clark	Goode	Long	Schluter
Clem	Hart	Love	Stewart
Cromwell	Harvey	Lundy	Turner
Dykhouse	Hattery	Lynes	Vittetoe
Elthon	Henningsen	Martin	Vrba
Emerson	Hill	Mercer	Whitehill

Nays, none.

Absent or not voting, 10:

Bekman	Hunt	Sjulin	Zastrow
Fuller	Pelzer	Watson	Zeigler
Hess	Shaw		

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

Senator Hattery moved that the 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 371, a bill for an act to amend Senate File 82, acts of the Fiftieth (50th) General Assembly, relating to deductions for medical care when computing net income for taxation purposes, 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	Clark	Emerson	Foster
Benson	Clem	Evans	Goode
Berg	Cromwell	Faul	Hart
Byers	Elthon	Findlay	Harvey

Hattery	Long	Miller	Sjulin
Henningsen	Love	Mowry	Stewart
Hess	Lundy	Pine	Turner
Hill	Lynes	Reilly	Vittetoe
Johnson	Martin	Schluter	Vrba
Jones	Mercer	Shaw	Whitehill
Keir			

Nays, none.

Absent or not voting, 9:

Bekman	Hunt	Pelzer	Zastrow
Dykhouse	Leo	Watson	Zeigler
Fuller			

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 Johnson, House File 320, a bill for an act to amend section one thousand seven hundred ninety-four and eleven thousandths (1794.011), Code, 1939, relating to open season for pheasants, was taken up and considered.

Senator Johnson moved that the bill be read a third 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	Findlay	Keir	Reilly
Benson	Foster	Leo	Schluter
Berg	Fuller	Long	Shaw
Byers	Hart	Love	Sjulin
Clark	Harvey	Lundy	Stewart
Clem	Hattery	Martin	Turner
Dykhouse	Henningsen	Mercer	Vittetoe
Elthon	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler

Nays, 1:

Lynes

Absent or not voting, 5:

Bekman	Goode	Hess	Watson
Cromwell			

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

Senator Johnson moved that the 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 227, a bill for an act to amend chapter fifteen (15) and chapter thirteen (13), Code, 1939, relating to the preparation of the laws, acts and joint resolutions passed at each session of the General Assembly, transferring the preparation and indexing of the laws, acts and joint resolutions passed at each session of the General Assembly from the superintendent of printing to the reporter of the supreme court and code editor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Keir offered the following amendment by Senators Keir, Shaw and Evans and moved its adoption:

Amend Senate File 227 as follows:

1. Strike from line nine (9) of section three (3) the word "he" and insert in lieu thereof the words "the code editor";
2. Strike all of section five (5).

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, 47:

Augustine	Faul	Jones	Reilly
Bekman	Findlay	Keir	Schluter
Benson	Foster	Leo	Shaw
Berg	Fuller	Long	Sjulin
Byers	Goode	Love	Stewart
Clark	Hart	Lundy	Turner
Clem	Harvey	Lynes	Vittetoe
Cromwell	Hattery	Martin	Vrba
Dykhous	Henningsen	Mercer	Whitehill
Elthon	Hess	Mowry	Zastrow
Emerson	Hill	Pelzer	Zeigler
Evans	Johnson	Pine	

Nays, none.

Absent or not voting, 3:

Hunt	Miller	Watson
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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.

On motion of Senator Mercer, House File 343, a bill for an act to amend section three thousand eight hundred twenty-eight and one hundred fifty-two thousandths (3828.152), Code, 1939, to allow the compensation of ambulance escorts of the University hospital to be fixed by the Iowa state board of education, was taken up and considered.

Senator Mercer moved that the bill be read a third 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	Findlay	Jones	Pine
Benson	Foster	Keir	Reilly
Berg	Fuller	Long	Schluter
Byers	Goode	Love	Shaw
Clark	Hart	Lundy	Sjulin
Clem	Harvey	Lynes	Stewart
Dykhouse	Hattery	Martin	Vittetoe
Elthon	Henningesen	Mercer	Vrba
Emerson	Hess	Miller	Zastrow
Evans	Hill	Mowry	Zeigler
Faul	Johnson	Pelzer	

**Nays, 2:**

Leo                      Turner

**Absent or not voting, 5:**

Bekman	Hunt	Watson	Whitehill
Cromwell			

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

Senator Mercer moved that the 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 Goode, House File 477, a bill for an act to amend chapter two hundred fifty-one and one-tenth (251.1), Code, 1939, to provide for issuance by the county sheriff of a limited chauffeur's license and to permit issuance by the department of a chauffeur's license to a person seventeen years of age, was taken up and considered.

Senator Goode offered the following amendment and moved its adoption:

Amend House File 477 by striking section three (3).

The amendment was adopted.

Senator Goode moved that the bill be read a third 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	Hart	Long	Schluter
Bekman	Harvey	Love	Shaw
Berg	Hattery	Lundy	Sjulin
Byers	Henningsen	Lynes	Stewart
Clark	Hess	Martin	Turner
Clem	Hill	Mercer	Vittetoe
Elthon	Hunt	Miller	Vrba
Emerson	Johnson	Mowry	Watson
Evans	Jones	Pelzer	Whitehill
Findlay	Keir	Pine	Zastrow
Goode	Leo	Reilly	Zeigler

Nays, none.

**Absent or not voting, 6:**

Benson	Dykhous	Foster	Fuller
Cromwell	Faul		

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

Senator Goode moved that the 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 327, a bill for an act to amend sections five thousand eight hundred sixty-seven (5867), five thousand eight hundred sixty-nine (5869, five thousand eight hundred seventy-one (5871), and five thousand eight hundred seventy-three (5873), Code, 1939, relating to municipal hospitals, 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, 45:**

Augustine	Fuller	Leo	Schluter
Benson	Hart	Long	Shaw
Berg	Harvey	Love	Sjulin
Byers	Hattery	Lundy	Stewart
Clark	Henningsen	Lynes	Turner
Clem	Hess	Martin	Vittetoe
Elthon	Hill	Mercer	Vrba
Emerson	Hunt	Miller	Watson
Evans	Johnson	Mowry	Whitehill
Faul	Jones	Pine	Zastrow
Findlay	Keir	Reilly	Zeigler
Foster			

Nays, none.

Absent or not voting, 5:

Bekman  
Cromwell

Dykhouse

Goode

Pelzer

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 Hunt, House File 218, a bill for an act to amend section one thousand seven hundred ninety-four and sixty-nine thousandths (1794.069), Code, 1939, relating to seining for fish in the Mississippi river, was taken up and considered.

Senator Martin offered the following amendment and moved its adoption:

Amend House File 218 by striking the period (.) following the word "Iowa" in line twelve (12) and insert in lieu thereof a semicolon (;) and thereafter the following words "that part of the Mississippi river known as 'Davenport Harbor of Refuge' covering an area between Credit Island and the Iowa shore, and between the causeway from the Iowa shore to Credit Island and the foot of Credit Island, and legally described as sections three (3), four (4) and nine (9), township seventy-seven (77) north, range three (3) east of the fifth (5th) P. M., Scott county, Iowa".

Further amend House File 218 by striking the word "Claire" in line eight (8) and inserting in lieu thereof "Le Claire".

The amendment was adopted.

Senator Hunt moved that the bill be read a third 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  
Bekman  
Benson  
Berg  
Byers  
Clark  
Clem  
Elthon  
Emerson  
Evans

Findlay  
Hart  
Harvey  
Henningsen  
Hill  
Hunt  
Johnson  
Jones  
Keir  
Long

Love  
Lundy  
Lynes  
Martin  
Mercer  
Miller  
Mowry  
Pelzer  
Pine  
Reilly

Schluter  
Shaw  
Sjulin  
Stewart  
Turner  
Vrba  
Watson  
Whitehill  
Zeigler

Nays, none.



## Absent or not voting, 11:

Cromwell	Foster	Hattery	Vittetoe
Dykhouse	Fuller	Hess	Zastrow
Faul	Goode	Leo	

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

Senator Hunt moved that the 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 107, a bill for an act to amend section five thousand one hundred ninety-one (5191), subsection eleven (11), Code, 1939, relating to boarding of prisoners, with report of committee returning the bill without recommendation, 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.

The President announced that Senator Cromwell had left a written request at the desk to be recorded as voting "aye" on House File 107.

The request was granted.

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

## Ayes, 46:

Augustine	Foster	Leo	Reilly
Bekman	Fuller	Long	Schluter
Berg	Hart	Love	Shaw
Byers	Harvey	Lundy	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Turner
Cromwell	Hess	Mercer	Vittetoe
Elthon	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Watson
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Pine	Zeigler
Findlay	Keir		

Nays, none.

## Absent or not voting, 4:

Benson	Dykhouse	Goode	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.

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 Watson, House File 411, a bill for an act to amend section two thousand nine hundred twenty-one (2921), Code, 1939, to provide state aid for fairs and short courses in agriculture in counties having two farm aid associations, was taken up and considered.

Senator Watson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

The President announced that Senator Cromwell had left a written request at the desk to be recorded as voting "aye" on House File 411.

The request was granted.

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

**Ayes, 46:**

Augustine	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Sjulin
Berg	Hart	Lundy	Stewart
Byers	Harvey	Lynes	Turner
Clark	Hattery	Martin	Vittetoe
Clem	Henningsen	Mercer	Vrba
Cromwell	Hess	Miller	Watson
Dykhouse	Hill	Mowry	Whitehill
Elthon	Hunt	Pelzer	Zastrow
Emerson	Johnson	Pine	Zeigler
Evans	Jones		

**Nays, none.**

**Absent or not voting, 4:**

Faul	Goode	Love	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 Watson moved that the 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 Fuller, Senate File 212, a bill for an act to permit live birds and animals to be used as targets at regularly conducted field meets under official supervision and prescribing rules and regulations for such meets, was taken up and considered.

Senator Dykhousé offered the following amendment and moved its adoption:

Amend Senate File 212 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Notwithstanding the provisions of section one thousand seven hundred seventy-eight (1778) of the Code, 1939, 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 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 trials on premises where the trials are held.

"Such birds released may be shot by official guns after having secured a permit as herein provided.

"Such permits may be issued by the director of the state conservation commission upon proper application and the payment of a fee of two dollars 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 of the birds 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 released for such trials.

"Before any birds are released under this section, they must each have attached a tag provided by the conservation commission and attached by a representative of the conservation commission at a cost of not more than ten cents for each tag. All tags are to remain attached to birds 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 which have not been tagged as herein required.

"Any person who shall violate any provision of this section, shall upon conviction be punished as provided in section one thousand seven hundred eighty-nine (1789), Code, 1939."

Amend the title of Senate File 212 by striking from line one the words "and animals" and also the words "as targets".

The amendment was adopted.

Senator Fuller moved that the bill be read a third 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:

Bekman  
Benson

Byers  
Clark

Dykhousé  
Emerson

Findlay  
Fuller

Hart	Johnson	Martin	Vittetoe
Harvey	Keir	Mercer	Vrba
Hattery	Leo	Mowry	Watson
Henningsen	Long	Schluter	Zastrow
Hess	Lundy	Sjulin	Zeigler
Hunt	Lynes	Turner	

**Nays, 14:**

Augustine	Faul	Pelzer	Shaw
Berg	Foster	Pine	Stewart
Clem	Hill	Reilly	Whitehill
Elthon	Love		

**Absent or not voting, 5:**

Cromwell	Goode	Jones	Miller
Evans			

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

**CONFERENCE COMMITTEE ON SENATE FILE 345**

The President appointed Senators Long, Foster, Schluter and Zastrow on the part of the Senate on Senate File 345.

**CONFERENCE REPORT ON HOUSE FILE 325**

**MR. PRESIDENT AND MR. SPEAKER:** We, the undersigned members of the conference committee, appointed to consider the differences between the Senate and House on House File 325, beg leave to report that we have had the same under consideration and recommend that House File 325 be amended by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Notwithstanding any provision of law to the contrary, from the effective date of this act to June 30, 1945, assessors who are by law compensated on a per diem basis, including assessors employed by cities but whose compensation is paid by the county, shall receive compensation at the rate of four and fifty hundredths dollars (\$4.50) per day.

Sec. 2. Notwithstanding any provision of law to the contrary, from the effective date of this act to June 30, 1945, county supervisors shall receive compensation at the rate of six dollars (\$6.00) per day for each day services are rendered as provided by law, except in counties having a population in excess of one hundred twenty-five thousand (125,000), county supervisors, for the period herein provided, shall receive an annual salary of two thousand five hundred dollars (\$2,500.00), which salary shall be in full payment of all services rendered to the county by said supervisors except statutory mileage while actually engaged in the performance of official duties.

Sec. 3. Notwithstanding any provision of law to the contrary, from the effective date of this act to June 30, 1945, full time deputy sheriffs shall receive such annual salary as shall be allowed by the board of supervisors. Provided, however, full time deputy sheriffs shall receive as compensation not less than fourteen hundred dollars (\$1,400.00) nor more than two thousand dollars (\$2,000.00), except in any county having

within its limits a city with a population of thirty-six thousand (36,000) or over, the annual salary shall be not more than two thousand two hundred dollars (\$2,200.00), the amount to be fixed by the board of supervisors, provided that where by law a chief deputy is appointed or a deputy other than a chief deputy in charge of an office where court is held outside the county seat, the board of supervisors shall fix the compensation of such chief deputy or deputy in charge of the office where court is held outside the county seat, at not to exceed two thousand two hundred dollars (\$2,200.00).

Sec. 4. Notwithstanding any provisions of law to the contrary, from the effective date of this act to June 30, 1945, both inclusive, except as otherwise provided for herein, the compensation of all county officers and deputies whose compensation is fixed by law, including deputy assessors employed by cities but whose compensation is paid by the county, shall be increased by the board of supervisors as follows:

Salaries of one thousand two hundred dollars (\$1,200.00) or less, fifteen per cent (15%) increase; salaries over one thousand two hundred dollars (\$1,200.00) and not over two thousand two hundred dollars (\$2,200.00) ten per cent (10%) increase; salaries over two thousand two hundred dollars (\$2,200.00) and not in excess of two thousand five hundred dollars (\$2,500.00) five per cent (5%) increase, but such increase shall not bring the compensation of the officer or deputy above two thousand five hundred dollars (\$2,500.00) but any increases granted since January 1, 1943, shall be taken into consideration in carrying out the provisions of this act.

Sec. 5. During the period ending June 30, 1945, the compensation of any county officer, deputy or employee not otherwise covered by this act, whose compensation is now fixed by the board of supervisors or by order of court, may by action of the board of supervisors be increased over any maximum provided by law, but not in excess of the schedule contained in section four (4) of this act, and in any event any increase in salary granted to any such officer, deputy or employee since January 1, 1943, shall be taken into consideration in increasing salaries under the provision of this section.

Sec. 6. In those counties wherein the county general fund is insufficient to pay the increases of salaries as provided in this act, the board of supervisors is authorized to levy up to one-half mill in addition to the levy as provided in section seven thousand one hundred seventy-one (7171) of the 1939 Code of Iowa.

Sec. 7. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Waukon Republican and Standard, a newspaper published at Waukon, Iowa, and in the Holstein Advance, a newspaper published at Holstein, Iowa.

Amend the title by striking all after the word "from" in line four (4) and inserting in lieu thereof the following: "the effective date of this act to June 30, 1945, and to authorize a levy of one-half mill to

provide funds in counties wherein the county general fund is insufficient to pay such increases.”.

Respectfully submitted,

WILSON REED.

R. E. HESS.

SAM OREBAUGH.

ROSS R. MOWRY.

ELMER PIEPER.

GEORGE FAUL.

ARTHUR C. BLATTI.

JOHN R. HATTERY.

*On the part of the House.*

*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: House Files 275 and 387, Senate Files 204 and 234, House Files 210, 244, 23 and 348.

STANLEY L. HART, *Chairman.*

#### AMENDMENTS FILED

Amend House File 344 by adding at the end of the last sentence the following:

“The Secretary of State shall record same and forward same to the county recorder of the county where the corporation headquarters or principal place of business is located, and there it shall be recorded, and upon recording, returned to the corporation.”

FRANK C. BYERS.

Amend Senate File 377 by striking section two (2) and inserting in lieu thereof the following:

“This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Clarence Sun, a newspaper published at Clarence, Iowa, and in the Monticello Express, a newspaper published at Monticello, Iowa.”

EDWIN C. SCHLUTER.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 2, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. T. J. Reese, pastor of the First Baptist church of Jefferson.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Faul for the day on request of Senator Bekman, Senator Cromwell for the day on request of Senator Hunt, Senator Turner for the day on request of Senator Benson.

## INTRODUCTION OF BILL

Senate File 379, by committee on social security, a bill for an act to provide for war risk contributions on the payrolls of employers; to provide the manner in which the commission shall determine the contribution rates on certain employers for the periods from July 1, 1943, to and including December 31, 1945; and to provide the rate of contribution based upon increased payrolls.

Read first and second times, is ready for commitment and amendment, 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 161, a bill for an act relating to expenses of court reporters.

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

House File 282, a bill for an act relating to an annual tax levy for parks and cemeteries.

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

House File 322, a bill for an act relating to evidence, depositions and witnesses.

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

House File 371, a bill for an act relating to assignments of wages.

Also: 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 the transfer of shares of stock in corporations.

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

Senate File 168, a bill for an act relating to annual levies.

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

Senate File 262, a bill for an act relating to investments by savings and loan associations.

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

Senate File 351, a bill for an act relating to military and naval staff of governor.

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

Senate File 341, a bill for an act relating to collection of tax levied on freight line and equipment companies.

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

Senate File 362, a bill for an act relating to the filing of claims for soldier's exemption.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 98, a bill for an act relating to termination of tenancies.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 249, a bill for an act relating to schoolhouse tax.

Also: That the House has concurred in Senate amendments to and passed House File 401, a bill for an act relating to interest as penalty on delinquent taxes.

Also: That the House has adopted the report of the conference committee and the amendments recommended therein, and passed House File 325, a bill for an act providing for increase of compensation of certain public officers and employees.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 98

Amend Senate File 98 as follows:

1. By striking all of the title and inserting in lieu thereof the following: "An act to amend section ten thousand one hundred sixty-one



(10161), Code, 1939, and to repeal section ten thousand one hundred sixty-two (10162), Code, 1939, and enact a substitute therefor, relating to termination of tenancies.”.

2. By striking everything after the enacting clause and inserting in lieu thereof the following:

“Section 1. Section ten thousand one hundred sixty-one (10161), Code, 1939, is amended by striking from lines eleven (11) and twelve (12) the words ‘not later than November 1’.

“Sec. 2. Section ten thousand one hundred sixty-two (10162), Code, 1939, is hereby repealed and the following enacted in lieu thereof:

“‘Notice—how and when served. The written notice so required shall be given as follows:

“‘1. By delivery of notice in person on or before November 1 by one party to the other with acceptance of service thereon to be signed by the person receiving the notice, or

“‘2. By service on either party on or before November 1 by a person in behalf of the other party, in the same manner as original notices are served, or

“‘3. By either party sending to the other at his last known address, at least ten days before November 1, a notice by registered mail with a return receipt demanded.’”.

#### HOUSE AMENDMENTS TO SENATE FILE 249

Amend Senate File 249 as follows:

1. By inserting after the comma (,) following the word “building” in line eight (8) of section one (1) the following: “or for the operation of such school,”.

2. By striking the word “schoolhouse” in lines one (1) and twenty-one (21) of section one (1) and inserting in lieu thereof the word “school”.

3. By inserting in line twenty-six (26) of section one (1) after the word “building” the following: “, or for the operation of such school”.

4. By inserting after the word “thereof” in line seventeen (17) of section two (2) the following: “, or for the operation of such school”.

5. By inserting after the word “thereof” in lines nine (9) and ten (10) of section three (3) the following: “, or for the operation of such school”.

6. Amend the title to Senate File 249 by striking the word “schoolhouse” in line two (2); and by striking the word “schoolhouse” in line five (5) and inserting in lieu thereof the word “school”.

#### HOUSE MESSAGES CONSIDERED

House File 161, a bill for an act to amend section ten thousand eight hundred eleven (10811), Code, 1939, relating to expense allowed shorthand court reporters when required to leave the city or town of their residence.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 282, a bill for an act to amend section six thousand five hundred seventy-eight (6578), Code, 1939, relating to an annual tax levy for parks and cemeteries.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 322, a bill for an act to amend chapter 494, Code, 1939, relating to evidence, the taking of depositions and the examination of witnesses and parties.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 371, a bill for an act to amend chapter four hundred twenty-two (422), Code, 1939, relating to assignment of wages; to provide for service of notice of election to enforce assignment of wages.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 408, a bill for an act concerning the transfer of shares of stock in corporations, making uniform the law relating thereto.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

### MEMORIAL RESOLUTIONS

The time having arrived for consideration of the special order, memorial resolutions were presented, read, and unanimously adopted, commemorating the lives and services of the following deceased members of the Senate:

William H. Klemme.

Perry C. Holdoegel

Charles Davis Booth.

M. L. Bowman.

Senator Evans called up the following concurrent resolution and moved its adoption:

### HOUSE CONCURRENT RESOLUTION 33

*Be It Resolved by the House, the Senate Concurring:*

That the following bills, authorized by legislative action, are hereby approved and ordered paid as provided by chapter 26 of the Forty-ninth General Assembly:

Piano from Davidsons for House Memorial Session.....	\$10.00
Lozier's,	
Flowers for Hoover address, 3-15.....	\$36.00
Flowers for presentation of silver service, 3-22.....	15.00
	<hr/>
	51.00
Typewriter rental (House)	
Dorothy Forbes .....	10.00
Mae Furbush .....	10.00
Victoria, cleaning page jackets.....	15.30
Stoner's, decorating House chamber for Hoover meeting.....	20.00
United Artists Bureau, amplification for Hoover meeting.....	25.00
Des Moines Rubber Stamp Works (House).....	3.30
Younkers, balance on page jackets.....	1.02
L. C. Smith, typewriter repairs (House).....	24.20
Earl Schwartz, glasses damaged in services replaced.....	12.50
Koch Brothers, repair roller curtain case (House).....	2.00
Hotel Fort Des Moines, claims committee expense (Senate).....	2.50
M and M Sales Company, rental on adding machine, 3-20 to 4-20	
(Senate) .....	5.00
Railway Express Agency, express charges (Senate).....	.43
Storey-Kenworthy Co., supplies (Senate).....	55.82
Mrs. Martin Schaeferle, music in connection with House memorial	
session .....	10.00
Gordon L. Elliott, transcript of proceedings of Pioneer Law Makers	
Association at joint session, 2-24-43.....	6.50
The state comptroller is hereby authorized and directed to issue war-	
rants for amounts above listed and to the persons and firms to whom	
such amounts are due.	

The motion prevailed and the resolution was adopted.

#### HOUSE AMENDMENTS CONSIDERED

Senator Lynes called up for consideration Senate File 249, a bill for an act relating to the levying, under certain conditions, of a schoolhouse tax by school districts and the issuing of certificates or bonds in anticipation of the collection of such tax and providing for a special schoolhouse fund, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 249 as follows:

1. By inserting after the comma (,) following the word "building" in line eight (8) of section one (1) the following: "or for the operation of such school,".

2. By striking the word "schoolhouse" in lines one (1) and twenty-one (21) of section one (1) and inserting in lieu thereof the word "school".

3. By inserting in line twenty-six (26) of section one (1) after the word "building" the following: ", or for the operation of such school".

4. By inserting after the word "thereof" in line seventeen (17) of section two (2) the following: " , or for the operation of such school".

5. By inserting after the word "thereof" in lines nine (9) and ten (10) of section three (3) the following: " , or for the operation of such school".

6. Amend the title to Senate File 249 by striking the word "school-house" in line two (2); and by striking the word "schoolhouse" in line five (5) and inserting in lieu thereof the word "school".

The Senate concurred in the House amendments.

Senator Lynes moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Foster	Keir	Pine
Bekman	Fuller	Leo	Reilly
Benson	Goode	Long	Schluter
Berg	Hart	Love	Shaw
Byers	Harvey	Lundy	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Vittetoe
Dykhouse	Hill	Mercer	Vrba
Elthon	Hunt	Miller	Watson
Emerson	Johnson	Mowry	Whitehill
Evans	Jones	Pelzer	Zeigler
Findlay			

Nays, none.

Absent or not voting, 5:

Cromwell	Hess	Turner	Zastrow
Faul			

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

Senator Lynes moved that the 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 Pine, House File 116, a bill for an act to amend section five thousand twenty-four and fourteen hundredths (5024.14), Code, 1939, relating to the pulling or towing of four-wheeled trailers behind trucks or farm tractors, was taken up and considered.

Senator Pine moved that the bill be read a third 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	Foster	Keir	Pine
Bekman	Fuller	Leo	Reilly
Benson	Goode	Long	Schluter
Byers	Hart	Love	Shaw
Clark	Harvey	Lundy	Sjulin
Clem	Hattery	Lynes	Stewart
Dykhouse	Henningsen	Martin	Vittetoe
Elthon	Hill	Mercer	Vrba
Emerson	Hunt	Miller	Watson
Evans	Johnson	Mowry	Zastrow
Findlay	Jones	Pelzer	Zeigler

Nays, none.

Absent or not voting, 6:

Berg	Faul	Turner	Whitehill
Cromwell	Hess		

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

Senator Pine moved that the 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 Zastrow took the chair at 10:55 a. m.

On motion of Senator Long, House File 153, a bill for an act to amend sections one hundred twenty-four (124) and one hundred twenty-four and one-tenth (124.1) of the 1939 Code of Iowa, relating to audits of cities and school districts and providing for filing of reports with the auditor of state, was taken up and considered.

Senator Long moved that the bill be read a third 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	Foster	Keir	Reilly
Bekman	Fuller	Leo	Schluter
Benson	Goode	Long	Shaw
Berg	Hart	Love	Sjulin
Byers	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Vittetoe
Dykhouse	Henningsen	Martin	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zeigler
Findlay	Jones	Pine	

Nays, none.

Absent or not voting, 7:

Clem	Faul	Mercer	Zastrow
Cromwell	Hess	Turner	

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

Senator Long moved that the 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 Johnson, Senate File 359, a bill for an act to make appropriations to County Treasurer of Worth county, Iowa, T. W. Coulter, Clarinda, Iowa, Chicago, Rock Island & Pacific Railway Company, Chicago, Illinois, Primghar Savings Bank, Primghar, Iowa, Dr. J. W. Peterson, Waterloo, Iowa, Standard Oil Company, Des Moines, Iowa, with report of committee returning the bill without recommendation, was taken up and considered.

Senator Johnson moved that the bill be read a third 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	Findlay	Jones	Pelzer
Bekman	Foster	Keir	Pine
Benson	Fuller	Leo	Reilly
Berg	Goode	Long	Schluter
Byers	Hart	Love	Shaw
Clark	Harvey	Lundy	Vittetoe
Clem	Hattery	Lynes	Vrba
Dykhouse	Henningsen	Martin	Watson
Elthon	Hill	Miller	Whitehill
Emerson	Johnson	Mowry	Zeigler
Evans			

Nays, none.

Absent or not voting, 9:

Cromwell	Hunt	Sjulin	Turner
Faul	Mercer	Stewart	Zastrow
Hess			

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

On motion of Senator Johnson, Senate File 360, a bill for an act to make appropriations to certain named persons to cover

refunds on motor vehicle registration fees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Johnson moved that the bill be read a third 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	Foster	Keir	Pine
Benson	Fuller	Leo	Reilly
Berg	Goode	Long	Schluter
Byers	Hart	Love	Shaw
Clark	Harvey	Lundy	Sjulin
Clem	Hattery	Martin	Vittetoe
Dykhouse	Henningsen	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Johnson	Mowry	Whitehill
Evans	Jones	Pelzer	Zeigler
Findlay			

**Nays, none.**

**Absent or not voting, 9:**

Bekman	Hess	Lynes	Turner
Cromwell	Hunt	Stewart	Zastrow
Faul			

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

President Blue took the chair at 11:17 a. m.

On motion of Senator Johnson, Senate File 373, a bill for an act to make appropriations to Giles Funeral Home, Burlington, Iowa, Oral C. Johnson, Hamburg, Iowa, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Johnson moved that the bill be read a third 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	Emerson	Hattery	Leo
Berg	Evans	Henningsen	Long
Byers	Findlay	Hill	Love
Clark	Foster	Hunt	Martin
Clem	Goode	Johnson	Mercer
Dykhouse	Hart	Jones	Miller
Elthon	Harvey	Keir	Mowry

Pelzer  
Pine  
Reilly

Schluter  
Shaw  
Sjulin

Vittetoe  
Vrba  
Watson

Whitehill  
Zastrow  
Zeigler

Nays, none.

Absent or not voting, 10:

Bekman  
Benson  
Cromwell

Faul  
Fuller  
Hess

Lundy  
Lynes

Stewart  
Turner

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

Senator Johnson moved that the 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 Johnson, Senate File 374, a bill for an act to make appropriations to certain insurance companies in full settlement of damages sustained by them on account of cancellation of various insurance policies by the Iowa state liquor control commission in 1935, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Johnson asked and received unanimous consent that action be deferred and that the bill retain its place on the calendar.

On motion of Senator Schluter, House File 138, a bill for an act to amend section three thousand seven hundred forty-one (3741), Code, 1939; to repeal section three thousand seven hundred forty-two (3742), Code, 1939, relating to salaries at the state penitentiary and men's reformatory and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Goode offered the following amendment and moved its adoption:

Amend House File 138 by adding as section three (3): "This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Daily Iowegian and Citizen, a newspaper published in Centerville, Iowa, and the Fort Madison Democrat, a newspaper published in Fort Madison, Iowa."

The amendment was adopted.



Senator Schluter moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

The President announced that Senator Cromwell had left a written request at the desk to be recorded as voting "aye" on House File 138.

The request was granted.

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

Ayes, 41:

Augustine	Foster	Keir	Pine
Benson	Fuller	Leo	Reilly
Berg	Goode	Long	Schluter
Byers	Hart	Love	Shaw
Clark	Harvey	Lundy	Sjulin
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Mercer	Vrba
Dykhouse	Hill	Miller	Whitehill
Emerson	Hunt	Mowry	Zastrow
Evans	Jones	Pelzer	Zeigler
Findlay			

Nays, none.

Absent or not voting, 9:

Bekman	Hess	Lynes	Turner
Elthon	Johnson	Stewart	Watson
Faul			

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

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

#### CONFERENCE REPORT ADOPTED

Senator Hattery called up the conference committee report on House File 325, a bill for an act to provide for increases in compensation for certain public officers and employees in counties and subdivisions thereof during the period from January 1, 1943, to June 30, 1945, and moved its adoption.

The motion prevailed and the report was adopted.

Senator Hattery moved the adoption of the amendments contained in the conference committee report.

The amendments were adopted.

Senator Hattery moved that the bill as amended by the conference committee 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, 39:

Augustine	Hart	Long	Schluter
Benson	Harvey	Love	Shaw
Berg	Hattery	Lundy	Sjulin
Clark	Henningsen	Martin	Vittetoe
Clem	Hill	Mercer	Vrba
Dykhouse	Hunt	Miller	Watson
Emerson	Johnson	Mowry	Whitehill
Evans	Jones	Pelzer	Zastrow
Foster	Keir	Pine	Zeigler
Fuller	Leo	Reilly	

Nays, 3:

Byers	Findlay	Goode
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Absent or not voting, 8:

Bekman	Elthon	Hess	Stewart
Cromwell	Faul	Lynes	Turner

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

Senator Hattery asked and received unanimous consent to correct the title to conform to the bill.

The title as corrected was agreed to.

Senator Hattery moved that the 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 Reilly, from the joint committee on enrolled bills, substituted 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 9, 50, 66, 88, 236, 329, 344, 347, 355, 357, and 358.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 9, 50, 66, 88, 236, 329, 344, 347, 355, 357, and 358.

## BILLS SENT TO THE GOVERNOR

Senator Reilly, 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 April, 1943, sent to the governor for his approval: Senate Files 9, 50, 66, 88, 236, 329, 344, 347, 355, 357, and 358.

ROBERT C. REILLY, *Chairman*.

Passed on file.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on March 30th he had approved the following:

Senate File 48, relating to transfer of funds from the state sinking fund.

Senate File 132, relating to legalizing improperly signed or acknowledged plats.

Senate File 166, referring to allocation of license fees and taxes collected upon beer.

Senate File 178, concerning compensation of probation officers in certain counties.

Senate File 192, providing for the postponement of the issuance and publication of a new code.

Senate File 294, making an appropriation to certain persons.

Senate File 313, authorizing the perpetual existence and fixing the fees of certain corporations.

Senate File 323, relating to motor vehicles.

Senate File 332, providing for support and maintenance of the state tax commission for the biennium.

Senate File 340, creating a revolving audit fund from the special tax fund.

Senate File 348, making appropriations for workmen's compensation claims of the industrial commissioner.

#### PRESENTATION OF VISITORS

Senator Reilly asked and received unanimous consent to present the civil government class of St. Joseph's academy, who were present in the balcony with their teacher.

Senator Johnson asked and received unanimous consent to present a group of W.A.A.C., who are living at the Savery hotel, and were present in the balcony.

Senator Shaw asked and received unanimous consent to present a class from the Norwoodville school, who were present in the balcony with their teacher, Miss Mahaffa.

Senator Sjulín asked and received unanimous consent to present a class from the junior college of Clarinda, who were present in the balcony with Dean Glynn, dean of the junior college.

On motion of Senator Henningsen, Senate File 377, a bill for

#### AFTERNOON SESSION

The Senate resumed regular session, President Blue presiding.

#### THIRD READING OF BILLS

On motion of Senator Hunt, the Senate recessed until 1:30 p. m. an act to appropriate from the general fund of the state of Iowa to the executive council of Iowa for the period from the effective date of this act and ending June 30, 1943, the sum of five thousand dollars (\$5,000.00) for the purpose of paying the cost of supplies and services rendered to the Fiftieth General Assembly of Iowa, was taken up and considered.

Senator Schluter offered the following amendment and moved its adoption:

Amend Senate File 377 by striking section two (2) and inserting in lieu thereof the following:

"This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Clarence Sun, a newspaper published at Clarence, Iowa, and in the Monticello Express, a newspaper published at Monticello, Iowa."

The amendment was adopted.

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, 37:

Augustine	Goode	Long	Reilly
Bekman	Harvey	Love	Schluter
Benson	Hattery	Lundy	Shaw
Berg	Henningsen	Lynes	Stewart
Clark	Hill	Martin	Vittetoe
Emerson	Hunt	Mercer	Vrba
Evans	Johnson	Miller	Whitehill
Findlay	Jones	Mowry	Zastrow
Foster	Leo	Pelzer	Zeigler
Fuller			

Nays, none.

Absent or not voting, 13:

Byers	Elthon	Hess	Sjulin
Clem	Faul	Keir	Turner
Cromwell	Hart	Pine	Watson
Dykhouse			

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, Senate File 378, a bill for an act to appropriate from the general fund of the state of Iowa for the period from the effective date of this act and ending June 30, 1954, the sum of five thousand dollars (\$5,000.00) for the purpose of repairs to stop the slides of ground at the state capitol grounds, was taken up and considered.

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, 39:

Augustine	Fuller	Leo	Schluter
Bekman	Goode	Long	Shaw
Benson	Hart	Love	Sjulin
Berg	Harvey	Lundy	Stewart
Clark	Hattery	Lynes	Vittetoe
Clem	Henningsen	Martin	Vrba
Emerson	Hill	Mercer	Whitehill
Evans	Hunt	Miller	Zastrow
Findlay	Johnson	Mowry	Zeigler
Foster	Jones	Reilly	

Nays, none.

Absent or not voting, 11:

Byers	Elthon	Keir	Turner
Cromwell	Faul	Pelzer	Watson
Dykhouse	Hess	Pine	

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 Shaw, Senate File 366, a bill for an act to amend, revise and codify section six hundred fifty-five and one-hundredth (655.01), Code, 1939, and amend section six hundred fifty-five and fourteen one-hundredths (655.14), Code, 1939, relating to nominations by non-party political organizations, 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, 35:

Augustine	Goode	Love	Schluter
Benson	Hart	Lundy	Shaw
Clark	Harvey	Lynes	Sjulin
Clem	Henningsen	Martin	Vittetoe
Emerson	Hill	Mercer	Vrba
Evans	Hunt	Miller	Whitehill
Findlay	Jones	Mowry	Zastrow
Foster	Leo	Pelzer	Zeigler
Fuller	Long	Reilly	

Nays, none.

Absent or not voting, 15:

Bekman	Dykhouse	Hess	Stewart
Berg	Elthon	Johnson	Turner
Byers	Faul	Keir	Watson
Cromwell	Hattery	Pine	

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

On motion of Senator Love, Senate File 367, a bill for an act to amend sections five hundred eighty (580), five hundred eighty-one (581) and five hundred ninety-three (593), Code, 1939, providing for nomination in the event of the death of a candidate

for nomination between the last day for filing nomination papers and the closing of the polls on primary election day, was taken up and considered.

Senator Love moved that the bill be read a third 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	Fuller	Leo	Reilly
Benson	Goode	Long	Schluter
Berg	Hart	Love	Shaw
Clark	Harvey	Lundy	Sjulin
Clem	Hattery	Lynes	Vittetoe
Dykhouse	Henningsen	Martin	Vrba
Evans	Hill	Miller	Zastrow
Findlay	Hunt	Mowry	Zeigler
Foster	Jones	Pelzer	

Nays, none.

Absent or not voting, 15:

Bekman	Emerson	Keir	Turner
Byers	Faul	Mercer	Watson
Cromwell	Hess	Pine	Whitehill
Elthon	Johnson	Stewart	

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

Senator Hunt asked and received unanimous consent that House File 470, a bill for an act to amend section ten thousand eight hundred sixty-nine (10869), Code, 1939, relating to certification of jury lists, be substituted for Senate File 368.

House File 470 was taken up and considered.

Senator Hunt moved that the bill be read a third 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	Goode	Leo	Reilly
Bekman	Hart	Long	Schluter
Benson	Harvey	Love	Shaw
Clark	Hattery	Lundy	Sjulin
Clem	Henningsen	Lynes	Stewart
Dykhouse	Hill	Martin	Vittetoe
Evans	Hunt	Mercer	Vrba
Findlay	Johnson	Miller	Whitehill
Foster	Jones	Mowry	Zastrow
Fuller	Keir	Pelzer	Zeigler

Nays, none.

**Absent or not voting, 10:**

<b>Berg</b>	<b>Elthon</b>	<b>Hess</b>	<b>Turner</b>
<b>Byers</b>	<b>Emerson</b>	<b>Pine</b>	<b>Watson</b>
<b>Cromwell</b>	<b>Faul</b>		

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

Senator Hunt moved that the 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 Schluter, House File 317, a bill for an act to permit boards of supervisors to lease equipment, used to crush rock in county limestone quarries, to private persons for the years 1943 and 1944 and to this end to amend section three thousand one hundred forty-two and ten hundredths (3142.10), Code, 1939, was taken up and considered.

Senator Schluter moved that the bill be read a third 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:**

<b>Augustine</b>	<b>Fuller</b>	<b>Keir</b>	<b>Schluter</b>
<b>Bekman</b>	<b>Goode</b>	<b>Leo</b>	<b>Shaw</b>
<b>Benson</b>	<b>Hart</b>	<b>Long</b>	<b>Sjulin</b>
<b>Berg</b>	<b>Harvey</b>	<b>Lundy</b>	<b>Stewart</b>
<b>Clark</b>	<b>Hattery</b>	<b>Lynes</b>	<b>Vittetoe</b>
<b>Clem</b>	<b>Henningsen</b>	<b>Martin</b>	<b>Vrba</b>
<b>Dykhouse</b>	<b>Hill</b>	<b>Miller</b>	<b>Whitehill</b>
<b>Evans</b>	<b>Hunt</b>	<b>Mowry</b>	<b>Zastrow</b>
<b>Findlay</b>	<b>Johnson</b>	<b>Reilly</b>	<b>Zeigler</b>
<b>Foster</b>	<b>Jones</b>		

Nays, none.

**Absent or not voting, 12:**

<b>Byers</b>	<b>Emerson</b>	<b>Love</b>	<b>Pine</b>
<b>Cromwell</b>	<b>Faul</b>	<b>Mercer</b>	<b>Turner</b>
<b>Elthon</b>	<b>Hess</b>	<b>Pelzer</b>	<b>Watson</b>

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

On motion of Senator Dykhouse, House File 381, a bill for an act to legalize and validate the expenditures by the board of supervisors of Osceola county, Iowa, made for expenses incurred by the Osceola county ration board, was taken up and considered.

Senator Dykhouse moved that the bill be read a third 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	Foster	Jones	Reilly
Bekman	Fuller	Keir	Schluter
Benson	Goode	Leo	Shaw
Berg	Hart	Long	Sjulin
Clark	Harvey	Lundy	Stewart
Clem	Hattery	Lynes	Vittetoe
Dykhous	Henningsen	Martin	Vrba
Emerson	Hill	Mercer	Whitehill
Evans	Hunt	Miller	Zeigler
Findlay	Johnson	Mowry	

Nays, none.

Absent or not voting, 11:

Byers	Faul	Pelzer	Watson
Cromwell	Hess	Pine	Zastrow
Elthon	Love	Turner	

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

On motion of Senator Hunt, House File 254, a bill for an act to amend section six thousand two hundred and eleven (6211), Code, 1939, to give cities and towns power to levy one mill for city or town hall maintenance, was taken up and considered.

Senator Hunt moved that the bill be read a third 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	Foster	Jones	Pelzer
Bekman	Fuller	Keir	Reilly
Benson	Goode	Leo	Schluter
Berg	Hart	Long	Shaw
Clark	Harvey	Lundy	Sjulin
Clem	Hattery	Lynes	Stewart
Dykhous	Henningsen	Martin	Vittetoe
Emerson	Hill	Mercer	Vrba
Evans	Hunt	Miller	Whitehill
Findlay	Johnson	Mowry	Zeigler

Nays, none.

Absent or not voting, 10:

Byers	Faul	Pine	Watson
Cromwell	Hess	Turner	Zastrow
Elthon	Love		

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

Senator Hunt moved that the 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 Emerson, Senate File 365, a bill for an act to provide for qualified electors of Iowa who may be in service in the armed forces of the United States to vote at the primary and general elections in 1944, was taken up and considered.

Senator Emerson offered the following amendment and moved its adoption:

Amend Senate File 365 by striking the period (.) after the word "elector" in line twelve (12) of section two (2) and adding in lieu thereof the following: "or by an adult member of his immediate family living within the county where the request is made."

The amendment was adopted.

Senator Emerson moved that the bill be read a third 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	Foster	Leo	Reilly
Bekman	Goode	Long	Schluter
Benson	Hart	Love	Shaw
Berg	Harvey	Lundy	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Vittetoe
Dykhouse	Hill	Mercer	Vrba
Emerson	Hunt	Miller	Whitehill
Evans	Jones	Mowry	Zastrow
Findlay	Keir	Pelzer	Zeigler

Nays, none.

Absent or not voting, 10:

Byers	Faul	Johnson	Turner
Cromwell	Fuller	Pine	Watson
Elthon	Hess		

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

Senator Emerson moved that the 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 Hunt, House File 285, a bill for an act to amend section ten thousand twenty-eight (10028), Code, 1939, relating to release and satisfaction of mortgages and conditional sales contracts, was taken up and considered.

Senator Hunt moved that the bill be read a third 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	Fuller	Keir	Reilly
Bekman	Goode	Leo	Schluter
Benson	Hart	Long	Shaw
Berg	Harvey	Love	Sjulin
Clark	Hattery	Lynes	Stewart
Clem	Henningsen	Martin	Vittetoe
Dykhous	Hill	Mercer	Vrba
Emerson	Hunt	Miller	Whitehill
Evans	Johnson	Mowry	Zastrow
Findlay	Jones	Pelzer	Zeigler
Foster			

Nays, none.

Absent or not voting, 9:

Byers	Faul	Lundy	Turner
Cromwell	Hess	Pine	Watson
Elthon			

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

Senator Foster took the chair at 2:37 p. m.

On motion of Senator Bekman, House File 24, a bill for an act to amend and clarify section two thousand five hundred thirty (2530), Code, 1939, relating to the duties of health department inspectors in the enforcement of the law affecting the practice of pharmacy, 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	Foster	Jones	Schluter
Bekman	Fuller	Leo	Shaw
Benson	Goode	Long	Sjulin
Berg	Hart	Lynes	Stewart
Clark	Harvey	Martin	Vittetoe
Clem	Hattery	Mercer	Vrba
Dykhous	Henningsen	Miller	Whitehill
Emerson	Hill	Mowry	Zastrow
Evans	Hunt	Pelzer	Zeigler
Findlay	Johnson	Reilly	

Nays, none.

Absent or not voting, 11:

Byers	Faul	Love	Turner
Cromwell	Hess	Lundy	Watson
Elthon	Keir	Pine	

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

On motion of Senator Hunt, House File 387, a bill for an act to amend section three thousand four hundred twenty-one (3421) and section three thousand four hundred twenty-five (3425), Code, 1939, relating to the adjudication of an alleged feeble-minded person, was taken up and considered.

Senator Hunt moved that the bill be read a third 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	Foster	Leo	Pelzer
Bekman	Fuller	Long	Reilly
Benson	Goode	Love	Schluter
Berg	Hart	Lundy	Shaw
Clark	Harvey	Lynes	Sjulin
Clem	Hattery	Martin	Stewart
Dykhouse	Henningsen	Mercer	Vittetoe
Emerson	Hill	Miller	Vrba
Evans	Hunt	Mowry	Whitehill
Findlay	Jones		

Nays, none.

Absent or not voting, 12:

Byers	Faul	Keir	Watson
Cromwell	Hess	Pine	Zastrow
Elthon	Johnson	Turner	Zeigler

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

On motion of Senator Shaw, Senate File 204, a bill for an act to amend chapter two hundred thirty-nine (239), Senate File two hundred forty-eight (248), Acts and Laws of the Forty-ninth (49th) General Assembly of the state of Iowa, relating to home-  
stead tax credit for those in military service and to provide home-  
stead tax credit for their spouse, was taken up and considered.

Senator Shaw offered the following amendment by Senators Hill and Shaw and moved its adoption:

Amend Senate File 204 by striking from line four (4) of section one

(1) the word and figure "ten (10)" and by inserting in lieu thereof the word and figure "eleven (11)".

Further amend Senate File 204 by adding thereto a new section as follows:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Storm Lake Pilot Tribune, a newspaper published at Storm Lake, Iowa, and in the Eagle Grove Eagle, a newspaper published at Eagle Grove, Iowa."

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, 42:

Augustine	Foster	Leo	Reilly
Bekman	Fuller	Long	Schluter
Benson	Goode	Love	Shaw
Berg	Hart	Lundy	Sjulin
Clark	Harvey	Lynes	Stewart
Clem	Hattery	Martin	Vittetoe
Dykhouse	Hill	Mercer	Vrba
Emerson	Hunt	Miller	Whitehill
Evans	Jones	Mowry	Zastrow
Findlay	Keir	Pelzer	Zeigler

Nays, none.

Absent or not voting, 8:

Byers	Faul	Johnson	Turner
Cromwell	Henningsen	Pine	Watson
Elthon	Hess		

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.

President Blue took the chair at 2:55 p. m.

On motion of Senator Goode, Senate File 234, a bill for an act to amend section four thousand six hundred eighty-six and thirty-three hundredths (4686.33), Code, 1939, relating to funds for secondary road construction, was taken up and considered.

Senator Goode moved that the bill be read a third 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	Fuller	Leo	Reilly
Bekman	Goode	Long	Schluter
Benson	Hart	Love	Shaw
Berg	Harvey	Lundy	Sjulin
Clem	Hattery	Lynes	Stewart
Dykhouse	Henningesen	Martin	Vittetoe
Emerson	Hill	Mercer	Vrba
Evans	Hunt	Miller	Whitehill
Findlay	Jones	Mowry	Zastrow
Foster	Keir	Pelzer	Zeigler

Nays, none.

Absent or not voting, 10:

Byers	Elthon	Johnson	Turner
Clark	Faul	Pine	Watson
Cromwell	Hess		

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

Senator Goode moved that the 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 committee on Agriculture 1 offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION 25

*Be It Resolved by the Members of the Senate of the Fiftieth General Assembly of the State of Iowa, the Members of the House of Representatives Concurring:*

*Whereas, The United States of America is engaged in an all-out war against the Axis and in our drive for victory, it is necessary for the United States to furnish a vast amount of military equipment and food for millions of our own sons and daughters in service and in aid of our allies; and*

*Whereas, It is the first concern of every American citizen to win the war with as little loss of life and in as short a time as possible and then to make a lasting and a just peace; and*

*Whereas, The federal authorities in their wisdom in an effort to increase the production of military supplies have seen fit to provide on a national basis for a war savings time in accordance with which the schedules of trains and busses, the hours of persons working in defense industries and radio programs are being broadcast on a national basis; and*

*Whereas, It is the desire of the members of the Fiftieth General Assembly to cooperate with the federal government in the war effort; and*

*Whereas, The production of food for our sons and daughters in service and our allies during the war and as an instrumentality for*

maintaining public health and morale for the making of a lasting and just peace are as essential and necessary for the winning of the war and the making of the peace as the manufacture of military equipment; and

*Whereas*, Iowa is one of the great food producing centers of the world; and

*Whereas*, During the months of June, July and August, particularly during the time of cultivation, haying, harvest, and threshing, the adherence to wartime in the production of food will cause the farmers of the state to lose many man-hours at a time when skilled agricultural manpower has been drained to a dangerously low level; and

*Whereas*, If some solution for the problem of agricultural manpower and the loss of man-hours resulting in adherence to the war savings time is not found for the agricultural states will result in a substantial reduction in the production of food stuffs, thereby reducing the amount of food available to our soldiers, our allies, and our defense workers which will necessarily retard victory and increase the loss of life, misery and suffering throughout the world; and

*Whereas*, A change in the business hours of business institutions in agricultural communities and the change of the hours of meetings of the various organizations and social entertainments back to standard time during the months of cultivating, haying, harvest, and threshing will greatly increase the man-hours for the production of food, and tend to, in part, meet the shortage of skilled agricultural labor,

*Now Therefore Be It Resolved by the Members of the Fiftieth General Assembly of the State of Iowa*: That the governor of the state of Iowa be and he is hereby authorized and requested to issue a proclamation calling upon all business institutions and community organizations in the agricultural centers of Iowa to re-arrange their hours of opening and closing of all business institutions and all the various organizations to re-arrange their hours of meeting during the months of cultivation, haying, threshing, and harvest, to conform with the customary hours of labor of farmers as decreed by the laws of nature and calling upon all agricultural workers as a part of their contribution to the war effort to make any necessary sacrifices during the growing and harvest seasons to the end and purpose that agriculture in Iowa may make the maximum contribution to the feeding of our soldiers, our defense workers, and our gallant allies.

#### CONFERENCE REPORT ON SENATE FILE 343

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House on Senate File 343, beg leave to report that we have had the same under consideration and recommend that the House recede from its amendment to Senate File 343, and

Amend Senate File 343 by striking from lines four (4), five (5) and six (6) the words and figures "five million two hundred thirty-four thousand and sixty-six dollars (\$5,234,066.00)" and insert in lieu thereof the following: "five million one hundred thousand dollars (\$5,100,000.00)".

Further amend Senate File 343 by striking all of subsection three (3), being in lines twenty-four (24) to thirty-two (32) both inclusive, and inserting in lieu thereof the following:

“(3) Maintenance of Primary Road System

For salaries and wages.....	\$1,939,000.00
For travel expenses.....	18,000.00
For material, supplies and service.....	1,260,934.00
For equipment, replacements and operation.....	1,111,000.00

Total for maintenance of primary road system.....\$4,328,934.00

Further amend Senate File 343 by striking the figures “\$5,234,066.00” in line forty-four (44) and substitute in lieu thereof the figures “\$5,100,000.00”.

Respectfully submitted,

G. R. HILL.

C. A. BRYSON.

DEWEY E. GOODE.

GENE POSTON.

C. L. CLARK.

DEWEY S. BUTTERFIELD.

PAUL P. STEWART.

SAM ORBGAUGH.

*On the part of the Senate.*

*On the part of the House.*

#### CONFERENCE REPORT ON SENATE FILE 345

MR. PRESIDENT AND MR. SPEAKER: We, your conference committee appointed to consider the differences between the Senate and the House on Senate File 345, beg leave to report that we have had the same under consideration and desire to report as follows:

1. That House amendment number one be amended by inserting after the word “was” in line five (5) the following: “or should have been”, and when so amended, that both House and Senate concur therein.
2. That the House recede from its amendment number two.

Respectfully submitted,

GEORGE E. FARMER.

IRVING D. LONG.

D. A. DONOHUE.

R. W. ZASTROW.

W. C. TYRRELL, JR.

HARLAN C. FOSTER.

RAPHAEL R. R. DVORAK.

EDWIN C. SCHLUTER.

*On the part of the House.*

*On the part of the Senate.*

#### SENATE FILE WITHDRAWN FROM CONSIDERATION

Senator Mowry asked and received unanimous consent to withdraw Senate File 203 from the further consideration of the Senate.

#### MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 367 passed the Senate.

H. S. LOVE.



## AMENDMENTS FILED

Amend Senate File 372 by adding to section one (1) the following:  
"Helen Derby Long, Albia, Iowa, damage to auto, \$75.69".

HUGH LUNDY.

Amend the title to House File 465 by changing the period (.) following the word "procedure" in line three (3) of paragraph one (1) to a comma (,) and adding the following: "and provide for the last three hundred dollars of said appropriation to be paid when said rules of procedure go into effect, and fix the time thereof."

Further amend by adding as section two (2) the following:

"Seven hundred dollars (\$700.00) of the appropriation provided for in section one (1) shall be paid out for expenses contracted to date on said rules of procedure, but the remaining three hundred dollars (\$300.00) of the appropriation shall not be paid until said rules of procedure and forms become law as hereinafter provided."

Further amend by adding as section three (3) the following:

"These rules of procedure and forms shall not take effect nor become law until twenty days after the Fifty-first General Assembly adjourns and only then provided said rules and forms have been approved by the affirmative act of the said Fifty-first General Assembly at such regular session, notwithstanding chapter 311 of the Acts of the Forty-ninth General Assembly, to the contrary."

Further amend by renumbering section two (2) as section four (4).

DEVERE WATSON.

HUGH LUNDY.

RALPH E. BENSON.

RICHARD V. LEO.

CARL SJULIN.

R. E. HESS.

D. D. FULLER.

A. E. AUGUSTINE.

LUKE VITTETOE.

A. D. CLEM.

RALPH W. ZASTROW.

O. H. HENNINGSEN.

HARLAN C. FOSTER.

ROBERT C. REILLY.

Amend House File 123 by adding after the word "trustee", in line one (1), section one (1), "or the city council where there is no board of water works trustees".

Further amend by adding after the word "trustee", in line one (1), section three (3), "or the city council where there is no board of water works trustees".

ROBERT C. REILLY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 5, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. A. B. Chamberlain, pastor of the Methodist church of Clarence.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Pine for the day on request of Senator Martin; Senator Zeigler for the day on request of Senator Keir.

## PRESENTATION OF GAVEL TO LIEUTENANT GOVERNOR

Senator Hill asked and received unanimous consent that the sergeant-at-arms be permitted to escort Victor Lindquist and Frank Goodale, doorkeepers, to the rostrum.

Mr. Lindquist addressed the following remarks to the lieutenant governor and presented him with a gavel:

MR. PRESIDENT: There are many kinds of wood; some more valuable than others, some for their texture and some for their historical value. We, the doorkeepers of the Senate, were fortunate enough through Senator Hill, to secure two pieces of wood of historical value, one of walnut and one of oak. We thought this wood deserved a better fate than it was getting and have had it fashioned into a gavel in order to preserve it for posterity.

The walnut in this gavel was obtained from a piece of wood taken from one of the doors in the first courthouse built in Wright county, Iowa, at Goldfield in 1865.

The oak in this gavel was taken from one of the early pioneer homes in Wright county constructed by Robert Rowen. The lumber for this home was taken from the timber in that vicinity and was taken by ox teams to the mill and sawed in the town of Alden, Hardin county, Iowa.

This home served as a pioneer hostel known far and near as the "Travelers Rest" and was a regular stop in the stage line serving this area. Many prominent Wright county families spent their first days in the county in this home. In this home there were born four sons to Mr. and Mrs. Robert Rowen. The oldest son, John Rowen, later occupied a seat in the Iowa Senate. Another son, Robert, Jr., gave his life in the service of his country in the Civil War.

This home is still in the possession of the Rowen family and is occupied

by Charles Rowen, a grandson of Robert Rowen, who has presented the oak used in this gavel.

This gavel was turned out by Earl Anderson and Bill Myers, seniors in the Chariton, Iowa, high school, under supervision of Mr. A. H. Crocker, manual training instructor.

And now, Mr. President, it gives me great pleasure to present it to you from the Senate doorkeepers of the Fiftieth General Assembly, as a token of our esteem and appreciation of our association with you.

Lieutenant Governor Blue responded as follows:

Thank you for your thoughtfulness and kindness in presenting me with this beautiful gavel. I cannot, with mere words, express my appreciation to you and to the other doorkeepers of the Senate who have been instrumental in presenting this gavel to me. To me, it shall always be a symbol of the friendships I have made during this Fiftieth General Assembly which shall endure even as the hardy oak and walnut in this gavel have endured through many generations.

In life, the important things that control the destinies of men are the immaterial emotions such as love and hate and fear and greed rather than the things material.

This symbol of your kindness and affection shall, like the silver plate upon it, be a silver lining to the darker clouds which sometimes pass across our way.

I shall cherish it and the friendship that accompanies it throughout life. As an emblem of authority, I pledge you that I shall never use it except in the cause of justice and fair play.

### 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 236, a bill for an act relating to depositions in a workmen's compensation case.

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

House File 362, a bill for an act relating to compensation of county, municipal, and school examiners.

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

House File 367, a bill for an act relating to method of paying special assessments for improvements on highways.

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

House File 487, a bill for an act legalizing proceedings of the Stratford Mutual Telephone Company.

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

House File 488, a bill for an act legalizing proceedings of joint drainage district No. 3 (Dickinson and Osceola counties).

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

Senate File 115, a bill for an act relating to retired firemen and policemen.

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

Senate File 227, a bill for an act relating to the preparation of the laws, acts, and joint resolutions passed at each session of the General Assembly.

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

Senate File No. 257, a bill for an act transferring funds to state commissioner of labor for refunds.

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

Senate File 333, a bill for an act relating to annual reports of corporations.

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

Senate File 360, a bill for an act making appropriations to cover refunds on motor vehicle registration fees.

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

Senate File 373, a bill for an act making appropriations in settlement of certain claims.

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 making an appropriation for repairs of state capitol grounds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 359, a bill for an act making appropriations in settlement of certain claims.

Also: That the House has concurred in Senate amendments to and passed House File 138, a bill for an act relating to salaries at state penitentiary and men's reformatory.

Also: That the House has concurred in Senate amendments to and passed House File 218, a bill for an act relating to seining for fish in the Mississippi river.

Also: That the House has concurred in Senate amendments to and passed House File 477, a bill for an act relating to chauffeur's license.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 359

Amend Senate File 359 by striking the period (.) at the end of section one (1) and adding the following: "commission."

#### CONFERENCE REPORTS ADOPTED

Senator Evans called up the conference committee report on Senate File 343, a bill for an act authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1943, and ending June 30, 1945, and moved its adoption.

The motion prevailed and the report was adopted.

Senator Evans moved the adoption of the amendments contained in the conference committee report.

The amendments were adopted.

Senator Evans moved that the bill 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, 43:

Augustine	Foster	Jones	Reilly
Benson	Fuller	Keir	Schluter
Berg	Goode	Leo	Shaw
Byers	Hart	Long	Sjulin
Clark	Harvey	Love	Stewart
Clem	Hattery	Lundy	Turner
Cromwell	Henningsen	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Evans	Hunt	Mowry	Whitehill
Findlay	Johnson	Pelzer	

Nays, none.

##### Absent or not voting, 7:

Bekman	Faul	Pine	Zeigler
Emerson	Lynes	Zastrow	

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

Senator Evans asked and received unanimous consent to correct the title by striking the words "state highway commission".

The title as corrected 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.

President pro tempore Frank C. Byers took the chair at 11:32 a. m.

Senator Henningsen called up the conference committee report on Senate File 345, a bill for an act to provide for the disposition of the balance in the Iowa emergency relief fund, created in chapter one hundred forty-two (142), acts of the Forty-ninth General Assembly, by creating therefrom a general contingent fund and an Iowa emergency relief fund, both for the ensuing biennium and providing for the administration of said funds, and moved its adoption.

The motion prevailed and the report was adopted.

Senator Henningsen moved the adoption of the amendments contained in the conference committee report.

The amendments were adopted.

Senator Henningsen moved that the bill 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, 46:**

Augustine	Findlay	Keir	Reilly
Bekman	Foster	Leo	Schluter
Benson	Fuller	Long	Shaw
Berg	Goode	Love	Sjulin
Byers	Hart	Lundy	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Mercer	Vrba
Dykhouse	Hess	Miller	Watson
Elthon	Hunt	Mowry	Whitehill
Emerson	Johnson	Pelzer	Zastrow
Faul	Jones		

Nays, none.

Absent or not voting, 4:

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

## HOUSE AMENDMENTS CONSIDERED

Senator Hess called up for consideration Senate File 98, a bill for an act to amend sections ten thousand one hundred and sixty-one (10161) and ten thousand one hundred and sixty-two (10162), Code, 1939, relating to service of notice to terminate lease by lawn owner or tenant, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 98 as follows:

1. By striking all of the title and inserting in lieu thereof the following: "An act to amend section ten thousand one hundred sixty-one (10161), Code, 1939, and to repeal section ten thousand one hundred sixty-two (10162), Code, 1939, and enact a substitute therefor, relating to termination of tenancies."

2. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section ten thousand one hundred sixty-one (10161), Code, 1939, is amended by striking from lines eleven (11) and twelve (12) the words 'not later than November 1'.

"Sec. 2. Section ten thousand one hundred sixty-two (10162), Code, 1939, is hereby repealed and the following enacted in lieu thereof:

"Notice—how and when served. The written notice so required shall be given as follows:

"1. By delivery of notice in person on or before November 1 by one party to the other with acceptance of service thereon to be signed by the person receiving the notice, or

"2. By service on either party on or before November 1 by a person in behalf of the other party, in the same manner as original notices are served, or

"3. By either party sending to the other at his last known address, at least ten days before November 1, a notice by registered mail with a return receipt demanded.'"

The Senate concurred in the House amendments.

Senator Hess moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Elthon	Henningsen	Lundy
Bekman	Emerson	Hess	Lynes
Benson	Findlay	Hunt	Martin
Berg	Foster	Johnson	Mercer
Byers	Fuller	Jones	Miller
Clark	Goode	Keir	Mowry
Clem	Hart	Leo	Pelzer
Cromwell	Harvey	Long	Reilly
Dykhouse	Hattery	Love	Schluter

Shaw  
Sjulin  
Stewart

Turner  
Vittetoe

Vrba  
Watson

Whitehill  
Zastrow

Nays, none.

Absent or not voting, 5:

Evans  
Faul

Hill

Pine

Zeigler

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

Senator Hess moved that the 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 Blue took the chair at 12:01 p. m.

### THIRD READING OF BILLS

On motion of Senator Johnson, Senate File 376, a bill for an act to make appropriations to the First National Bank of Council Bluffs, Iowa; Ray Butler, Arnolds Park, Iowa; LeFebure Corporation, Cedar Rapids, Iowa; Harry Jenkins, LaCrosse, Wisconsin; George F. Brown, Sioux City, Iowa; Paul Fellman, Davenport, Iowa; Earl Scherf and K. M. Rooker, Ottumwa, Iowa; Johnath Gauger, Boone, Iowa; City of Ames, Iowa, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Sjulin offered the following amendment and moved its adoption:

Amend section nine (9), line two (2) by striking the words "general fund" and inserting in lieu thereof the words "funds of the state board of education relating to the Iowa State College of Agriculture and Mechanic Arts".

The amendment was adopted.

Senator Johnson moved that the bill be read a third 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  
Benson  
Byers  
Clark

Clem  
Cromwell  
Dykhouse  
Emerson

Evans  
Faul  
Findlay  
Foster

Fuller  
Goode  
Hart  
Harvey



Hattery	Keir	Mercer	Sjulin
Henningsen	Leo	Miller	Stewart
Hess	Long	Mowry	Turner
Hill	Love	Pelzer	Vittetoe
Hunt	Lundy	Reilly	Vrba
Johnson	Lynes	Schluter	Whitehill
Jones	Martin	Shaw	Zastrow

Nays, none.

Absent or not voting, 6:

Bekman	Elthon	Watson	Zeigler
Berg	Pine		

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 31, 133, 168, 181, 213, 249, 262, 306, 326, 341, 351 and 362.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 31, 133, 168, 181, 213, 249, 262, 306, 326, 341, 351, and 362.

#### BILLS SENT TO THE GOVERNOR

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

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 5th day of April, 1943, sent to the governor for his approval: Senate Files 31, 133, 168, 181, 213, 249, 262, 306, 326, 341, 351 and 362.

ROBERT C. REILLY, *Chairman.*

Passed on file.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on March 31st he had approved the following:

Senate File 21, relating to the committee on retrenchment and reform.

Also that on April 1st he had approved the following:

Senate File 2, authorizing the sale of real estate acquired by a county for delinquent taxes.

Senate File 33, relating to returns of policyholders of associations transacting hail insurance business.

Senate File 161, relating to bonds executed by reciprocal or interinsurance exchanges.

Senate File 194, relating to expenditures from court expense fund.

Senate File 217, relating to the reassignment of registration plates.

Senate File 312, to preserve state aid to county and district fair associations.

Senate File 338, relating to control, management and use of the unemployment compensation fund.

Also that on April 5th he had approved the following:

Senate Joint Resolution 3, providing for the investigation of the Iowa Great Lakes Sewage Disposal System.

Senate Joint Resolution 5, providing for the appointment of a committee for the centennial of the statehood of Iowa.

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

#### AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

#### INTRODUCTION OF BILLS

Senate Joint Resolution 8, by committee on agriculture 1, a bill for an act to provide for the appointment of a state manpower and agricultural machinery commission to make a survey throughout the state of the available supply of skilled agricultural help and the machinery necessary for the planting and harvesting of foodstuffs and to provide for the payment of expenses of the committee for actual and necessary expenses to be paid from funds appropriated for the national defense committee.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

#### HOUSE MESSAGES CONSIDERED

House File 236, a bill for an act to amend section one thousand four hundred forty-four (1444), Code, 1939, relating to depositions in a workmen's compensation case.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 362, a bill for an act to amend chapter sixty-five (65), acts of the Forty-ninth (49th) General Assembly, relating to compensation of county, municipal, and school examiners, and their assistants.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 367, a bill for an act to amend section four thousand six hundred thirty-four (4634), Code, 1939, relating to the method of paying special assessments by the state for improvements on highways along or through state-owned lands.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 487, 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 Stratford Mutual Telephone company, and to provide for the renewal of the charter of said Stratford Mutual Telephone company.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 488, a bill for an act to legalize the proceedings of Joint Drainage District No. 3 (Dickinson and Osceola counties) for payment of an attorney's fee in the case of Elizabeth Hartz, et al., vs. Osceola county, Geo. B. Brunson, treasurer of Osceola county, individually, et al., arising out of payment of drainage bonds of said district.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

## THIRD READING OF BILLS

On motion of Senator Byers, House File 344, a bill for an act to amend chapter three hundred ninety-four (394), Code, 1939, relating to corporations not for pecuniary profit, was taken up and considered.

Senator Whitehill offered the following amendment and moved its adoption:

Amend House File 344 at line fifty-two (52) of section one (1) following the semicolon (;) after the words "Disabled American Veterans;" by inserting the following: "United Spanish War Veterans;"

The amendment was adopted.

Senator Findlay offered the following amendment and moved its adoption:

Amend House File 344 by inserting in line sixty-seven (67) following the word "council" the words "The Girl Scouts of America."

The amendment was adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend House File 344 by adding at the end of the last sentence the following:

"The Secretary of State shall record same and forward same to the county recorder of the county where the corporation headquarters or principal place of business is located, and there it shall be recorded, and upon recording, returned to the corporation."

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, 44:

Augustine	Faul	Jones	Reilly
Benson	Findlay	Keir	Schluter
Berg	Foster	Leo	Shaw
Byers	Fuller	Long	Sjulin
Clark	Goode	Love	Stewart
Clem	Hart	Lundy	Turner
Cromwell	Harvey	Martin	Vittetoe
Dykhouse	Henningsen	Mercer	Vrba
Elthon	Hess	Miller	Watson
Emerson	Hill	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow

Nays, none.

Absent or not voting, 6:

Bekman	Hunt	Pine	Zeigler
Hattery	Lynes		

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 Hill took the chair at 1:50 p. m.

On motion of Senator Cromwell, House File 275, a bill for an act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto, 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, 45:

Augustine	Findlay	Jones	Reilly
Benson	Foster	Keir	Schluter
Berg	Fuller	Leo	Shaw
Byers	Goode	Long	Sjulin
Clark	Hart	Love	Stewart
Clem	Harvey	Lundy	Turner
Cromwell	Henningsen	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul			

Nays, none.

Absent or not voting, 5:

Bekman	Lynes	Pine	Zeigler
Hattery			

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 Watson, House File 210, a bill for an act to amend chapter two hundred fifty-seven (257) of the

laws of the Forty-ninth (49th) General Assembly relating to affidavits of adverse possession under tax deed, was taken up and considered.

Senator Watson moved that the bill be read a third 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	Faul	Johnson	Reilly
Bekman	Findlay	Jones	Schluter
Benson	Foster	Keir	Sjulin
Berg	Fuller	Long	Stewart
Byers	Goode	Love	Turner
Clem	Hart	Lundy	Vittetoe
Cromwell	Harvey	Martin	Vrba
Dykhous	Henningsen	Mercer	Watson
Elthon	Hess	Miller	Whitehill
Emerson	Hill	Mowry	Zastrow
Evans	Hunt	Pelzer	

Nays, none.

Absent or not voting, 7:

Clark	Leo	Pine	Zeigler
Hattery	Lynes	Shaw	

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

Senator Watson moved that the 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 Goode, House File 244, a bill for an act to amend section five thousand three and three hundredths (5003.03), Code, 1939, so as to except from the registration requirements thereof a person commuting from his residence in another state or whose employment is seasonal or temporary; to amend section five thousand eight and five hundredths (5008.05), Code, 1939, by providing for the issuance upon the payment of a five dollar fee of transit plates for new motor vehicles purchased in Iowa by a nonresident for removal to his state of residence; to amend section five thousand eight and twenty-two hundredths (5008.22), Code, 1939, by changing the time when the plates therein referred to must be returned to the county treasurer, by providing for the time in which the affidavit therein referred to must be filed with the county treasurer, and by adding a new subsection permitting a refund of the registration fee for a

vehicle placed in storage by an owner entering the military service of the United States; to amend section five thousand eight and twenty-three hundredths (5008.23), Code, 1939, by definitely fixing the period covered by the refund of a registration fee and the time when such refund shall be made; to amend section five thousand eight and twenty-four hundredths (5008.24), Code, 1939, relating to the authority of the motor vehicle department to make payment of refunds of registration fees; to amend section five thousand nine and two hundredths (5009.02), Code, 1939, by changing the term "motor vehicle" to "vehicle", by changing the date of the surrender of registration plates therein referred to, and by providing that the provision therein permitting the payment of the registration fees for certain vehicles in two installments shall apply only when the annual registration fee is in excess of thirty dollars; to amend chapter two hundred fifty-one and one tenth (251.1) Code, 1939, by adding a new section authorizing the commissioner of public safety to designate a privately owned ambulance, rescue or disaster vehicle as an authorized emergency vehicle and issue a certificate of designation therefor, and to revoke such certificate upon showing of abuse thereof; and to amend section five thousand thirty-five and fifteen hundredths (5035.15), Code, 1939, by providing for the manner in which an increased gross weight registration may be obtained for any vehicle held by a dealer for sale or trade, by further providing the manner in which an owner of a motor truck, truck tractor, road tractor, semitrailer or trailer may obtain an increased gross weight registration therefor on or after July first of each year, and by further providing the manner in which an increased gross weight registration may be obtained for a truck converted to a truck tractor and a truck tractor converted to a truck, was taken up and considered.

Senator Goode moved that the bill be read a third 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	Elthon	Hart	Johnson
Bekman	Emerson	Harvey	Keir
Benson	Evans	Hattery	Leo
Berg	Findlay	Henningsen	Long
Byers	Foster	Hess	Love
Clem	Fuller	Hill	Lundy
Cromwell	Goode	Hunt	Martin

Mercer  
Miller  
Mowry  
Pelzer

Reilly  
Schluter  
Shaw  
Sjulin

Stewart  
Turner  
Vittetoe  
Vrba

Watson  
Whitehill  
Zastrow

Nays, none.

Absent or not voting, 7:

Clark  
Dykhouse

Faul  
Jones

Lynes  
Pine

Zeigler

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

Senator Goode moved that the 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 Watson, House File 348, a bill for an act to legalize the expenditure of certain funds in 1935, 1937, 1938, and 1940 by Pottawattamie county, was taken up and considered.

Senator Watson moved that the bill be read a third 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  
Bekman  
Benson  
Berg  
Byers  
Clem  
Elthon  
Emerson  
Evans  
Findlay

Foster  
Goode  
Hart  
Harvey  
Hattery  
Henningsen  
Hess  
Hill  
Johnson  
Keir

Leo  
Long  
Love  
Lundy  
Martin  
Mercer  
Miller  
Mowry  
Pelzer  
Reilly

Schluter  
Shaw  
Sjulin  
Stewart  
Turner  
Vittetoe  
Vrba  
Watson  
Whitehill  
Zastrow

Nays, none.

Absent or not voting, 10:

Clerk  
Cromwell  
Dykhouse

Faul  
Fuller  
Hunt

Jones  
Lynes

Pine  
Zeigler

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

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

Senator Stewart asked and received unanimous consent to take up the following concurrent resolution, and moved its adoption:



## SENATE CONCURRENT RESOLUTION 25

*Be It Resolved by the Members of the Senate of the Fiftieth General Assembly of the State of Iowa, the Members of the House of Representatives Concurring:*

*Whereas*, The United States of America is engaged in an all-out war against the Axis and in our drive for victory, it is necessary for the United States to furnish a vast amount of military equipment and food for millions of our own sons and daughters in service and in aid of our allies; and

*Whereas*, It is the first concern of every American citizen to win the war with as little loss of life and in as short a time as possible and then to make a lasting and a just peace; and

*Whereas*, The federal authorities in their wisdom in an effort to increase the production of military supplies have seen fit to provide on a national basis for a war savings time in accordance with which the schedules of trains and busses, the hours of persons working in defense industries and radio programs are being broadcast on a national basis; and

*Whereas*, It is the desire of the members of the Fiftieth General Assembly to cooperate with the federal government in the war effort; and

*Whereas*, The production of food for our sons and daughters in service and our allies during the war and as an instrumentality for maintaining public health and morale for the making of a lasting and just peace are as essential and necessary for the winning of the war and the making of the peace as the manufacture of military equipment; and

*Whereas*, Iowa is one of the great food producing centers of the world; and

*Whereas*, During the months of June, July and August, particularly during the time of cultivation, haying, harvest, and threshing, the adherence to wartime in the production of food will cause the farmers of the state to lose many man-hours at a time when skilled agricultural manpower has been drained to a dangerously low level; and

*Whereas*, If some solution for the problem of agricultural manpower and the loss of man-hours resulting in adherence to the war savings time is not found for the agricultural states will result in a substantial reduction in the production of foodstuffs, thereby reducing the amount of food available to our soldiers, our allies, and our defense workers which will necessarily retard victory and increase the loss of life, misery and suffering throughout the world; and

*Whereas*, A change in the business hours of business institutions in agricultural communities and the change of the hours of meetings of the various organizations and social entertainments back to standard time during the months of cultivating, haying, harvest, and threshing will greatly increase the man-hours for the production of food, and tend to, in part, meet the shortage of skilled agricultural labor,

*Now, Therefore Be It Resolved by the Members of the Fiftieth General Assembly of the State of Iowa: That the governor of the state of*

Iowa be and he is hereby authorized and requested to issue a proclamation calling upon all business institutions and community organizations in the agricultural centers of Iowa to re-arrange their hours of opening and closing of all business institutions and all the various organizations to re-arrange their hours of meeting during the months of cultivation, haying, threshing, and harvest, to conform with the customary hours of labor of farmers as decreed by the laws of nature and calling upon all agricultural workers as a part of their contribution to the war effort to make any necessary sacrifices during the growing and harvest seasons to the end and purpose that agriculture in Iowa may make the maximum contribution to the feeding of our soldiers, our defense workers, and our gallant allies.

The motion prevailed and the resolution was adopted.

Senator Augustine offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION 26

*Whereas*, This nation is now engaged in the most desperate war of its entire history, and

*Whereas*, Due to the war a vast manpower shortage has been created and every individual is being asked to expend a great deal more personal effort, labor is working overtime and the farmer longer hours, and

*Whereas*, Every individual is being asked to make many personal sacrifices in the way of rationing, the buying of bonds and payment of heavy federal taxes to support the war effort, and

*Whereas*, It is just, proper and fitting for all governmental agencies, including the state government, to be willing to make the same sacrifices that are being made by the individual, and

*Whereas*, This fair state of Iowa has been accused of being a hotbed of isolationism, it is, therefore, our duty and privilege to prove to the nation and the world Iowa's sincere patriotism and loyalty to the war effort,

*Therefore, Be It Resolved by the Senate, the House Concurring:*

1. Every department of state government shall forthwith grant a leave of absence to approximately twenty-five per cent of their employees for the duration of the war in order that they may join the armed forces or become employed in something useful in the war effort.

2. Out of every appropriation made by the Fiftieth General Assembly, ten per cent shall be invested in United States government war bonds.

3. In lieu of a withholding tax, twenty per cent of all the funds appropriated by the Fiftieth General Assembly shall be withheld by the state and invested in United States government war bonds.

#### 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 282, 488, 487, Senate File 379, House Files 362, 168, 367, Senate Files 99 and 199, House Files 243, 299 and Senate File 156.

STANLEY L. HART, *Chairman*.

#### AMENDMENTS FILED

Amend House File 148 as follows:

Strike from the title of House File 148 the following words appearing on lines two (2) and three (3) thereof: "requiring the superintendent of public instruction"; and insert in lieu thereof the words "designating a committee to include the superintendent of public instruction".

Further amend House File 148 by striking all of the provisions of section one (1) and two (2) thereof and by inserting the following:

"Section 1. Chapter one hundred ninety (190), Code, 1939, is hereby amended by adding the following provision: "There shall be included in the curriculum of all public schools of this state a course of instruction relating to the effects of alcoholic stimulants and narcotics upon the human system for all students who have completed the eighth grade. A committee of four (4) members is hereby designated and shall be composed of the president of the State University of Iowa, at Iowa City, the president of Iowa State College, Ames, Iowa, the president of Iowa State Teachers College at Cedar Falls, Iowa, and the state superintendent of public instruction; said committee shall formulate plans and supervise the instruction of such subjects in the public school relating to the effects of alcoholic stimulants and narcotics on the human system. The committee shall conduct educational research on such subjects and shall prepare or obtain and supply all high schools, academics and institutions ranking as secondary schools with books, texts and supplies relating to the subject of alcohol and narcotics and their effects on the human system. The committee may employ, if necessary, competent instructors to instruct teachers and students in matters pertaining to the effects of alcohol and narcotics on the human system and such subject shall be dealt with from the health, moral and social aspects. The committee may delegate its authority with reference to research and compilation of data relating to this subject matter to members of the staff of their respective institutions or departments but under such delegation of authority any program developed shall be submitted in writing and verified and signed by the members of the committee."

"Sec. 2. There is hereby appropriated from the state treasury, out of any funds not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000.00) annually, or so much thereof as may be necessary for the purpose of carrying out the provisions of this act. The money herein appropriated shall be expended by the treasurer of the state on the order of the committee herein designated to carry out the provisions of this act."

"Sec. 3. The committee herein designated shall prepare and furnish to the Fifty-first (51st) General Assembly of the state of Iowa a report, which shall contain complete information relating to the activities of the committee and its accomplishments in carrying out the pro-

gram and teachings of the effects of alcohol and narcotics on the human system; and shall further report the expenditures made and purposes for which such expenditures were made." J. BERG.

Strike the words and figures set out in lines ten (10) and eleven (11) of section one (1) of Senate File 372, being the allowance of one thousand dollars (\$1,000.00) to Mrs. Anna Harms of George, Iowa, for the death of her husband. R. E. HESS.

Amend the amendment to Watson, et al., to House File 465, filed on April 2, 1943, by striking all after the word "shall" in line three (3) of the third division of said amendment and inserting in lieu thereof the following: "take effect July 4, 1943." IRVING D. LONG.

Amend House File 23 by striking section two (2).

GEO. FAUL.

DEWEY GOODE.

Amend Senate Joint Resolution 6 as follows:

1. By striking the words and figures "fifteen (15)" in line two (2) of section one (1), and inserting in lieu thereof the words and figures "twenty-five (25)".

2. Further amend by adding the following after the word "of" in line four (4) of section one (1), to wit. "the Iowa industrial and defense commission,".

3. Further amend by striking the period (.) at the end of section two (2) and inserting the following: ", and to take such steps and put into effect such measures, not prohibited by law, as may facilitate the purposes of this resolution."

4. Further amend by adding a new subsection, to be known as subsection five (5) of section two (2), of the resolution, as follows: "Subsection 5. To consider and act upon such other matters in connection with post-war problems, and preparation to meet them, as the governor may direct. The governor shall have power to direct the cooperation and coordination of any and all other state agencies with this committee in furtherance of the purposes of this resolution."

5. Further amend by adding the following words at the end of line three (3) of section seven (seven): "certified by the chairman and".

6. Further amend by renumbering the subsection of section two (2), following subsection four (4) thereof. DEVERE WATSON.

Amend Senate File 379 as follows:

1. Strike therefrom lines forty (40) to forty-eight (48) inclusive, section one (1), and substitute therefor the following five lines:

"3. 6% but less than 8%.....	2.7%	3.0%	3.5%	4.0%	4.5%
4. 8% but less than 10%.....	2.7%	2.7%	3.0%	3.5%	4.0%
5. 10% but less than 12%.....	2.7%	2.7%	2.7%	3.0%	3.0%
6. 12% but less than 14%.....	2.7%	2.7%	2.7%	2.7%	3.0%
7. over 14% .....	2.7%	2.7%	2.7%	2.7%	2.7%

2. Further amend by relettering the remaining paragraphs of section one (1) as paragraphs (e), (f), (g), (h), and (i).

3. Further amend by striking the word "herein" at the end of line

sixty-four (64) and substituting in lieu thereof the words: "in this subsection".

4. Further amend by striking all of line seventy (70) and inserting in lieu thereof the following words: "annual payroll for the preceding calendar year."

5. Amend the title as follows: "Following the word "act" in the first line thereof, insert the following words: "to amend section fifteen hundred fifty-one and thirteen hundredths (1551.13), Code, 1939, as amended, relating to contributions for unemployment compensation;"

E. K. BEKMAN.

Amend Senate File 199 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Chapter three hundred eleven (311) of the acts of the Forty-ninth General Assembly is hereby amended by repealing all of section two (2) and inserting in lieu thereof the following: "The rules and forms prescribed by the supreme court and reported by it to the Fiftieth General Assembly shall take effect on the 15th day of January, 1945, and thereafter all laws in conflict therewith shall be of no force or effect."

Sec. 2. This act being of immediate importance shall be in full force and effect from and after its passage and publication in the Sibley Gazette-Tribune, a newspaper published at Sibley, Iowa, and the Charles City Daily Press, a newspaper published at Charles City, Iowa.

J. T. DYKHOUSE.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 6, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. A. Tinberg, pastor of the Lutheran church of Swedesburg.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Johnson, from residents of Hancock county, favoring adoption of the new school code.

By Senator Cromwell, from business and professional men of Burlington, favoring passage of the new garnishment law.

By Senator Leo, from residents of Tama county, favoring return to standard time in Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Long for the day on request of Senator Love; Senator Pine for the day on request of Senator Martin.

## HOUSE AMENDMENTS CONSIDERED

Senator Johnson called up for consideration Senate File 359, a bill for an act to make appropriations to County Treasurer of Worth county, Iowa, T. W. Coulter, Clarinda, Iowa, Chicago, Rock Island & Pacific Railway Company, Chicago, Illinois, Primghar Savings Bank, Primghar, Iowa, Dr. J. W. Peterson, Waterloo, Iowa, Standard Oil Company, Des Moines, Iowa, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 359 by striking the period (.) at the end of section one (1) and adding the following: "commission."

The Senate concurred in the House amendment.

Senator Johnson moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Findlay	Jones	Shaw
Bekman	Foster	Love	Stulin
Benson	Fuller	Lundy	Stewart
Berg	Goode	Martin	Turner
Byers	Hart	Mercer	Vittetoe
Clark	Harvey	Miller	Vrba
Clem	Hattery	Mowry	Watson
Dykhouse	Henningsen	Pelzer	Whitehill
Emerson	Hess	Reilly	Zastrow
Evans	Johnson	Schluter	

Nays, none.

Absent or not voting, 11:

Cromwell	Hill	Leo	Pine
Elthon	Hunt	Long	Zeigler
Faul	Keir	Lynes	

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

#### REPORT OF DELEGATE TO REGIONAL CONFERENCE OF COUNCIL OF STATE GOVERNMENTS

Senator Cromwell, as a delegate from the Senate, under authority of House Concurrent Resolution 32, made a report on the regional conference of the Council of State Governments held in Chicago, Illinois, on April 2 and 3, pertaining to the consideration and organization of plans for post-war reconstruction and development sponsored by the council of state governments.

#### THIRD READING OF BILLS

On motion of Senator Johnson, Senate File 372, 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 returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate File 372 by adding to section one (1) the following:  
"Helen Derby Long, Albia, Iowa, damage to auto, \$75.69".

The amendment was adopted.

Senator Hess offered the following amendment and moved its adoption:

Strike the words and figures set out in lines ten (10) and eleven (11) of section one (1) of Senate File 372, being the allowance of one thousand dollars (\$1,000.00) to Mrs. Anna Harms of George, Iowa, for the death of her husband.

Senator Johnson moved the previous question on the amendment, which motion prevailed.

The amendment was lost.

Senator Johnson moved that the bill be read a third 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	Foster	Leo	Schluter
Benson	Goode	Love	Shaw
Berg	Hart	Lundy	Sjulin
Byers	Harvey	Lynes	Stewart
Clark	Hattery	Martin	Turner
Clem	Henningsen	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Elthon	Johnson	Mowry	Watson
Emerson	Jones	Pelzer	Whitehill
Evans	Keir	Reilly	Zastrow
Findlay			

Nays, none.

Absent or not voting, 9:

Bekman	Fuller	Hunt	Pine
Dykhouse	Hess	Long	Zeigler
Faul			

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

#### CONFERENCE REPORT ON SENATE FILE 239

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 239 relating to aid to dependent children, beg leave to report that we have had the same under consideration and recommend the following:

1. That the House recede from its amendments to the bill as passed by the Senate.

2. Amend the Senate bill as passed by placing a period (.) after the word "expenses" in line two (2) of subsection five (5) of section one (1), and by striking the remainder of said subsection five (5).

3. Further amend the bill as passed by the Senate by striking from



line one (1) of subsection one (1) of section two (2) the words "meeting acceptable standards." and by substituting therefor "maintained by one or more of the persons referred to in subsection four (4) of section one (1) of this act."

4. Further amend the bill as passed by the Senate by striking section three (3) and by substituting therefor the following:

"Sec. 3. Application for assistance. Application for assistance under this act shall be made to the county board of the county in which the dependent child resides or will reside in the event assistance is granted. The application shall be in writing or reduced to writing in the manner and upon the form prescribed by the state board. Such application shall be made by an adult person with whom the dependent child resides or will reside, and shall contain such information as may be required by said application form. One application may be made for several children of the same family if they reside or will reside with the same person."

5. Further amend the bill as passed by the Senate by striking the following from lines one (1), two (2), three (3) and four (4) of the second paragraph of section five (5): "The amount of assistance needed for any dependent child shall be fixed by the county board subject to the approval of the state department and in accordance with rules and regulations made by the state board" and by substituting therefor the following: "The county board shall, on the basis of actual need, fix the amount of assistance necessary for any dependent child, subject to the approval of the state department", and further amend the bill as passed by the Senate by striking lines twelve (12), thirteen (13), fourteen (14), fifteen (15) and the words "in the same home." of line sixteen (16) of the second paragraph of section five (5), and by substituting therefor the following: "fifteen dollars per month for one child, or, if there is more than one dependent child who will receive assistance in the same home, the grant shall not exceed fifteen dollars per month for one child and an additional ten dollars per month for each additional child in the same home, and in no event no more than fifty dollars per month for all children in one home."

6. Further amend the bill as passed by the Senate by striking the words "to the state board" from the head-note in section seven (7) and further amend section seven (7) by adding thereto the following:

"An applicant whose application for assistance has been rejected, or a recipient whose certificate for assistance has been cancelled or modified, after a review hearing hereinabove provided, within thirty (30) days after notice of such action is given, may appeal from the decision of the state board to the district court of the county in which the applicant or recipient resides, by serving a ten days notice of such appeal upon any member of the state board, in the manner required for the service of an original notice in any civil action. Upon the service of such notice, the state board shall furnish the applicant with a copy of the application and all supporting papers, a transcript of the testimony taken in a hearing, if any, and a copy of its decision. The district court shall act as an appellate 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."

7. Further amend the bill as passed by the Senate by striking section eight (8) and by substituting therefor the following:

"Sec. 8. Removal from county. When any child for whose benefit a grant of assistance has been made removes or is removed from the county giving assistance, it shall be the duty of the recipient to immediately notify the county board of the county giving assistance of the fact of such removal and of the city or town (or the nearest city or town) and of the county to which the child has removed. If the removal is into another county in the state, the county which has been giving assistance shall continue the assistance for a period of six months after the date of removal, but if the removal is out of the state, assistance shall immediately cease. Thereafter any assistance can be granted only in the manner provided for herein as to obtaining assistance, and can be only in and from the county in which the child is then living."

8. Further amend the bill as passed by the Senate by striking from lines three (3), four (4) and five (5) of section ten (10) the following: "They shall be open to inspection and use only by persons properly authorized to inspect them in connection with the administration of this act." and by substituting therefor the following: "They shall be subject to inspection and use only by persons authorized by the state or county in connection with their official duties directly connected with the administration of this act."

9. Further amend the bill as passed by the Senate by inserting after section fourteen (14) the following as sections fifteen (15) and sixteen (16):

"Sec. 15. No contribution or grant shall be received or accepted if any condition is attached as to its use or administration other than that it be used for assistance to dependent children as provided in this act.

"If any contribution or grant has been accepted, and thereafter the same is discontinued or rejected, the county tax levy for the purpose of this act shall not be increased more than one-half ( $\frac{1}{2}$ ) mill and the state appropriation shall not be increased more than seven hundred fifty thousand dollars (\$750,000.00) in any one fiscal year by reason of such discontinuance or rejection of any such contribution or grant.

"Sec. 16. The selection of all persons as employees of the state board in the administration of this act shall be governed by the provisions of section three thousand six hundred sixty-one and nine thousandths (3661.009), Code, 1939."

10. Further amend by renumbering the succeeding sections of the bill as passed by the Senate, commencing with section fifteen (15) of the Senate bill.

H. F. NELSON.  
CARROLL A. LANE.  
A. L. DOUD, JR.  
C. A. BRYSON.

GEORGE FAUL.  
E. K. BEKMAN.  
JOHN R. HATTERY.

*On the part of the House.*

*On the part of the Senate.*

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

## AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

## INTRODUCTION OF BILLS

Senate File 380, by committee on claims, a bill for an act to make appropriations to Henry W. Burma, Allison, Iowa, E. P. Donohue, New Hampton, Iowa, S. Ray Emerson, Creston, Iowa, O. H. Henningsen, Clinton, Iowa, Gus T. Kuester, Griswold, Iowa, and Melvin Wilson, Lake City, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

Senate File 381, by committee on claims, a bill for an act to make appropriations to Mr. and Mrs. J. C. Cottrell, Albia, Iowa; and Modern Launderers & Dry Cleaners, Cedar Rapids, Iowa; Merrill Correll, Anita, Iowa; Max Rochholz, Anita, Iowa; J. F. Fastenow, Peterson, Iowa.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

## 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 437, a bill for an act relating to the boundary line between Iowa and Nebraska.

Also: That the House has concurred in Senate amendments to and passed House File 344, a bill for an act relating to corporations not for pecuniary profit.

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

House Concurrent Resolution 34, establishing the Iowa co-operative commission, the House committee on interstate co-operation, and the Senate committee on interstate co-operation.

Also: That the House has amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 25, requesting the governor to make certain changes in the operation of the provisions of daylight savings time.

Also: That the House has adopted the report of the conference

committee, and the amendments recommended therein, and passed Senate File 345, a bill for an act providing for the disposition of the balance in the Iowa emergency relief fund.

Also: That the House has adopted the report of the conference committee and the amendments recommended therein, and passed Senate File 343, a bill for an act authorizing expenditures by the state highway commission.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 34

*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, to be officially known as the "House Committee on Interstate Co-operation", consisting of five members of the House of Representatives, to be named by the Speaker, who shall also designate one member as the chairman of the committee.

Sec. 2. There is hereby established a similar standing committee of the Senate, to be officially known as the "Senate Committee on Interstate Co-operation", consisting of five members of the Senate, to be named by the President of the Senate, who shall designate one member as the chairman.

Sec. 3. There is hereby established a commission, to be known as "The Iowa Co-operative Commission", to consist of the members of the House committee on interstate co-operation, the Senate committee on interstate co-operation, the attorney general of the state of Iowa, the treasurer of the state of Iowa, and one additional elective administrative official of the state of Iowa, to be designated by the governor. The governor shall be an ex-officio member of the commission, and shall be the chairman thereof.

Sec. 4. 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. 5. It shall be the duty of this commission:

1. To represent and participate on behalf of this state in the Council of State Governments.

2. To promote and encourage matters dealing with interstate co-operation between the various states, their officials, and employees.

- Sec. 6. 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 co-operation 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. 7. The commission shall report to the governor and to the legislature within fifteen days after the convening of each regular 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. 8. The committees and the commission established by this act shall be informally known, respectively, as the House Co-operation Committee, the Senate Co-operation Committee, and the Iowa Co-operation Commission.

#### HOUSE AMENDMENT TO SENATE CONCURRENT RESOLUTION 25

Amend preamble number seven (7) by striking the word "and" from the first line thereof and inserting after the word "August" the following: "and September".

#### HOUSE MESSAGE CONSIDERED

House File 437, a bill for an act to establish the boundary line between Iowa and Nebraska by agreement; to cede to Nebraska and to relinquish jurisdiction over lands now in Iowa but lying westerly of said boundary line and contiguous to lands in Nebraska; to provide that the provisions of this act become effective upon the enactment of a similar and reciprocal law by Nebraska and the approval of and consent to the compact thereby effected by the congress of the United States of America and to declare an emergency.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

#### CONFERENCE REPORT ADOPTED

Senator Faul asked and received unanimous consent to take up the conference committee report on Senate File 239, a bill for an act to provide for a system of aid to dependent children in the

several counties of the state, together with state aid therefor; to prescribe the powers and duties of the state board of social welfare, the county board of social welfare, and of counties and their boards of supervisors with regard to such system of aid; to repeal sections thirty-six hundred forty-one (3641), thirty-six hundred forty-one and one-tenth (3641.1), thirty-six hundred forty-two (3642), and thirty-six hundred forty-three (3643), Code of 1939, and any other acts or parts of acts in conflict with this act, and to make an appropriation to carry out the provisions of this act, and moved its adoption.

The motion prevailed and the report was adopted.

Senator Faul moved the adoption of the amendments contained in the conference committee report.

The amendments were adopted.

Senator Faul moved that the bill 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, 46:**

Augustine	Findlay	Keir	Schluter
Bekman	Foster	Leo	Shaw
Benson	Goode	Love	Sjulin
Berg	Hart	Lundy	Stewart
Byers	Harvey	Lynes	Turner
Clark	Hattery	Martin	Vittetoe
Clem	Henningsen	Mercer	Vrba
Cromwell	Hess	Miller	Watson
Dykhouse	Hill	Mowry	Whitehill
Elthon	Hunt	Pelzer	Zastrow
Emerson	Johnson	Reilly	Zeigler
Faul	Jones		

Nays, none.

**Absent or not voting, 4:**

Evans	Fuller	Long	Pine
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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.

## THIRD READING OF BILLS

On motion of Senator Cromwell, Senate Joint Resolution 6, a joint resolution to provide for the appointment of a post-war rehabilitation commission by the governor to study the problems of economic and social readjustments following the termination of the war and to report its recommendations and findings to the Fifty-first General Assembly, and to authorize necessary expenditures for the functioning of said commission from the state general fund, was taken up and considered.

Senator Watson offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 6 as follows:

1. By striking the words and figures "fifteen (15)" in line two (2) of section one (1), and inserting in lieu thereof the words and figures "twenty-five (25)".

2. Further amend by adding the following after the word "of" in line four (4) of section one (1), to wit. "the Iowa industrial and defense commission,".

3. Further amend by striking the period (.) at the end of section two (2) and inserting the following: ", and to take such steps and put into effect such measures, not prohibited by law, as may facilitate the purposes of this resolution."

4. Further amend by adding a new subsection, to be known as subsection five (5) of section two (2), of the resolution, as follows: "Subsection 5. To consider and act upon such other matters in connection with post-war problems, and preparation to meet them, as the governor may direct. The governor shall have power to direct the cooperation and coordination of any and all other state agencies with this committee in furtherance of the purposes of this resolution."

5. Further amend by adding the following words at the end of line three (3) of section seven (7): "certified by the chairman and".

6. Further amend by renumbering the subsection of section two (2), following subsection four (4) thereof.

The amendment was adopted.

Senator Cromwell 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 pass?" the vote was:

Ayes, 45:

Augustine  
Bekman  
Byers  
Clark

Clem  
Cromwell  
Dykhousé  
Elthon

Emerson  
Evans  
Faul  
Findlay

Foster  
Goode  
Hart  
Harvey

Hattery	Leo	Mowry	Turner
Henningsen	Love	Pelzer	Vittetoe
Hess	Lundy	Reilly	Vrba
Hill	Lynes	Schluter	Watson
Hunt	Martin	Shaw	Whitehill
Johnson	Mercer	Sjulin	Zastrow
Jones	Miller	Stewart	Zeigler
Kier			

Nays, none.

Absent or not voting, 5:

Benson	Fuller	Long	Pine
Berg			

The joint resolution 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 resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Cromwell asked and received unanimous consent that Senate Joint Resolution 6 be immediately messaged to the House, which request was complied with.

On motion of Senator Byers, House File 282, a bill for an act to amend section six thousand five hundred seventy-eight (6578), Code, 1939, relating to an annual tax levy for parks and cemeteries, 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, 44:

Augustine	Findlay	Keir	Schluter
Bekman	Foster	Leo	Shaw
Berg	Goode	Love	Sjulin
Byers	Hart	Lundy	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Henningsen	Mercer	Vrba
Dykhouse	Hill	Miller	Watson
Elthon	Hunt	Mowry	Whitehill
Emerson	Johnson	Pelzer	Zastrow
Faul	Jones	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Benson	Fuller	Long	Pine
Evans	Hess		



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 Reilly, 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 76, 183, 205, 242, 260, 283, 393, and 406.

*ROBERT C. REILLY, Chairman Senate Committee.*

*E. L. EDWARDS, 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 76, 183, 205, 242, 260, 283, 393, and 406.

#### HOUSE AMENDMENT CONSIDERED

Senator Stewart called up Senate Concurrent Resolution 25 as amended by the House and moved that the Senate concur in the House amendment, which motion prevailed.

Senator Stewart moved that the resolution as amended by the House be adopted.

The resolution was adopted.

#### MINORITY PARTY MEMBERS ON INTERIM COMMITTEE

The President appointed Senators Mercer and Reilly as the minority party members to serve on the interim committee on the part of the Senate.

#### MOTION TO TABLE RESOLUTION

**MR. PRESIDENT:** I move that Senate Concurrent Resolution 26 be laid on the table.

**G. W. HUNT.**

The following communication was received:

STATE APPEAL BOARD  
State House  
Des Moines, Iowa

April 2, 1943.

MR. W. J. SCARBOROUGH  
Secretary of the Senate  
Building.

Dear Mr. Scarborough:

We are submitting to you for transmittal to the chairman of the claims committee the following claim, which has been investigated by the attorney general's office, and upon which the appeal board has made certain recommendations in each case:

No. 96, Melvin Correll and Max Rochholz, Anita, Iowa, claim for month's salary upon induction into the army. Correll \$208.00; Rochholz \$156.00. Approved as filed.

Yours very truly,

STATE APPEAL BOARD.

C. FRED PORTER, *Chairman.*

W. G. C. BAGLEY,

C. B. AKERS,

*Members.*

#### REPORTS OF COMMITTEE

Senator Evans submitted the following reports:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 380, a bill for an act to make appropriations to Henry W. Burma, Allison, Iowa; E. P. Donohue, New Hampton, Iowa; S. Ray Emerson, Creston, Iowa; O. H. Henningsen, Clinton, Iowa; Gus T. Kuester, Griswold, Iowa, and Melvin Wilson, Lake City, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 381, a bill for an act to make appropriations to Mr. and Mrs. J. C. Cottrell, Albia, Iowa; Modern Launderers & Dry Cleaners, Cedar Rapids, Iowa; Merrill Correll, Anita, Iowa; Max Rochholz, Anita, Iowa; and J. F. Fastenow, Peterson, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend House File 243 by striking from section one (1), line twenty (20) all after the word "that", and all of lines twenty-one (21), twenty-two (22) and twenty-three (23) and insert in lieu thereof: "a person

or an employee of such person operating a vehicle exclusively in connection with the business or farming operations of such person shall not be deemed a chauffeur."

DEWEY E. GOODE.

Amend section three (3), line seven (7), of Senate File 99, by striking the word "man" and substituting therefor the word "men".

Amend section six (6), line three (3), by striking the words "deputies and field men" and substituting therefor the words "deputies, field men, and clerks".

Further amend section six (6), by striking from line four (4), the words "Deputies and field men" and substituting therefor the following: "Deputies, field men, and clerks".

Amend section eight (8), line five (5), by inserting a comma (,) after the word "assessors".

Amend section eight (8), line six (6), by striking the words "and field men" and substituting therefor the words "field men, and clerks".

Amend section ten (10), subsection five (5) by striking the letter "s" from the word "taxpayers" in line forty-nine (49).

Further amend by inserting immediately after section thirteen (13), a new section as follows:

"After April 15 in each year, members of city and town councils and township boards of trustees in the county, as individuals or as boards, shall be entitled at reasonable times to examine at the assessor's office, individual assessments in their taxing districts and to be informed as to total valuations placed upon all classes of property, as the same become available. The assessor shall place all such information which he may have before them and render all assistance which can be given without undue hindrance to or interference with his duties.

"Upon the written request to the county board of review of a majority of the members of the council of cities and towns or board of trustees, made on or before June 15 in three-member counties and on or before July 15 in five-member counties, such board of review shall set a time for hearing at the county seat or within the taxing district, as they shall designate. The county assessor, as secretary of the board of review, shall notify the city, town or township clerk, as the case may be, by registered mail at least five days in advance, of the time and place of such hearing.

"At such hearing members of the governing bodies of such taxing districts may present such evidence and supporting argument thereon regarding individual assessments and the assessment of any class of property in their districts as they may desire, giving due regard to possible limitations of time available for such hearing. They may also present written evidence and argument, for later consideration, at the meeting or mail such further written evidence and argument to the secretary of the board of review within five days after such hearing.

"The fact that evidence and supporting argument thereon may be presented by governing bodies regarding individual assessments in any taxing district, shall not act in any way to relieve taxpayers or officers from the necessity of filing appeals as required in section sixteen (16) hereof."

Further amend by renumbering sections.

Amend section fifteen (15), lines two (2) and three (3) by striking the comma (,) after the word "him" in line two (2) and remainder of sentence and substituting therefor, "and deliver all that are on file, not previously so delivered, to the chairman of the county board of review at the beginning of each day's session of the board, provided however, that if so requested by the chairman he may return such appeals to his files for safekeeping until the board is ready to consider and act upon them."

Amend section sixteen (16) by inserting after line ten (10) the following: "In addition to the foregoing qualifications, in five-member counties one member shall be a licensed real estate broker and another a registered architect or building contractor."

Further amend section sixteen (16), line eleven (11) by striking the period (.) after the word "township" and by substituting a comma (,) therefor and after said comma insert the following: "unless that township contains twenty-five (25) per cent or more of the taxable valuation of the county, not including moneys and credits, as shown by the last tax list, in which case two members may be appointed from it, but this provision shall apply only to counties which have five members on the board of review."

Further amend section sixteen (16), line twenty-two (22) by inserting between the words "The" and "board", the word "appointing".

Further amend section sixteen (16), line twenty-six (26) by striking the word "auditor" and substituting therefor the word "assessor". Further amend by striking the words "such board" and substituting therefor the words "the county board of review".

Amend section eighteen (18), lines three (3) and four (4) by inserting a period (.) after the word "assessor" in line three (3) and strike remainder of sentence.

Amend section twenty (20), line four (4) by striking the words "the county auditor and".

Amend section twenty-one (21) by adding the following: "No voluntary settlement of an assessment appeal shall be made unless approved in writing by the county assessor."

JOHN R. HATERY.

Amend Senate File 99 by substituting for the title thereof the following: "An act to provide for a county assessor and a county board of review and prescribing their powers and duties." JOHN R. HATERY.

Amend the Dykhouse amendment to Senate File 199 found on page 1067 of the Senate Journal, as follows: "Strike from lines five (5) and six (6) the following: "15th day of January, 1945" and insert in lieu thereof the following: "July 1, 1944".

E. K. BEKMAN.

G. W. HUNT.

STANLEY HART.

Amend Senate File 199 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Chapter three hundred eleven (311) of the acts of the Forty-ninth General Assembly is hereby amended by repealing all of section two (2) and inserting in lieu thereof the following: 'The rules and forms prescribed by the supreme court and reported by it to the

Fiftieth General Assembly shall take effect on the fourth day of July, 1943, and thereafter all statutes listed in the appendix to such rules as reported to the general assembly are hereby repealed.'

Sec. 2. This act being of immediate importance shall be in full force and effect from and after its passage and publication in the Sibley Gazette-Tribune, a newspaper published at Sibley, Iowa, and the Charles City Daily Press, a newspaper published at Charles City, Iowa."

IRVING D. LONG.

Amend House File 383 by striking all of section one (1) following the colon (:) in line two (2) and by substituting in lieu thereof the following: "Provided, however, that the Secretary of the Senate and the Chief Clerk of the House shall each be elected for a period of two years, ending within thirty days after the convening of the succeeding General Assembly and each shall receive as compensation the sum of three thousand dollars (\$3,000.00) per annum to be paid from the general funds of the state which are not otherwise appropriated. Each shall maintain their respective offices in the capitol building and shall perform such other duties as the legislature may prescribe during any regular or special sessions and shall perform such other duties as the committee on retrenchment and reform may prescribe during the interim of legislative sessions. Their specific duties shall be to edit the respective House and Senate Journals, including the indexing thereof, and to render such assistance to the reporter of the supreme court and code editor as may be found necessary in the publication of the session laws. They shall make such legislative research as may be directed by the legislature or the committee on retrenchment and reform including the drafting of legislative bills, reports on proposed legislation or other matters which may be necessary in the performance of their duties. Each shall be allowed such clerical assistance and expense as may be determined by the committee on retrenchment and reform."

Amend the title to House File 383 by striking the last line thereof and inserting in lieu thereof the following: "offices of the Secretary of the Senate and Chief Clerk of the House of Representatives relating to their respective duties and providing an appropriation for their compensation."

CARL O. SJULIN.  
ROBERT C. REILLY.  
A. D. CLEM.

Amend Senate File 379 by striking the words and figures "one hundred per cent (100%)" in line nine (9) of section one (1), and by inserting in lieu thereof the following: "fifty per cent (50%)".

Further amend Senate File 379 by adding in line 32 of section one (1), before the figure "100%", the figure "50%"; by adding in line thirty-three (33) the word "but"; by adding in line thirty-four (34) the word "less" before the first "less"; by adding in line thirty-five (35) the word "than" before the first "than"; by adding in line thirty-six (36) the figure "100%" before the figure "150%"; by striking from

line thirty-eight (38) the following: "1. under 4%", and by adding to line thirty-eight (38) before the figure "3.5%", the figure "3.0%".

Further amend Senate File 379 by striking all of lines thirty-nine (39) to forty-eight (48) inclusive.

HUGH W. LUNDY.

FRANK D. MARTIN.

A. E. AUGUSTINE.

ROBERT C. REILLY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 7, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. C. E. Lookingbill, pastor of the Methodist church of Nevada.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Augustine, from residents of Mahaska county, in opposition to Senate Concurrent Resolution 20, relative to Japanese-American citizens.

By Senator Foster, from residents of Washington county, favoring certain truck legislation.

By Senator Benson, from residents of Carroll county, favoring adoption of the new school code.

By Senator Berg, from residents of Black Hawk county, favoring aid to dependent children.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Henningsen for the day on request of Senator Hattery; Senator Long for the day on request of Senator Love; Senator Pine for the day on request of Senator Martin.

## INTRODUCTION OF BILLS

Senate File 382, by committee on accounting, a bill for an act to amend chapter sixty-two (62), acts of the Forty-ninth General Assembly, and section eighty-four and thirteen hundredths (84.13), Code, 1939, to reduce, from six months to three months, the time when unencumbered balances of appropriations shall revert to the general fund at the end of the biennial fiscal term and to correspondingly reduce the time in which to file a claim against the state.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 383, by committee on accounting, a bill for an act to provide for the cancellation and stoppage of payment on all state warrants unredeemed within six months of the date of issuance and to provide that the holders of such warrants shall have a claim against the state.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 384, by committee on accounting, a bill for an act to provide for the cancellation and stoppage of payment on all treasury checks unredeemed within six months of the date of issuance and to provide that the holders of such checks shall have a claim therefor against the state.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 385, by committee on accounting, a bill for an act to amend section eighty-four and six hundredths (84.06), Code, 1939, relating to the budget report of the state comptroller.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 386, by committee on judiciary 2, a bill for an act to establish a general fund for the state of Iowa for the biennium beginning July 1, 1943, and ending June 30, 1945.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 387, by committee on judiciary 2, a bill for an act to amend section seven thousand one hundred eighty-two (7182), Code, 1939, relating to the annual tax levy for general state purposes.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate File 388, by committee on judiciary 2, a bill for an act to authorize the editor of the Code to edit the expression "and/or" whenever it occurs in the statutes and acts of the General Assembly.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.



Senate File 389, by committee on appropriations 1, a bill for an act to authorize the purchase of and payment for certain property adjacent to and adjoining the Pillsbury Point Park in the town of Arnolds Park, Dickinson county, Iowa, and to contract for the vacation of a street or alley in said town.

Read first and second times, is ready for commitment and amendment, and placed on the calendar.

Senate File 390, by committee on public schools, a bill for an act providing for state aid to public schools and providing for appropriation of state aid to school districts of the state.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee and appropriations committee 1.

Senate File 391, by committee on judiciary 2, a bill for an act relating to sale in Iowa of commodities whose standards are affected by federal law regulation, restriction, ruling or conservation order.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate Joint Resolution 9, by committee on accounting, a joint resolution to provide that the unexpended balance remaining in the fund appropriated to the executive council, by section eighteen (18) of chapter one (1), acts of the Forty-ninth General Assembly, for the purpose of revising the accounting and accounting procedure of the state including the payment of consultants, shall not revert to the general fund at the expiration of the current biennial fiscal term but shall continue to be available for the purposes enumerated in said act and for additional purposes.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

Senate Joint Resolution 10, by Senators Schluter, Hess and Hunt, a joint resolution for the appointment of commission to make further study of the matter provided for in chapter one hundred fifty-two (152) (S. F. 291), acts of the Forty-ninth General Assembly, providing the scope of the work of the commission, and providing for a report of the commission to the governor and making an appropriation to carry out the provisions of the resolution.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee and appropriation committee 1.

Senate Joint Resolution 11, by committee on constitutional amendments, a joint resolution proposing an amendment to article nine (IX) of the constitution of the state of Iowa by striking out of the second division of said article in section seven (7) thereof the words and commas, to-wit: "in proportion to the number of youths, between the ages of five (5) and twenty-one (21) years," relating to the distribution of common school funds.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. The following amendment to article nine (IX) of the constitution of the state of Iowa is hereby proposed:

Amend article nine (IX), section seven (7) of the second division thereof by striking therefrom the words and commas, to-wit: "in proportion to the number of youths between the ages of five (5) and twenty-one (21) years,"

Sec. 2. The foregoing proposed amendment is hereby referred to the legislature to be chosen at the next general election for members of the General Assembly, and the secretary of state shall cause the same to be published for three (3) months previous to the date of said election as provided by law.

Read first and second times, is ready for commitment and amendment, 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 241, a bill for an act relating to weighing vehicles.

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

House File 300, a bill for an act relating to the school laws.

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

House File 356, 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 427, a bill for an act relating to the issuance of secondary road construction fund certificates by counties.

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

House File 463, a bill for an act relating to penalty for operating a motor vehicle while intoxicated.

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

House File 476, a bill for an act relating to careless driving.

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

House File 492, a bill for an act making an appropriation for the purpose of defraying expenses in connection with official occasions.

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

Senate File 258, 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 House was asked:

Senate File 356, a bill for an act relating to claims between the state of Iowa and others.

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

Senate File 375, a bill for an act authorizing the construction and maintenance of flight strips.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 103, a bill for an act relating to old-age assistance.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 103

Amend Senate File 103 by adding thereto the following new sections:

"Sec. 2. Section three thousand eight hundred twenty-eight and forty-two thousandths (3828.042), Code, 1939, as amended by chapter one hundred forty-five (145), acts of the Forty-ninth General Assembly, is hereby amended by striking all of said section following the period (.) after the word 'fund' in line twenty-five (25) thereof and by substituting therefor the following: 'At the end of each quarter of each fiscal year if the old-age assistance revolving fund shall have a cash balance in excess of two hundred thousand dollars, the state comptroller shall transfer such excess to the old-age assistance fund and shall notify the state board of such transfer. The amounts thus transferred shall supplement other allocations to the old-age assistance fund and may be expended for the purposes and in the manner referred to in section three thousand eight hundred twenty-eight and thirty-nine thousandths (3828.039).'

"Sec. 3. Other provisions of chapter one hundred eighty-nine and one-tenth (189.1), Code, 1939, to the contrary notwithstanding, the state

and county welfare boards are hereby authorized and directed to review as soon as practicable, the case reports of all old-age assistance recipients for the purpose of determining their present needs and adjusting assistance.

"Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in *The American Citizen*, a newspaper published at Des Moines, Iowa; and *The Bremer County Independent and Waverly Republican*, published at Waverly, Iowa."

Amend the title to Senate File 103 by inserting after the word "therefor" in line four (4) of the title the following:

"; and to amend section three thousand eight hundred twenty-eight and forty-two thousandths (3828.042), Code, 1939, as amended by chapters 145 and 146, acts of the Forty-ninth General Assembly,".

#### HOUSE MESSAGES CONSIDERED

House File 241, a bill for an act to amend section five thousand thirty-five and fourteen hundredths (5035.14), Code, 1939, relating to weighing vehicles and providing for the adjustment of loads.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 300, a bill for an act to repeal chapters one hundred ninety (190), one hundred ninety-one (191), one hundred ninety-two (192), one hundred ninety-three (193), one hundred ninety-four (194), two hundred six (206), two hundred six and one-tenth (206.1), two hundred seven (207), two hundred eight (208), two hundred nine (209), two hundred ten (210), two hundred eleven (211), two hundred eleven and one-tenth (211.1), two hundred twelve (212), two hundred thirteen (213), two hundred fourteen (214), two hundred fifteen (215), two hundred fifteen and two-tenths (215.2), two hundred sixteen (216), two hundred nineteen (219), two hundred twenty (220), two hundred twenty-one (221), two hundred twenty-three (223), two hundred twenty-five (225), two hundred twenty-six (226), two hundred twenty-seven (227), two hundred twenty-eight (228), two hundred thirty-one (231), and two hundred thirty-two (232), Code, 1939, and chapters one hundred fifty-six (156), one hundred fifty-seven (157), one hundred fifty-eight (158), one hundred fifty-nine (159), one hundred sixty (160), one hundred sixty-one (161), one hundred sixty-two (162), one hundred sixty-three (163), one hundred sixty-four (164), one hundred sixty-five (165), one hundred sixty-six (166), one hundred sixty-seven (167), and two hundred

twenty (220) of the laws of the 49th General Assembly, pertaining to education and to enact substitutes therefor and additional provisions concerning education as follows:

(1) To provide for the scope and organization of matters to be contained in the Iowa School Code and the definition of terms used therein; (2) to provide for a state plan for public education and the equalization of educational opportunity for all children of the state; (3) to provide for a state system of public instruction and for the kinds and types of schools thereof; (4) to provide for the control and support of public education, including partial support of public schools from state funds; (5) to provide for the functions of the state educational agencies and the responsibility of the state with respect thereto; (6) to place responsibility for administration and operation of public schools in local school authorities; (7) to provide for the creation, selection, and operation of a state board of public instruction and to prescribe its duties, powers, and responsibilities; (8) to provide for the creation of the office of state superintendent of public instruction, qualifications and manner of selection of such officer and the duties, powers and responsibilities of such office; (9) to provide for the creation of the state department of public instruction and define the duties, powers and responsibilities of such agency; (10) to provide for the organization of a county school system and for the control, administration and supervision thereof; (11) to provide for the creation, selection and organization of a county board of education, and to define its powers, duties and responsibilities; (12) to provide for the creation of the office of county superintendent of schools, the term of said office, qualifications of such officer, method of selection and defining the duties, powers and responsibilities of such officer; (13) to provide for organization, officers, powers, jurisdiction, boundaries, size, names, division, and change in territory, of school districts in general; (14) to provide for the method of forming independent districts and regulations governing the same; (15) to provide for the division or uniting of school districts in general and to prescribe regulations therefor; (16) to provide for consolidated school districts, method of information, maintenance, operation and dissolution thereof; (17) to provide for organization, powers, duties, and responsibilities of school directors and other officers and the compensation thereof; (18) to define the powers, duties and responsibilities of the president, secretary and treasurer of school corporations; (19) to pro-

vide for school elections and to prescribe regulations therefor and to designate number of directors in certain districts; (20) to define qualifications and requirements for teaching personnel; (21) to provide for a minimum wage for teachers; (22) to allow certain independent school districts to establish and maintain a teachers' pension and annuity retirement system and providing regulations therefor; (23) to provide for the privileges, duties, powers and responsibilities of instructional and administrative personnel of the public school system; (24) to provide for protection of school instructional and administrative personnel of public school districts and prescribing penalties for violation thereof; (25) to define the powers, duties and responsibilities of the state board of public instruction with reference to teacher education and training and institutions therefor; (26) to provide for conferences of school officials for purpose of improving administration of and instruction in the public schools; (27) to provide for certification of instructional, supervisory and administrative school personnel and prescribing regulations pertaining thereto; (28) to provide for revocation of certificates under certain conditions and prescribing regulations therefor; (29) to provide for establishment of normal training high schools and regulations therefor; (30) to provide for contracts for teachers under certain prescribed conditions and regulations with respect thereto; (31) to provide regulations respecting attendance at school and certain exemptions from compulsory attendance; (32) to provide for attendance officers, qualifications and compensation thereof, and defining the duties, powers and responsibilities of such officers; (33) to provide for enforcement of compulsory school attendance laws and penalties for violation thereof; (34) to provide for the establishment, maintenance and operation of a uniform system of child accounting and records to be kept thereof; (35) to provide for the control of pupils in the public schools, to define the authority of school officials and employees with respect thereto and to prohibit cruel and excessive punishment; (36) to provide for safeguards to health of pupils in the public schools and sanitation of school premises; (37) to provide for establishment of curriculum by local school boards, consistent with subjects required to be taught, and enumerating such subjects; (38) to provide for continuous revision of courses of study in the public schools, creating committees for study of subjects to be taught, and prescribing duties and responsibilities

of such committee and to provide for recommendations to be made by state superintendent of public instruction; (39) to provide for improvement of instruction in the public schools by professional teachers meetings, to provide regulations therefor and appropriate one hundred dollars per county for each year of the biennium to assist in financing such meetings and to provide for paying the balance of the costs thereof; (40) to provide for adoption and methods of purchasing and contracting and paying for public school textbooks and instructional aids by local boards of education and the county board of education; (41) to provide for the rental, sale or loan of textbooks and regulations pertaining thereto; (42) to provide for free textbooks in the public schools, under certain prescribed conditions; (43) to provide for uniformity of textbooks used in the public schools of any county, under certain prescribed conditions; (44) to provide for transportation for pupils to public schools and terms and conditions of such transportation; (45) to provide that the motor vehicle laws of Iowa shall apply to operation of school buses; (46) to authorize boards of education operating school buses to procure and pay for liability insurance for the benefit of public school pupils injured or killed by operation or use of school bus, while being transported therein, to provide additional liability insurance under prescribed conditions; (47) to provide that liability insurance policies written on school buses waive governmental immunity; (48) to provide regulations for equipment for transportation of public school students and defining the term "school bus"; (49) to provide minimum safety standards for school buses and effective date thereof; (50) to provide for limitations on use of school buses; (51) to provide for establishment of school bus routes and for conditions governing the same; (52) to provide for zoning of tuition areas by county board of education and prescribing rules therefor, to eliminate duplication of school bus lines; (53) to provide for transportation and tuition of pupils for closed high schools and to provide methods of paying therefor; (54) to provide for reporting street and highway hazards dangerous to school children and duties of officials with respect thereto; (55) to provide for qualifications and conditions of employment of school bus drivers and duties and responsibilities thereof; (56) to provide for the establishment, care, and maintenance of school plants by state, county, and local school officials, the acquisition, use, disposal, condemnation, and pro-

tection thereof and to authorize insurance upon the same, to provide a penalty for defacing school property; (57) to provide for fire precautions with respect to school property, for fire escapes and fire drills; (58) to provide for fixing sites for school buildings and regulations pertaining to such sites; (59) to provide for prohibiting undesirable places and undesirable advertising near school sites and to provide penalties for violations; (60) to provide for cooperation of school districts and other public officials in improving and beautifying school grounds; (61) to provide for the creation, management, and control of and accounting for permanent and temporary school funds and prescribing duties and powers of officers with respect thereto; (62) to provide for manner of sale of school lands and disposition of proceeds thereof; (63) to authorize indebtedness of school corporations, to provide limitations thereof and regulations relating thereto; (64) to provide for the manner of levying and collecting school taxes and purposes for which levied and duties of officers in connection therewith; (65) to provide for apportionment of school funds; (66) to provide for the form and issuance of bonds by school districts and regulations concerning the same; (67) to provide for payment of judgments against school districts; (68) to provide for contracts of school districts for use of libraries under certain conditions; (69) to provide for reimbursement of school districts for loss of taxes; (70) to provide for requirements for standard schools and state aid therefor and regulations concerning the same; (71) to provide for the establishment in the state treasury of a state distributive fund for equalization of educational opportunity and tax burdens and to define said fund and the uses thereof; (72) to create an agricultural land credit fund and to provide for its custody and means for its distribution and conditions under which eligibility for payments of agricultural land credits are defined and established; (73) to provide for conditions under which school districts may become eligible for financial aid from the state equalization fund; (74) to authorize state superintendent of public instruction to administer such distributive fund; (75) to appropriate one and one-half million dollars for each year of the biennium for creation and maintenance of the state equalization fund and the agricultural land credit fund; and (76) to provide for acceptance and distribution of funds appropriated by the federal government in aid of education and prescribing regulations therefor.



Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 356, a bill for an act to amend section one thousand nine hundred twenty-one and ninety-six thousandths (1921.096), section one thousand nine hundred twenty-one and ninety-nine thousandths (1921.099), section one thousand nine hundred twenty-one and one hundred four thousandths (1921.104), and section one thousand nine hundred twenty-one and one hundred twenty-nine thousandths (1921.129), Code, 1939, relating to beer and malt liquors.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 427, a bill for an act to repeal sections four thousand six hundred forty-four and forty-six hundredths (4644.46), four thousand six hundred forty-four and forty-eight hundredths (4644.48), four thousand six hundred forty-four and forty-nine hundredths (4644.49), four thousand six hundred forty-four and fifty-two hundredths (4644.52), four thousand six hundred forty-four and fifty-five hundredths (4644.55), Code, 1939, relating to the issuance of secondary road construction fund certificates by counties, and enact substitutes in lieu thereof.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 463, a bill for an act to amend section five thousand twenty-two and two hundredths (5022.02), Code, 1939, relating to the penalty for operating a motor vehicle while intoxicated or under the influence of narcotic drugs, and providing as to revocation of operator's license in such case.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 476, a bill for an act to amend section five thousand twenty-two and five hundredths (5022.05), Code, 1939, relating to the penalty for reckless driving and to amend chapter two hundred fifty-one and one tenth (251.1), Code, 1939, to provide for the offense of careless driving and a penalty therefor, to permit to be charged in one indictment or information, operating a motor vehicle while intoxicated and reckless driving, and making careless driving an included offense in such cases.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 492, a bill for an act to make an appropriation from the general fund of the state to the governor for the purpose of defraying expenses incurred in connection with the midwest governors' conference held on March 15, 1943, the presentation of the silver service to the battleship Iowa on March 22, 1943, and for the purpose of defraying expenses in connection with occasions of an official nature.

Read first and second times, is ready for commitment and amendment, and referred to appropriations committee 1.

### EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your joint committee on enrolled bills respectively reports that it has examined and finds correctly enrolled: Senate Files 115, 227, 257, 333, 350, 360, 373 and 378.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 115, 227, 257, 333, 350, 360, 373, and 378.

### BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 7th day of April, 1943, sent to the governor for his approval: Senate Files 115, 227, 257, 333, 350, 360, 373 and 378.

ROBERT C. REILLY, *Chairman.*

Passed on file.

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

### AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

### 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 Joint Resolutions 11 and 10, Senate File 390, House File 437, Senate Files 382, 383, 384, 385, Senate Joint Resolution 9, Senate Files 386, 387 and 391, Senate Joint Resolution 7, House File 427.

STANLEY L. HART, *Chairman*.

### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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, 107, 116, 153, 160, 212, 247, 254, 268, 285, 317, 318, 320, 325, 327, 343, 381, 387, 401, 411 and 470.

ROBERT C. REILLY, *Chairman Senate Committee*.

E. L. EDWARDS, *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, 107, 116, 153, 160, 212, 247, 254, 268, 285, 317, 318, 320, 325, 327, 343, 381, 387, 401, 411, and 470.

### 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 189, a bill for an act relating to profits of the state liquor commission.

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

House File 404, a bill for an act relating to air transportation.

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

House File 478, a bill for an act relating to making arrests and the issuance of summons.

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

House File 486, a bill for an act relating to refunds to holders of beer permits.

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

House File 490, a bill for an act relating to taxation of federal property in Iowa.

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 payment of tuition for non-resident pupils.

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

Senate File 363, a bill for an act relating to suspension of provisions of section 3093.1.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 336, a bill for an act relating to school districts' levy for general fund.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 376, a bill for an act making appropriations in settlement of certain claims.

Also: That the House has adopted the report of the conference committee, and the amendments recommended therein, and passed Senate File 239, a bill for an act relating to aid to dependent children.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 336

Amend Senate File 336 as follows:

Strike the words "twenty-five" in line five (5), section one (1) and insert in lieu thereof the word "fifteen".

Further amend by striking the words "eighty-five" in line nine (9), section one (1) and inserting in lieu thereof the words "seventy-five".

Further amend by adding as section three (3) the following:

"In all school districts where the maximum statutory allowances provided herein are not sufficient to meet the budget requirements, upon proper showing by any such school district the state comptroller may authorize such district to levy an additional amount above the said maximum statutory allowance for each person of school age in the district, up to but not in excess of thirty-five per cent."

## HOUSE AMENDMENT TO SENATE FILE 376

Amend Senate File 376 by striking section nine (9) and inserting in lieu thereof the following:

"There is hereby appropriated out of the general fund of the state of Iowa to the city of Ames, Iowa, the sum of two thousand three hundred ninety-one dollars and nineteen cents (\$2,391.19) in full settlement of all claims which the city may have against the state of Iowa for special assessments for curb and gutter and stabilized gravel 1939A and special assessments for curb and gutter and stabilized gravel 1938B, City of Ames."

## HOUSE MESSAGE CONSIDERED

House File 404, a bill for an act to amend chapter three hundred three and one-tenth (303.1), Code, 1939, relating to airports, air transportation systems, and other facilities required by aeronautical commerce.

Read first and second times, it ready for commitment and amendment, and referred to sifting committee.

## HOUSE AMENDMENTS CONSIDERED

Senator Faul called up for consideration Senate File 103, a bill for an act to repeal section three thousand eight hundred twenty-eight and nine thousandths (3828.009), Code, 1939, and to enact a substitute therefor relating to old-age assistance, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 103 by adding thereto the following new sections:

"Sec. 2. Section three thousand eight hundred twenty-eight and forty-two thousandths (3828.042), Code, 1939, as amended by chapter one hundred forty-five (145), acts of the Forty-ninth General Assembly, is hereby amended by striking all of said section following the period (.) after the word 'fund' in line twenty-five (25) thereof and by substituting therefor the following: 'At the end of each quarter of each fiscal year of the old-age assistance revolving fund shall have a cash balance in excess of two hundred thousand dollars, the state comptroller shall transfer such excess to the old-age assistance fund and shall notify the state board of such transfer. The amounts thus transferred shall supplement other allocations to the old-age assistance fund and may be expended for the purposes and in the manner referred to in section three thousand eight hundred twenty-eight and thirty-nine thousandths (3828.039)'.

"Sec. 3. Other provisions of chapter one hundred eighty-nine and one-tenth (189.1), Code, 1939, to the contrary notwithstanding, the state and county welfare boards are hereby authorized and directed to review as soon as practicable, the case reports of all old-age assistance

recipients for the purpose of determining their present needs and adjusting assistance.

"Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The American Citizen, a newspaper published at Des Moines, Iowa; and The Bremer County Independent and Waverly Republican, published at Waverly, Iowa."

Amend the title to Senate File 103 by inserting after the word "therefor" in line four (4) of the title the following:

"; and to amend section three thousand eight hundred twenty-eight and forty-two thousandths (3828.042), Code, 1939, as amended by chapters one hundred forty-five (145) and one hundred forty-six (146), acts of the Forty-ninth General Assembly,".

The Senate concurred in the House amendments.

Senator Faul moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Evans	Keir	Schluter
Bekman	Faul	Leo	Shaw
Benson	Findlay	Love	Sjulin
Berg	Foster	Lundy	Stewart
Byers	Fuller	Lynes	Turner
Clark	Goode	Martin	Vittetoe
Clem	Harvey	Mercer	Vrba
Cromwell	Hattery	Miller	Watson
Dykhouse	Hess	Mowry	Whitehill
Elthon	Hill	Pelzer	Zastrow
Emerson	Johnson	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Hart	Hunt	Long	Pine
Henningsen	Jones		

The bill having received a constitutional majority was declared to have passed the Senate 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 Johnson called up for consideration Senate File 376, a bill for an act to make appropriations to the First National Bank of Council Bluffs, Iowa; Ray Butler, Arnolds Park, Iowa; LeFebure Corporation, Cedar Rapids, Iowa; Harry Jenkins, LaCrosse, Wisconsin; George F. Brown, Sioux City, Iowa; Paul

Fellman, Davenport, Iowa; Earl Scherf and K. M. Rooker, Ottumwa, Iowa; Johnath Gauger, Boone, Iowa; City of Ames, Iowa, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 376 by striking section nine (9) and inserting in lieu thereof the following:

"There is hereby appropriated out of the general fund of the state of Iowa to the city of Ames, Iowa, the sum of two thousand three hundred ninety-one dollars and nineteen cents (\$2,391.19) in full settlement of all claims which the city may have against the state of Iowa for special assessments for curb and gutter and stabilized gravel 1939A and special assessments for curb and gutter and stabilized gravel 1938B, city of Ames."

The Senate concurred in the House amendment.

Senator Johnson moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Evans	Keir	Schluter
Bekman	Faul	Leo	Shaw
Benson	Findlay	Love	Sjulin
Berg	Fuller	Lundy	Stewart
Byers	Goode	Lynes	Turner
Clark	Harvey	Martin	Vittetoe
Clem	Hattery	Mercer	Vrba
Cromwell	Hess	Miller	Watson
Dykhouse	Hill	Mowry	Whitehill
Elthon	Johnson	Pelzer	Zastrow
Emerson	Jones	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Foster	Henningsen	Long	Pine
Hart	Hunt		

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

### THIRD READING OF BILLS

On motion of Senator Byers, House File 23, a bill for an act to amend section sixty-nine hundred eighty-six (6986), Code, 1939, relating to the computing and apportioning of taxes, was taken up and considered.

Senator Byers offered the following amendment and moved its adoption:

Amend House File 23, as it passed the House, by striking therefrom the second section thereof and by substituting for the section so stricken the following:

Sec. 2. That section six thousand nine hundred eighty-six (6986), Code, 1939, be amended by adding thereto, at the end thereof, the following:

"For the purpose of computing and apportioning taxes as provided by this section, a taxing district shall be construed to be a school district or that part of a school district which carries a uniform tax rate on all real and personal property assessed therein."

Senator Sjulín moved the previous question on the amendment, which motion prevailed.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 9:**

Berg  
Byers  
Clark

Hart  
Harvey

Jones  
Lundy

Martin  
Mercer

**Nays, 35:**

Augustine  
Bekman  
Benson  
Clem  
Dykhousé  
Elthon  
Emerson  
Evans  
Faul

Findlay  
Foster  
Fuller  
Goode  
Hattery  
Hess  
Hill  
Johnson  
Keir

Leo  
Love  
Lynes  
Miller  
Mowry  
Pelzer  
Reilly  
Schluter  
Shaw

Sjulín  
Stewart  
Turner  
Vittetoe  
Vrba  
Whitehill  
Zastrow  
Zeigler

**Absent or not voting, 6:**

Cromwell  
Henningsen

Hunt  
Long

Pine

Watson

The amendment was lost.

Senator Faul offered the following amendment by Senators Faul and Goode and moved its adoption:

Amend House File 23 by striking section two (2).

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, 35:**

Augustine  
Bekman  
Benson

Clark  
Dykhousé  
Emerson

Evans  
Faul  
Findlay

Foster  
Goode  
Harvey



Hattery	Lundy	Reilly	Vittetoe
Hill	Lynes	Schluter	Vrba
Johnson	Martin	Shaw	Whitehill
Keir	Miller	Sjulin	Zastrow
Leo	Mowry	Stewart	Zeigler
Love	Pelzer	Turner	

Nays, 6:

Berg	Clem	Hart	Watson
Byers	Elthon		

Absent or not voting, 9:

Cromwell	Hess	Jones	Mercer
Fuller	Hunt	Long	Pine
Henningsen			

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 Faul asked and received unanimous consent that House File 23 be immediately messaged to the House, which request was complied with.

On motion of Senator Dykhousé, House File 488, a bill for an act to legalize the proceedings of Joint Drainage District No. 3 (Dickinson and Osceola counties) for payment of an attorney's fee in the case of Elizabeth Hartz, et al., vs. Osceola county, Geo. B. Brunson, treasurer of Osceola county, individually, et al., arising out of payment of drainage bonds of said district, was taken up and considered.

Senator Dykhousé moved that the bill be read a third 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	Goode	Love	Sjulin
Benson	Hart	Lynes	Stewart
Clark	Harvey	Martin	Turner
Clem	Hattery	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dykhousé	Johnson	Pelzer	Watson
Elthon	Jones	Reilly	Whitehill
Emerson	Keir	Schluter	Zastrow
Evans	Leo	Shaw	Zeigler
Findlay			

Nays, none.

## Absent or not voting, 13:

Bekman	Foster	Hess	Lundy
Berg	Fuller	Hunt	Mowry
Byers	Henningsen	Long	Pine
Faul			

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

On motion of Senator Hill, House File 487, 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 Stratford Mutual Telephone company, and to provide for the renewal of the charter of said Stratford Mutual Telephone company, 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	Hart	Lundy	Sjulin
Berg	Harvey	Lynes	Stewart
Clem	Hattery	Martin	Turner
Dykhouse	Hess	Mercer	Vittetoe
Elthon	Hill	Mowry	Vrba
Emerson	Hunt	Pelzer	Watson
Evans	Jones	Reilly	Whitehill
Faul	Keir	Schluter	Zastrow
Findlay	Leo	Shaw	Zeigler
Foster	Love		

## Nays, none.

## Absent or not voting, 12:

Bekman	Clark	Goode	Long
Benson	Cromwell	Henningsen	Miller
Byers	Fuller	Johnson	Pine

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 COMMITTEE

Senator Evans submitted the following report:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred Senate File 390, a bill for an act providing for state aid to

public schools and providing for appropriation of state aid to school districts of the state, 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 appropriations 1, to which was referred House File 492, a bill for an act to make appropriation from general fund of the state to governor for defraying expenses incurred with midwest governors' conference March 15, 1943, and for presentation of silver service to battleship Iowa March 22, 1943, etc., 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 appropriations 1, to which was referred Senate Joint Resolution 10, a joint resolution for the appointment of commission to make further study of chapter one hundred fifty-two (152) (S. F. 291), acts of the Forty-ninth General Assembly, providing scope of work of commission, providing for report to governor and making appropriation to carry out provisions of the resolution, 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.

#### SPECIAL ORDER OF BUSINESS

Senator Hunt asked and received unanimous consent that Senate Joint Resolutions 10 and 11 and Senate File 390 be made special orders of business for 10:00 a. m. Thursday.

#### AMENDMENTS FILED

Amend the amendment to Senate File 199 filed by Senator Dykhousé April 5, 1943, by striking the words "15th day of January, 1945," in line five (5) of section one (1) of said amendment, and substituting therefor the words "4th day of July, 1945".

A. D. CLEM.

Amend Senate File 386 by striking all after the enacting clause and substituting therefor the following:

"Section 1. The amount derived from taxes levied for state general revenue purposes, and all other sources which are available for appropriations for general state purposes, and all other money in the state treasury which is not by law otherwise segregated, shall be established as a general fund of the state."

GEORGE FAUL.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 8, 1943.

The Senate met in regular session, President Robert D. Blue presiding.

Prayer was offered by the Rev. Paul E. Parker, pastor of the First Presbyterian Church of Audubon.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Shaw, from residents of Humboldt county, favoring adoption of the new school code.

By Senator Jones, from residents of Clarke county, favoring adoption of the new school code.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Pine for the day on request of Senator Martin; Senator Emerson for the day on request of Senator Berg; Senator Henningsen for the day on request of Senator Hattery.

## 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 105, a bill for an act relating to compensation of municipal court reporters.

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

House File 494, a bill for an act making an appropriation for payment of miscellaneous expenses of the Fiftieth General Assembly.

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

House Joint Resolution 6, providing for the creation and appointment of a special committee to make a survey and study of the present system of taxation in Iowa, and to make an appropriation therefor.

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

Senate File 372, a bill for an act making appropriations in settlement of certain claims against 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 21, providing for the adjournment sine die of the Fiftieth General Assembly at five o'clock, Thursday afternoon, April 8, 1943.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 105, a bill for an act to amend section ten thousand six hundred eighty-five (10685), Code, 1939, relating to salaries of court reporters of municipal courts.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 189, a bill for an act to amend section one thousand nine hundred twenty-one and fifty thousandths (1921.050), Code, 1939, relating to profits of the state liquor commission.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 478, a bill for an act to repeal sections five thousand thirty-seven and two hundredths (5037.02), five thousand thirty-seven and three hundredths (5037.03), and five thousand thirty-seven and four hundredths (5037.04), Code, 1939, and to enact substitutes therefor; to amend chapter two hundred fifty-one and one-tenth (251.1), Code, 1939, and section thirteen thousand four hundred sixty (13460), Code, 1939, relating to making arrests, the issuance of summons, and memoranda for violations of said chapter, stopping of vehicles by peace officers, the issuance of summons in lieu of warrants for arrest by magistrates in case of misdemeanor and the procedure thereunder.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 486, a bill for an act to amend section one thousand nine hundred twenty-one and one hundred thousandths (1921.100), Code, 1939, as amended by section eight (8), chapter one hundred fourteen (114), acts of the Forty-ninth General Assembly, relating to refunds to holders of beer permits.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 490, a bill for an act to amend section four (4), Code of Iowa, 1939, and subsection one (1) of section six thousand nine hundred forty-four (6944), Code of Iowa, 1939, and providing for the taxation of property of the United States of America in the state of Iowa when such taxation is consented to by the United States of America.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

House File 494, a bill for an act making an appropriation for payment of miscellaneous expenses of the Fiftieth General Assembly.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

House Joint Resolution 6, a joint resolution providing for the creation and appointment of a special committee to make a survey and study of the present system of taxation in Iowa, and to make an appropriation therefor.

Read first and second times, is ready for commitment and amendment, and referred to committee on appropriations 1.

### THIRD READING OF BILLS

The time having arrived for consideration of the special orders, on motion of Senator Schluter, Senate Joint Resolution 10, a joint resolution for the appointment of commission to make further study of the matter provided for in chapter one hundred fifty-two (152) (S. F. 291), acts of the Forty-ninth General Assembly, providing the scope of the work of the commission, and providing for a report of the commission to the governor and making an appropriation to carry out the provisions of the resolution, 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 Senate Joint Resolution 10 by striking the word "November" and the figure "10" in line three (3) of section three (3) and inserting in lieu thereof "January 1".

The amendment was lost.

Senator Byers took the chair at 10:45 a. m.

Senator Goode offered the following amendment and moved its adoption:

Amend the enacting clause of Senate Joint Resolution 10 by striking the word "Resolved" and inserting in lieu thereof the word "Enacted".

The amendment was adopted.

Senator Schluter 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 pass?" the vote was:

Ayes, 39:

Bekman	Faul	Jones	Pelzer
Benson	Foster	Keir	Schluter
Berg	Fuller	Leo	Sjulin
Byers	Goode	Long	Stewart
Clark	Hart	Love	Turner
Clem	Harvey	Lundy	Vittetoe
Cromwell	Hattery	Lynes	Whitehill
Dykhouse	Hess	Martin	Zastrow
Elthon	Hill	Miller	Zeigler
Evans	Hunt	Mowry	

Nays, 8:

Augustine	Johnson	Reilly	Vrba
Findlay	Mercer	Shaw	Watson

Absent or not voting, 3:

Emerson	Henningsen	Pine
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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 Schluter 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.

On motion of Senator Watson, Senate Joint Resolution 11, a joint resolution proposing an amendment to article nine (IX) of the constitution of the state of Iowa by striking out of the second division of said article in section seven (7) thereof the words and commas, to-wit: "in proportion to the number of youths, between the ages of five (5) and twenty-one (21) years," relating to the distribution of common school funds.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. The following amendment to article nine (IX) of the constitution of the state of Iowa is hereby proposed:

Amend article nine (IX), section seven (7) of the second division thereof by striking therefrom the words and commas, to-wit: "in proportion to the number of youths between the ages of five (5) and twenty-one (21) years,".

Sec. 2. The foregoing proposed amendment is hereby referred to the legislature to be chosen at the next general election for members of the General Assembly, and the secretary of state shall cause the same to be published for three (3) months previous to the date of said election as provided by law, was taken up and considered.

Senator Watson 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 pass?" the vote was:

Ayes, 47:

Augustine	Findlay	Keir	Schluter
Bekman	Foster	Leo	Shaw
Benson	Fuller	Long	Sjulin
Berg	Goode	Love	Stewart
Byers	Hart	Lundy	Turner
Clark	Harvey	Lynes	Vittetoe
Clem	Hattery	Martin	Vrba
Cromwell	Hess	Mercer	Watson
Dykhous	Hill	Miller	Whitehill
Elthon	Hunt	Mowry	Zastrow
Evans	Johnson	Pelzer	Zeigler
Faul	Jones	Reilly	

Nays, none.

Absent or not voting, 3:

Emerson	Henningsen	Pine
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The joint resolution having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Watson 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.

President Blue took the chair at 10:55 a. m.



On motion of Senator Hunt, Senate File 390, a bill for an act providing for state aid to public schools and providing for appropriation of state aid to school districts of the state, was taken up and considered.

Senator Hunt offered the following amendment and moved its adoption:

Amend Senate File 390, line seven (7) of section one (1) by striking the words "may not" and inserting in lieu thereof the word "does not permit them to".

The amendment was adopted.

Senator Elthon moved that the Senate recess until 1:30 p. m., which motion was lost.

Senator Elthon moved that action be deferred on Senate File 390 until 2:00 p. m., which motion was lost.

On motion of Senator Faul, the Senate recessed until 1:35 p. m.

#### AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

#### INTRODUCTION OF BILLS

Senate File 392, by committee on judiciary 2, a bill for an act to authorize the state comptroller to transfer from the use tax fund designated for homestead credit to the general fund of the state of Iowa.

Read first and second times, is ready for commitment and amendment, and referred to sifting committee.

#### REPORT OF COMMITTEE

Senator Evans submitted the following report:

MR. PRESIDENT: Your committee on appropriations 1, to which was referred House File 494, a bill for an act making an appropriation for payment of miscellaneous expenses of the Fiftieth General Assembly, 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 494, section one (1) as follows: Insert in line sixteen (16) "Ruth Calhoun, for services as clerk of the special legislative committee.....\$50.00".

K. A. EVANS, *Chairman*.

Ordered passed on file.

## THIRD READING OF BILLS

The Senate resumed consideration of Senate File 390.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 390 by striking the word "tangible" in line six (6).

Further amend by striking the comma in line seven (7) and inserting in lieu thereof the words "including monies and credits and corporation stocks."

Senator Elthon asked and received unanimous consent to substitute for the words "and corporation stocks" the words "other intangibles assessed".

The amendment was adopted.

Senator Cromwell moved the previous question on the main bill, which motion prevailed.

Senator Hunt 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, 32:

Augustine	Faul	Hunt	Miller
Bekman	Fuller	Jones	Mowry
Benson	Goode	Keir	Reilly
Berg	Hart	Love	Schluter
Clark	Harvey	Lundy	Turner
Clem	Hattery	Lynes	Vittetoe
Elthon	Hess	Martin	Vrba
Emerson	Hill	Mercer	Zeigler

## Nays, 15:

Byers	Foster	Pelzer	Watson
Cromwell	Johnson	Shaw	Whitehill
Evans	Leo	Sjulin	Zastrow
Findlay	Long	Stewart	

## Absent or not voting, 3:

Dykhouse	Henningsen	Pine
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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 Hunt moved that the 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 NEGATIVE VOTE ON SENATE FILE 390

MR. PRESIDENT: The provisions of Senate File 390 relative to the distribution of funds appropriated for public school purposes are in our opinion violative of Article 9, section 7 of the second division of the constitution of the state of Iowa, as interpreted by the Iowa supreme court in District Township of City of Dubuque vs. County Judge as reported in 13 Iowa at page 250.

We are also of the opinion that the proposed distribution, even should the same be held constitutional, does not afford aid where aid is most needed and will unjustly burden farm property for benefits largely inuring to cities and towns that the bill will in no wise aid in meeting the educational needs of the underprivileged child.

For these reasons we are unable to give the bill our support.

A. J. SHAW.

CARL O. SJULIN.

C. V. FINDLAY.

PAUL P. STEWART.

DEVERE WATSON.

B. C. WHITEHILL.

OSCAR E. JOHNSON.

## EXPLANATION OF VOTE ON SENATE FILE 390

MR. PRESIDENT: I desire to make an explanation of my vote on Senate File 390, the bill which was introduced in the Senate yesterday to provide so-called state aid to schools. I voted "No" on this bill for the following reasons:

Section 7 of Article 9 of the Constitution of Iowa provides that the money subject to the support and maintenance of common schools shall be distributed in proportion to the number of youths between the ages of five and twenty-one years, in such manner as may be provided by the General Assembly. The supreme court of the state of Iowa, in the case found in 13 Iowa at page 250, has held that money for the support of schools distributed in the manner provided in Senate File 390 is in violation of the constitution and, therefore, invalid. When we qualify as members of the state Senate we take an oath to support the constitution. Just preceding the consideration of Senate File 390 the Senate adopted a joint resolution which proposes to amend section 7 of article 9 of the constitution, referred to above, so that if the constitutional amendment is adopted the legislature would be empowered to grant state aid in the manner proposed in Senate File 390. In adopting Senate Joint Resolution 11 it is apparent that the members of the Senate must believe that it is necessary to amend the constitution in order to adopt a measure such as Senate File 390 so that it would not be in violation of the constitution.

During the debate on Senate File 390 facts and figures were presented which make it appear that Senate File 390 will not accomplish what is intended. Apparently a number of schools in large cities and towns which are able to support their own schools will receive state aid, while may rurals schools which should have state aid will not receive same.

The bill carries an appropriation of tax money of \$1,500,000 for the next biennium, which is just the beginning. The people of the state of

Iowa are already shouldering a heavy tax burden, and no one knows what additional burdens we will have to shoulder during the war, and it appears to me to be unwise at this time to appropriate a million and one-half dollars, particularly when it will not accomplish the kind of state aid to schools which was intended.

FRANK C. BYERS.

### HOUSE AMENDMENTS CONSIDERED

Senator Mowry called up for consideration Senate File 336, a bill for an act to amend section four thousand three hundred eighty-six (4386), Code, 1939, and chapter one hundred sixty-seven (167), acts of the Forty-ninth General Assembly of Iowa, relating to the amount that school districts may estimate for levy for the general fund of school districts, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 336 as follows:

Strike the words "twenty-five" in line five (5), section one (1) and insert in lieu thereof the word "fifteen".

Further amend by striking the words "eighty-five" in line nine (9), section one (1) and inserting in lieu thereof the words "seventy-five".

Further amend by adding as section three (3) the following:

"In all school districts where the maximum statutory allowances provided herein are not sufficient to meet the budget requirements, upon proper showing by any such school district the state comptroller may authorize such district to levy an additional amount above the said maximum statutory allowance for each person of school age in the district, up to but not in excess of thirty-five per cent."

The Senate concurred in the House amendments.

Senator Mowry moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Foster	Long	Shaw
Bekman	Fuller	Love	Sjulin
Benson	Goode	Lundy	Stewart
Berg	Hart	Lynes	Turner
Byers	Harvey	Martin	Vittetoe
Clark	Hattery	Mercer	Vrba
Clem	Hess	Miller	Watson
Cromwell	Hill	Mowry	Whitehill
Emerson	Johnson	Pelzer	Zastrow
Evans	Jones	Reilly	Zeigler
Findlay	Keir	Schluter	

Nays, none.

Absent or not voting, 7:

Dykhouse	Faul	Hunt	Pine
Elthon	Henningsen	Leo	

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.

### SPECIAL CALENDAR

Senator Evans asked and received unanimous consent to take up and consider the following bills in the order given: Senate Files 380, 381, 386, 387, and House Files 492 and 494.

Senator Fuller asked and received unanimous consent to then take up and consider Senate Files 382, 383, 384, 385, and Senate Joint Resolution 9.

Senator Mowry asked and received unanimous consent that House File 362 be added to the above list of bills making up the special calendar.

### THIRD READING OF BILLS

On motion of Senator Johnson, Senate File 380, a bill for an act to make appropriations to Henry W. Burma, Allison, Iowa; E. P. Donohue, New Hampton, Iowa; S. Ray Emerson, Creston, Iowa; O. H. Henningsen, Clinton, Iowa; Gus T. Kuester, Griswold, Iowa; and Melvin Wilson, Lake City, Iowa, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Johnson moved that the bill be read a third 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	Foster	Long	Schluter
Bekman	Fuller	Love	Shaw
Benson	Goode	Lundy	Sjulin
Berg	Hart	Lynes	Stewart
Byers	Harvey	Martin	Turner
Clark	Hattery	Mercer	Vrba
Clem	Hess	Miller	Watson
Cromwell	Hill	Mowry	Whitehill
Elthon	Johnson	Pelzer	Zastrow
Evans	Jones	Reilly	Zeigler
Findlay	Keir		

Nays, none.

Absent or not voting, 8:

Dykhouse	Faul	Hunt	Pine
Emerson	Henningsen	Leo	Vittetoe

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

On motion of Senator Johnson, Senate File 381, a bill for an act to make appropriations to Mr. and Mrs. J. C. Cottrell, Albia, Iowa; and Modern Launderers & Dry Cleaners, Cedar Rapids, Iowa; Merrill Correll, Anita, Iowa; Max Rochholz, Anita, Iowa; J. F. Fastenow, Peterson, Iowa, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Johnson moved that the bill be read a third 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	Foster	Leo	Shaw
Bekman	Fuller	Long	Sjulin
Benson	Goode	Lundy	Stewart
Berg	Hart	Lynes	Turner
Byers	Harvey	Martin	Vittetoe
Clark	Hattery	Mercer	Vrba
Clem	Hess	Miller	Watson
Emerson	Hill	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Reilly	Zeigler
Findlay	Keir	Schluter	

Nays, none.

Absent or not voting, 7:

Cromwell	Elthon	Hunt	Pine
Dykhouse	Henningsen	Love	

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

On motion of Senator Bekman, Senate File 386, a bill for an act to establish a general fund for the state of Iowa for the biennium beginning July 1, 1943, and ending June 30, 1945, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

"Section 1. The amount derived from taxes levied for state general revenue purposes, and all other sources which are available for appropriations for general state purposes, and all other money in the state treasury which is not by law otherwise segregated, shall be established as a general fund of the state."

Also amend the title by placing a period (.) after the word "Iowa" and striking the balance of the title.

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, 42:

Augustine	Fuller	Long	Shaw
Bekman	Goode	Love	Sjulin
Benson	Hart	Lynes	Stewart
Berg	Harvey	Martin	Turner
Clark	Hattery	Mercer	Vittetoe
Clem	Hess	Miller	Vrba
Emerson	Hill	Mowry	Watson
Evans	Johnson	Pelzer	Whitehill
Faul	Jones	Reilly	Zastrow
Findlay	Keir	Schluter	Zeigler
Foster	Leo		

Nays, none.

Absent or not voting, 8:

Byers	Dykhousé	Henningsen	Lundy
Cromwell	Elthon	Hunt	Pine

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

On motion of Senator Bekman, Senate File 387, a bill for an act to amend section seven thousand one hundred eighty-two (7182), Code, 1939, relating to the annual tax levy for general state purposes, 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	Berg	Dykhousé	Faul
Bekman	Clark	Elthon	Findlay
Benson	Clem	Evans	Fuller

Goode	Jones	Miller	Stewart
Hart	Keir	Mowry	Turner
Harvey	Leo	Pelzer	Vittetoe
Hattery	Long	Reilly	Vrba
Hess	Love	Schluter	Whitehill
Hill	Martin	Shaw	Zastrow
Hunt	Mercer	Sjulin	Zeigler

Nays, none.

Absent or not voting, 10:

Byers	Foster	Lundy	Pine
Cromwell	Henningsen	Lynes	Watson
Emerson	Johnson		

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

### SPECIAL ORDERS

Senator Bekman asked and received unanimous consent that Senate File 379 be made a special order of business immediately following consideration of House File 362.

Senator Elthon asked and received unanimous consent that Senate Joint Resolution 7 be made the next special order of business and immediately following consideration of Senate File 379.

Senator Hunt moved that with the exception of the bills placed on the special calendar by unanimous consent, the special orders, the appropriations and claims bills, House amendments and conference committee reports, that the calendar be rereferred to the sifting committee.

Senator Hess moved that Senate File 199 be added to the list of bills on the special calendar.

Roll call was demanded.

Senator Hart moved, as a substitute, that all bills with the exception of the bills on the special calendar, claims and appropriation committee bills, House amendments and conference reports, be re-referred to the sifting committee, which motion was lost.

On the question "Shall Senate File 199 be added to the special calendar?" the vote was:



**Ayes, 28:**

Augustine	Findlay	Lundy	Stewart
Benson	Fuller	Mercer	Turner
Berg	Hattery	Mowry	Vittetoe
Byers	Hess	Pelzer	Vrba
Clem	Hill	Reilly	Watson
Emerson	Keir	Schluter	Whitehill
Faul	Leo	Shaw	Zastrow

**Nays, 8:**

Cromwell	Hart	Hunt	Love
Elthon	Harvey	Long	Zeigler

**Absent or not voting, 14:**

Bekman	Foster	Jones	Miller
Clark	Goode	Lynes	Pine
Dykhouse	Henningsen	Martin	Sjulin
Evans	Johnson		

Senate File 199 was added to the special calendar.

The motion by Senator Hunt was adopted.

**BILLS REREFERRED TO SIFTING COMMITTEE**

Senator Hart renewed the motion that he had previously made that all bills on the calendar with the exception of the bills on the special calendar, the special orders, the appropriation and claims committee bills, House amendments and conference committee reports, be rereferred to the sifting committee, which motion prevailed.

**THIRD READING OF BILLS**

On motion of Senator Evans, House File 492, a bill for an act to make an appropriation from the general fund of the state to the governor for the purpose of defraying expenses incurred in connection with the midwest governors' conference held on March 15, 1943, the presentation of the silver service to the battleship Iowa on March 22, 1943, and for the purpose of defraying expenses in connection with occasions of an official nature, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 40:**

Bekman	Clark	Emerson	Foster
Benson	Clem	Evans	Fuller
Berg	Cromwell	Faul	Goode
Byers	Elthon	Findlay	Hart

Harvey	Keir	Mowry	Turner
Hattery	Leo	Pelzer	Vittetoe
Hill	Long	Reilly	Watson
Hunt	Martin	Schluter	Whitehill
Johnson	Mercer	Shaw	Zastrow
Jones	Miller	Stewart	Zeigler

Nays, 1:

Augustine

Absent or not voting, 9:

Dykhouse	Love	Lynes	Sjulin
Henningsen	Lundy	Pine	Vrba
Hess			

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

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

On motion of Senator Evans, House File 494, a bill for an act making an appropriation for payment of miscellaneous expenses of the Fiftieth General Assembly, 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 494, section one (1) as follows: Insert in line sixteen (16) "Ruth Calhoun, for services as clerk of special legislative committee, \$50.00."

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, 37:

Bekman	Faul	Keir	Pelzer
Benson	Findlay	Leo	Reilly
Berg	Foster	Long	Schluter
Byers	Goode	Lundy	Shaw
Clark	Hart	Lynes	Stewart
Clem	Harvey	Martin	Turner
Cromwell	Hess	Mercer	Vittetoe
Elthon	Hill	Miller	Vrba
Emerson	Hunt	Mowry	Whitehill
Evans			

Nays, none.

Absent or not voting, 13:

Augustine	Henningsen	Love	Watson
Dykhouse	Johnson	Pine	Zastrow
Fuller	Jones	Sjulin	Zeigler
Hattery			

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

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

On motion of Senator Fuller, Senate File 382, a bill for an act to amend chapter sixty-two (62), acts of the Forty-ninth General Assembly, and section eighty-four and thirteen hundredths (84.13), Code, 1939, to reduce, from six months to three months, the time when unencumbered balances of appropriations shall revert to the general fund at the end of the biennial fiscal term and to correspondingly reduce the time in which to file a claim against the state, was taken up and considered.

Senator Fuller moved that the bill be read a third 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	Faul	Leo	Pelzer
Benson	Findlay	Long	Reilly
Berg	Foster	Love	Schluter
Byers	Fuller	Lundy	Shaw
Clark	Harvey	Lynes	Stewart
Clem	Hill	Martin	Turner
Cromwell	Jones	Miller	Vittetoe
Elthon	Keir	Mowry	Vrba
Emerson			

Nays, none.

Absent or not voting, 17:

Bekman	Hattery	Johnson	Watson
Dykhouse	Henningsen	Mercer	Whitehill
Evans	Hess	Pine	Zastrow
Goode	Hunt	Sjulin	Zeigler
Hart			

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

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

On motion of Senator Fuller, Senate File 383, a bill for an act to provide for the cancellation and stoppage of payment on all state warrants unredeemed within six months of the date of issuance and to provide that the holders of such warrants shall have a claim against the state, was taken up and considered.

Senator Fuller moved that the bill be read a third 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	Fuller	Long	Reilly
Benson	Goode	Love	Schluter
Berg	Harvey	Lundy	Stewart
Byers	Hattery	Lynes	Turner
Clark	Hess	Martin	Vittetoe
Clem	Hill	Mercer	Vrba
Cromwell	Johnson	Miller	Watson
Elthon	Keir	Mowry	Zastrow
Findlay	Leo	Pelzer	Zeigler
Foster			

Nays, none.

Absent or not voting, 13:

Bekman	Faul	Hunt	Shaw
Dykhouse	Hart	Jones	Sjulin
Emerson	Henningsen	Pine	Whitehill
Evans			

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

Senator Fuller moved that the 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 Fuller, Senate File 384, a bill for an act to provide for the cancellation and stoppage of payment on all treasury checks unredeemed within six months of the date of issuance and to provide that the holders of such checks shall have a claim therefor against the state, was taken up and considered.

Senator Fuller moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 40:

Augustine	Byers	Cromwell	Faul
Benson	Clark	Emerson	Findlay
Berg	Clem	Evans	Foster

Fuller	Keir	Mercer	Stewart
Goode	Leo	Mowry	Turner
Harvey	Long	Pelzer	Vittetoe
Hattery	Love	Reilly	Vrba
Hill	Lundy	Schluter	Watson
Hunt	Lynes	Shaw	Zastrow
Jones	Martin	Sjulin	Zeigler

Nays, none.

Absent or not voting, 10:

Bekman	Hart	Johnson	Pine
Dykhouse	Henningsen	Miller	Whitehill
Elthon	Hess		

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

Senator Fuller moved that the 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 Fuller, Senate File 385, a bill for an act to amend section eighty-four and six hundredths (84.06), Code, 1939, relating to the budget of the state comptroller, was taken up and considered.

Senator Fuller moved that the bill be read a third 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	Findlay	Keir	Reilly
Benson	Foster	Leo	Schluter
Berg	Fuller	Long	Shaw
Byers	Goode	Love	Sjulin
Clark	Hart	Lundy	Stewart
Clem	Harvey	Lynes	Turner
Cromwell	Hattery	Martin	Vittetoe
Elthon	Hess	Mercer	Vrba
Emerson	Hill	Miller	Watson
Evans	Hunt	Mowry	Zastrow
Faul	Jones	Pelzer	Zeigler

Nays, none.

Absent or not voting, 6:

Bekman	Henningsen	Pine	Whitehill
Dykhouse	Johnson		

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

Senator Fuller moved that the 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 Fuller, Senate Joint Resolution 9, a joint resolution to provide that the unexpended balance remaining in the fund appropriated to the executive council, by section eighteen (18) of chapter one (1), acts of the Forty-ninth General Assembly, for the purpose of revising the accounting and accounting procedure of the state including the payment of consultants, shall not revert to the general fund at the expiration of the current biennial fiscal term but shall continue to be available for the purposes enumerated in said act and for additional purposes, was taken up and considered.

Senator Fuller 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 pass?" the vote was:

Ayes, 40:

Augustine	Findlay	Keir	Schulter
Benson	Foster	Leo	Shaw
Berg	Fuller	Long	Sjulin
Byers	Goode	Lundy	Stewart
Clark	Hart	Lynes	Turner
Clem	Harvey	Martin	Vittetoe
Cromwell	Hattery	Mercer	Vrba
Elthon	Hess	Mowry	Watson
Emerson	Hill	Pelzer	Zastrow
Evans	Jones	Reilly	Zeigler

Nays, none.

Absent or not voting, 10:

Bekman	Henningsen	Love	Pine
Dykhouse	Hunt	Miller	Whitehill
Faul	Johnson		

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

Senator Fuller 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.

#### 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 496, a bill for an act relating to transfer from the use tax fund designated for homestead credit to the general fund 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 24, a bill for an act relating to appointment and length of terms of civil service commissioners.

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

Senate File 212, a bill for an act relating to use of live birds at field meets.

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

Senate File 296, a bill for an act providing for the release of powers of appointment.

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 making appropriations in settlement of certain claims against the state of Iowa.

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

Senate Joint Resolution 6, providing for the appointment of a post-war rehabilitation commission.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 41, a bill for an act relating to garbage disposal and street cleaning fund.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 381, a bill for an act making appropriations in settlement of certain claims against the state of Iowa.

Also: That the House has adopted the report of the joint committee on state accounting.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 41

Amend Senate File 41 as follows:

1. By striking all after the semicolon (;) following the word "mill" at the end of line fifteen (15) of section one (1) and inserting in lieu thereof the following:

"c. Cities with a population in excess of twenty-five thousand (25,000) not to exceed three-quarters ( $\frac{3}{4}$ ) mill."

2. Amend the title by striking the period (.) at the end thereof and

inserting in lieu thereof the following: "for garbage disposal and street cleaning fund."

#### HOUSE AMENDMENT TO SENATE FILE 381

Amend line three (3) of section three (3) and line two (2) of section four (4) by striking the word "Anita" and inserting in lieu thereof the word "Adair".

Amend the title by striking from lines three (3) and four (4) the word "Anita" and inserting in lieu thereof the word "Adair".

#### EXECUTIVE SESSION

On motion of Senator Hunt, the Senate resolved itself into executive session.

The Senate in executive session confirmed the following appointments:

Chris H. Jensen of Audubon county as a member of the state soil conservation committee for the unexpired term ending June 30, 1945.

Clark Huntley of Lucas county as a member of state soil conservation committee for the term ending June 30, 1949.

Elmer P. Corwin of Muscatine county as industrial commissioner for the term ending June 30, 1949.

The Senate arose from executive session and resumed regular session.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 98, 103, 334, 343, 345, 356, 359 and 375.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 98, 103, 334, 343, 345, 356, 359, and 375.



## BILLS SENT TO THE GOVERNOR

Senator Reilly from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 8th day of April, 1943, sent to the governor for his approval, Senate Files 98, 103, 334, 343, 345, 356, 359 and 375.

ROBERT C. REILLY, *Chairman*.

Passed on file.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on April 3rd he had approved the following:

Senate File 9, permitting boards of supervisors to levy an additional millage for the support of the poor.

Senate File 50, increasing the amount certain insurance companies may invest in corporate bonds and stocks.

Senate File 66, relating to permitting minors to enter and remain in nine or ten pin alleys.

Senate File 88, relating to incurring of indebtedness and issuance of bonds for public improvements in cities and towns.

Also that on April 5th he had approved the following:

Senate File 47, correcting reference in unemployment compensation act as to method of obtaining service of notice in civil actions on nonresident employing units.

Senate File 74, relating to landlord's liens.

Senate File 117, relating to demands not yet due and secured by mortgages on real estate in estates.

Senate File 118, relating to general powers of boards of supervisors and providing the additional power to purchase and pay for liability and property damage insurance.

Senate File 128, relating to conveyances of homesteads and legalizing conveyances previously executed.

Senate File 130, relating to legalization of acts of notaries public acknowledgments and instruments executed by attorneys in fact.

Senate File 131, relating to conveyances of real property.

Senate File 148, relating to compensation of county officers in counties having two places at which district court is held.

Senate File 207, relating to books to be kept by the auditor and treasurer showing the tax lists of real property and personal property taxes.

Senate File 335, authorizing junior colleges to enter into agreements for training aviation cadets.

Senate File 339, relating to narcotic drugs and license therefor.

Senate File 346, making an appropriation from the general fund for the Iowa cooperative commission and the council of state governments.

Senate File 349, making a transfer of funds for payment of claims from the liquor control fund to the industrial commission.

Senate File 236, providing for the better preservation and usefulness of the state archives.

Senate File 329, legalizing the corporate acts and existence of Swedish Mutual Insurance Association of Polk county.

Senate File 344, relating to the allocation of revenue received from the sales, income and corporation taxes.

Senate File 347, relating to approval of compensation of state employees.

Senate File 355, making an appropriation for the payment of certain claims.

Senate File 357, making an appropriation for the improvement and repair of the state capitol building.

Senate File 358, making a transfer of funds from the motor vehicle fuel tax fund to the state comptroller.

Senate File 362, extending the time for filing claims for exemption of taxes.

Also that on April 6, he had approved the following:

Senate File 31, prohibiting the killing of carrier pigeons.

Senate File 133, relating to special limitations of action in regard to recovery of interests in real estate.

Senate File 168, relating to annual levies.

Senate File 181, relating to aircraft insurance policies.

Senate File 213, relating to the disposition of revenues derived from certain tax levies.

Senate File 249, relating to tax for schoolhouse purposes by school districts.

Senate File 262 relating to investment of funds by savings and loan associations.

Senate File 306 relating to foreign corporations qualifying in the state.

Senate File 326 permitting the making of photostatic or microfilm copies of tax commission records.

Senate File 341 relating to collection of tax levied on freight line and equipment companies.

Senate File 351 relating to the military and naval staff of the governor.

#### REPORT OF JOINT COMMITTEE ON STATE ACCOUNTING

**MR. PRESIDENT AND MR. SPEAKER:** The joint committee on state accounting reports as follows: After due examination, review, and consideration of the central accounting system of the state of Iowa, examination of pre-audit and post-audit procedure, examination of various forms, records, and filing systems, and talks with various officers and deputies, we find as follows:

The system now in use is entirely adequate and modern as a whole. However, there may be made several small improvements in the system.

(a) In regard to reconciliation of balances, especially the balances between the treasurer of state and the comptroller.

(b) Recapitulation of some accounts.

(c) Elimination of the pyramiding of receipts and expenditures.

(d) Proper and timely inter-departmental memoranda.

(e) Setting up of unencumbered balances of comptroller's and treasurer's offices for public reports.

These can all be corrected and smoothed up within the departments by the heads of the various departments and their chief clerks.

We, therefore, offer the following recommendations:

First: That the executive council set up a committee on state accounting composed of State Treasurer W. G. C. Bagley, Charles Barber,

chief accountant in the state treasurer's office, State Auditor C. B. Akers, T. B. Nicholson, supervisor of audits in the state auditor's office, Comptroller Fred Porter, John Kennedy, deputy comptroller in the state comptroller's office, and the governor as chairman.

Second: That this state accounting committee shall be under the immediate direction of the executive council, and shall be empowered to improve, smooth out, and perfect the accounting system we now have.

Third: That the above mentioned committee be given sufficient time, privilege, co-operation, supplies and assistance by the various departments to enable it to speedily and efficiently do its work.

Fourth:

(a) That the unexpended balance of the \$6,000 appropriation made by the Forty-ninth General Assembly which was to be used for investigating state accounting procedure for this biennium be carried over for another biennium.

(b) That the said balance be used by the executive council in payment of expenses, supplies, and extra help of this committee.

(c) That from this sum this committee shall purchase for use in the comptroller's office, an accounting machine that will assist the comptroller in the proper re-capping of his accounts.

Fifth: That the state warrants drawn by the state comptroller for the purpose of transferring funds, reimbursement and refunds between the various departments of state be set apart from the state warrants drawn for regular state expenditures, that the pyramiding of receipts and expenditures may be avoided.

Sixth: That this committee shall make recommendation to the next General Assembly regarding any change in the present laws that may be needed to expedite and perfect the present state accounting system.

D. D. FULLER, *Chairman.*

C. A. BRYSON, *Chairman.*

*On the part of the Senate.*

*On the part of the House.*

#### 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 352, 392 and 391, House Files 437, 367, 168 and 404.

STANLEY L. HART, *Chairman.*

#### AMENDMENTS FILED

Amend House File 243, section nineteen (19) by inserting after the word "all" in line six (6) thereof, the word "repossessed".

DEWEY E. GOODR.

Amend Senate File 391 by adding thereto as section two (2) the following:

"Sec. 2. In the event no designated state agency is charged by

statute with the administration of any regulatory act referred to in this act, then the approval required by section one (1) of this act shall be obtained from the executive council." **GEORGE FAUL.**

Amend Senate File 389 by striking the words "and to enter" in line three (3) of section two (2) and insert in lieu thereof the words "after entering".

Further amend Senate File 389 by adding after the word "alley" in line four (4) of section two (2) the words "without cost to the state".

**R. E. HESS.**

On motion of Senator Hunt the Senate recessed until the fall of the gavel.

\*

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

Prayer was offered by Louis J. Cashdon, Associate Rabbi of the Temple, of Des Moines.

### LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Henningsen for the day on request of Senator Hattery; Senator Pine for the day on request of Senator Martin.

### 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 204, a bill for an act relating to homestead tax credit for those in military service.

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

Senate File 234, a bill for an act relating to funds for secondary road construction.

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

Senate File 353, a bill for an act relating to funeral expenses paid from the old age assistance fund.

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

Senate File 386, a bill for an act establishing a general fund for the state of Iowa.

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

Senate Joint Resolution 9, providing that the unexpended balance remaining in the fund appropriated to the executive council shall not revert to the general fund.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 292, a bill for an act defining the meaning of the words "agricultural labor".

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE AMENDMENT TO SENATE FILE 292

Amend Senate File 292 by inserting after the word "freezing" in line forty (40) of section one (1) the following: "or in connection with any agricultural or horticultural commodity".

Senator Cromwell called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 34

*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, to be officially known as the "House Committee on Interstate Co-operation", consisting of five members of the House of Representatives, to be named by the Speaker, who shall also designate one member as the chairman of the committee.

Sec. 2. There is hereby established a similar standing committee of the Senate, to be officially known as the "Senate Committee on Interstate Co-operation", consisting of five members of the Senate, to be named by the President of the Senate, who shall designate one member as the chairman.

Sec. 3. There is hereby established a commission, to be known as "The Iowa Co-operative Commission", to consist of the members of the House committee on interstate co-operation, the Senate committee on interstate co-operation, the attorney general of the state of Iowa, the treasurer of the state of Iowa, and one additional elective administrative official of the state of Iowa, to be designated by the governor. The governor shall be an ex-officio member of the commission, and shall be the chairman thereof.

Sec. 4. 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. 5. It shall be the duty of this commission:

1. To represent and participate on behalf of this state in the Council of State Governments.

2. To promote and encourage matters dealing with interstate co-operation between the various states, their officials, and employees.

Sec. 6. 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 co-operation 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. 7. The commission shall report to the governor and to the legislature within fifteen days after the convening of each regular 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. 8. The committees and the commission established by this act shall be informally known, respectively, as the House Co-operation Committee, the Senate Co-operation Committee, and the Iowa Co-operation Commission.

The motion prevailed and the resolution was adopted.

Senator Fuller called up the following report and moved its adoption:

#### REPORT OF JOINT COMMITTEE ON STATE ACCOUNTING

MR. PRESIDENT AND MR. SPEAKER: The joint committee on state accounting reports as follows: After due examination, review, and consideration of the central accounting system of the state of Iowa, examination of pre-audit and post-audit procedure, examination of various forms, records, and filing systems, and talks with various officers and deputies, we find as follows:

The system now in use is entirely adequate and modern as a whole. However, there may be made several small improvements in the system.

(a) In regard to reconciliation of balances, especially the balances between the treasurer of state and the comptroller.

(b) Recapitulation of some accounts.

(c) Elimination of the pyramiding of receipts and expenditures.

(d) Proper and timely inter-departmental memoranda.

(e) Setting up of unencumbered balances of comptroller's and treasurer's offices for public reports.

These can all be corrected and smoothed up within the departments by the heads of the various departments and their chief clerks.

We, therefore, offer the following recommendations:

First: That the executive council set up a committee on state accounting composed of State Treasurer W. G. C. Bagley, Charles Barber, chief accountant in the state treasurer's office, State Auditor C. B. Akers, T. B. Nicholson, supervisor of audits in the state auditor's office, Comptroller Fred Porter, John Kennedy, deputy comptroller in the state comptroller's office, and the governor as chairman.

Second: That this state accounting committee shall be under the immediate direction of the executive council, and shall be empowered to improve, smooth out, and perfect the accounting system we now have.

Third: That the above mentioned committee be given sufficient time, privilege, co-operation, supplies and assistance by the various departments to enable it to speedily and efficiently do its work.



**Fourth:**

(a) That the unexpended balance of the \$6,000 appropriation made by the Forty-ninth General Assembly which was to be used for investigating state accounting procedure for this biennium be carried over for another biennium.

(b) That the said balance be used by the executive council in payment of expenses, supplies, and extra help of this committee.

(c) That from this sum this committee shall purchase for use in the comptroller's office, an accounting machine that will assist the comptroller in the proper re-capping of his accounts.

**Fifth:** That the state warrants drawn by the state comptroller for the purpose of transferring funds, reimbursement and refunds between the various departments of state be set apart from the state warrants drawn for regular state expenditures, that the pyramiding of receipts and expenditures may be avoided.

**Sixth:** That this committee shall make recommendation to the next General Assembly regarding any change in the present laws that may be needed to expedite and perfect the present state accounting system.

Senator Fuller offered the following amendment to the report and moved its adoption:

Amend the report of the joint committee on state accounting as follows:

Strike out section designated in report as First and insert the following in lieu thereof:

**First:** That the executive council set up a committee on state accounting composed of the state treasurer and his chief accountant; the state auditor and his supervisor of audits, and the state comptroller and his deputy comptroller of receipts, and the governor as chairman.

Also amend joint committee report by adding the following sections:

**Seventh:** That a time limit of six months be placed upon all state warrants written by the state comptroller, and treasury checks written by the treasurer of state; that six months after the date of issuance, payment on said state warrants and treasury checks be stopped and voided, and that provision be made for future payment.

**Eighth:** That the present system of encumbering appropriations is a little bit vague, inasmuch as appropriations are encumbered by estimate, and we recommend that appropriations be divided into allotments for the eight biennial quarters, and that encumbrances be run against these allotments, and liquidated as the claim arises.

**Ninth:** That an inventory of supplies be taken at regular intervals, and that a copy of said inventory be placed upon the desks of the members of the executive council, and the comptroller.

**Tenth:** That a destruction list of papers and records be drawn up and agreed upon.

The amendment was adopted.

The report, as amended, was adopted.

## HOUSE AMENDMENTS CONSIDERED

Senator Johnson called up for consideration Senate File 381, a bill for an act to make appropriations to Mr. and Mrs. J. C. Cottrell, Albia, Iowa; and Modern Launderers & Dry Cleaners, Cedar Rapids, Iowa; Merrill Correll, Anita, Iowa; Max Richholz, Anita, Iowa; J. F. Fastenow, Peterson, Iowa, amended by the House, and moved that the Senate concur in the following amendments:

Amend line three (3) of section three (3) and line two (2) of section four (4) by striking the word "Anita" and inserting in lieu thereof the word "Adair".

Amend the title by striking from lines three (3) and four (4) the word "Anita" and inserting in lieu thereof the word "Adair".

The Senate concurred in the House amendments.

Senator Johnson moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Evans	Jones	Reilly
Bekman	Faul	Keir	Schluter
Benson	Findlay	Leo	Shaw
Berg	Foster	Long	Sjulin
Byers	Goode	Love	Stewart
Clark	Harvey	Lynes	Turner
Clem	Hattery	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Dykhous	Hill	Miller	Watson
Elthon	Hunt	Mowry	Whitehill
Emerson	Johnson	Pelzer	Zastrow

Nays, none.

Absent or not voting, 6:

Fuller	Henningsen	Pine	Zeigler
Hart	Lundy		

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

Senator Fuller called up for consideration Senate File 41, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, relating to the amount that may be levied in cities and towns of less than five thousand population for collection of garbage, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 41 as follows:

1. By striking all after the semicolon (;) following the word "mill" at the end of line fifteen (15) of section one (1) and inserting in lieu thereof the following:

"c. Cities with a population in excess of twenty-five thousand (25,000) not to exceed three-quarters ( $\frac{3}{4}$ ) mill."

2. Amend the title by striking the period (.) at the end thereof and inserting in lieu thereof the following: "for garbage disposal and street cleaning fund."

The Senate concurred in the House amendments.

Senator Fuller moved that the bill as amended by the House and concurred in by the Senate be read a third 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:

Bekman	Findlay	Keir	Reilly
Benson	Foster	Leo	Schluter
Berg	Fuller	Long	Shaw
Byers	Goode	Love	Sjulin
Clark	Hart	Lundy	Stewart
Clem	Harvey	Lynes	Turner
Cromwell	Hattery	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Hunt	Mowry	Whitehill
Faul	Jones	Pelzer	Zastrow

Nays, none.

Absent or not voting, 6:

Augustine	Henningsen	Pine	Zeigler
Evans	Johnson		

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

Senator Faul called up for consideration Senate File 292, a bill for an act to amend section one thousand five hundred and fifty-one and twenty-five one-hundredths (1551.25-G (7) (d) ), of the 1939 Code of Iowa, defining the meaning of the words "agricultural labor", amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 292 by inserting after the word "freezing" in line forty (40) of section one (1) the following: "or in connection with any agricultural or horticultural commodity".

The Senate concurred in the House amendment.

Senator Faul moved that the bill as amended by the House and

concurred in by the Senate be read a third 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	Findlay	Keir	Schluter
Bekman	Foster	Leo	Shaw
Berg	Fuller	Long	Sjulin
Byers	Goode	Love	Stewart
Clark	Hart	Lundy	Turner
Clem	Harvey	Lynes	Vittetoe
Cromwell	Hattery	Mercer	Vrba
Dykhouse	Hess	Miller	Watson
Emerson	Hill	Mowry	Whitehill
Evans	Johnson	Pelzer	Zastrow
Faul	Jones	Reilly	Zeigler

Nays, none.

Absent or not voting, 6:

Benson	Henningsen	Martin	Pine
Elthon	Hunt		

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.

### THIRD READING OF BILLS

On motion of Senator Johnson, the Senate resumed consideration of Senate File 374, a bill for an act to make appropriations to certain insurance companies in full settlement of damages sustained by them on account of cancellation of various insurance policies by the Iowa state liquor control commission in 1935.

Senator Johnson 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	Foster	Keir	Shaw
Berg	Fuller	Leo	Sjulin
Byers	Hart	Lundy	Stewart
Clem	Harvey	Lynes	Turner
Dykhouse	Hattery	Martin	Vittetoe
Emerson	Hess	Mercer	Vrba
Evans	Johnson	Reilly	Watson
Faul			

## Nays, 17:

Bekman	Goode	Long	Pelzer
Clark	Hill	Love	Schluter
Cromwell	Hunt	Miller	Whitehill
Elthon	Jones	Mowry	Zastrow
Findlay			

## Absent or not voting, 4:

Benson	Henningsen	Pine	Zeigler
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The bill having failed to receive a constitutional and two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Mowry, House File 362, a bill for an act to amend chapter sixty-five (65), acts of the Forty-ninth (49th) General Assembly, relating to compensation of county, municipal, and school examiners, and their assistants, 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, 39:

Bekman	Foster	Long	Shaw
Benson	Fuller	Love	Sjulin
Byers	Goode	Lundy	Stewart
Clark	Hart	Lynes	Turner
Clem	Harvey	Martin	Vittetoe
Dykhouse	Hattery	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Johnson	Mowry	Whitehill
Evans	Jones	Reilly	Zeigler
Faul	Keir	Schluter	

## Nays, 2:

Findlay	Zastrow
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## Absent or not voting, 9:

Augustine	Henningsen	Hunt	Pelzer
Berg	Hess	Leo	Pine
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.

On motion of Senator Bekman, Senate File 379, a bill for an act to provide for war risk contributions on the payrolls of employers; to provide the manner in which the commission shall

determine the contribution rates on certain employers for the periods from July 1, 1943, to and including December 31, 1945; and to provide the rate of contribution based upon increased pay-rolls, was taken up and considered.

Senator Bekman asked and received unanimous consent that Mr. Claude M. Stanley of the employment compensation commission be permitted to explain the bill.

On motion of Senator Bekman, the Senate resolved itself into a committee of the whole to hear the remarks of Mr. Stanley.

Senator Bekman asked and received unanimous consent that Mr. Pfefferle, the representative of labor on the employment compensation commission, be permitted to discuss Senate File 379.

On motion of Senator Bekman, the committee of the whole was dissolved, and the Senate resumed regular session.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 379 as follows:

1. Strike therefrom lines forty (40) to forty-eight (48) inclusive, section one (1), and substitute therefor the following five lines:

"3. 6% but less than 8%.....	2.7%	3.0%	3.5%	4.0%	4.5%
4. 8% but less than 10%.....	2.7%	2.7%	3.0%	3.5%	4.0%
5. 10% but less than 12%.....	2.7%	2.7%	2.7%	3.0%	3.0%
6. 12% but less than 14%.....	2.7%	2.7%	2.7%	2.7%	3.0%
7. over 14% .....	2.7%	2.7%	2.7%	2.7%	2.7%

2. Further amend by relettering the remaining paragraphs of section one (1) as paragraphs (e), (f), (g), (h), and (i).

3. Further amend by striking the word "herein" at the end of line sixty-four (64) and substituting in lieu thereof the words: "in this subsection".

4. Further amend by striking all of line seventy (70) and inserting in lieu thereof the following words: "annual payroll for the preceding calendar year."

5. Amend the title as follows: Following the word "act" in the first line thereof, insert the following words: "to amend section fifteen hundred fifty-one and thirteen hundredths (1551.13), Code, 1939, as amended, relating to contributions for unemployment compensation;".

The amendment was adopted.

Senator Lundy offered the following amendment by Senators Lundy, Martin, Augustine and Reilly and moved its adoption:

Amend Senate File 379 by striking the words and figures "one hundred per cent (100%)" in line nine (9) of section one (1), and by inserting in lieu thereof the following: "fifty per cent (50%)".

Further amend Senate File 379 by adding in line 32 of section one (1), before the figure "100%", the figure "50%"; by adding in line thirty-three (33) the word "but"; by adding in line thirty-four (34) the word "less" before the first "less"; by adding in line thirty-five (35) the word "than" before the first "than"; by adding in line thirty-six (36) the figure "100%" before the figure "150%"; by striking from line thirty-eight (38) the following: "1. under 4%", and by adding to line thirty-eight (38) before the figure "3.5%", the figure "3.0%".

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 13:**

Augustine	Findlay	Martin	Vrba
Clark	Johnson	Mowry	Watson
Clem	Lundy	Reilly	Zastrow
Faul			

**Nays, 23:**

Bekman	Evans	Keir	Shaw
Byers	Foster	Long	Turner
Cromwell	Hart	Lynes	Vittetoe
Dykhouse	Harvey	Miller	Whitehill
Elthon	Hunt	Pelzer	Zeigler
Emerson	Jones	Schluter	

**Absent or not voting, 14:**

Benson	Hattery	Leo	Pine
Berg	Henningsen	Love	Sjulin
Fuller	Hess	Mercer	Stewart
Goode	Hill		

The amendment was lost.

Senator Lundy offered the following amendment by Senators Lundy, Martin, Augustine and Reilly and moved its adoption:

Further amend Senate File 379 by striking all of lines thirty-nine (39) to forty-eight (48) inclusive.

Senator Lundy asked unanimous consent that the Senate resolve itself into a committee of the whole for the purpose of having A. A. Couch or his personal representative explain the amendment by Senator Lundy.

Objection was made.

Senator Shaw moved that the Senate resolve itself into a committee of the whole for the purpose of having Mr. Couch or his personal representative explain amendment 2 by Senator Lundy, which motion prevailed.

John Connolly, representative of Mr. A. A. Couch, president

of the state federation of labor, explained the amendment to Senate File 379.

On motion of Senator Lundy, the committee of the whole was dissolved and the Senate resumed regular session.

Senator Byers asked and received unanimous consent that the rules, providing that a bill shall not be considered on the same day a public hearing is held, be suspended in order that the Senate could resume consideration of Senate File 379.

The Senate resumed consideration of amendment 2 by Senator Lundy to Senate File 379.

Senator Bekman moved that the Senate recess until the fall of the gavel, which motion prevailed.

The Senate resumed regular session at the fall of the gavel.

#### 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 relating to deductions for medical care when computing net income for taxation purposes.

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

Senate File 382, a bill for an act relating to the time when unencumbered balances of appropriations shall revert to general fund.

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

Senate File 383, a bill for an act relating to unredeemed state warrants.

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

Senate File 384, a bill for an act relating to unredeemed treasury checks.

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

Senate File 385, a bill for an act relating to budget report of the state comptroller.

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

Senate File 387, a bill for an act relating to the annual tax levy for general state purposes.



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 relating to drivers' license fees.

Also: That the House has amended and passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 10, a bill for an act to continue the work of the school code commission.

Also: That the House has refused to concur in Senate amendment to House File 23, a bill for an act relating to the computing and apportioning of taxes.

Also: That the House has refused to concur in Senate amendment to House File 494, a bill for an act making an appropriation for payment of miscellaneous expenses of the Fiftieth General Assembly.

Also: That the House refuses to concur in the Senate amendments to the report of the joint committee on state accounting.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 218

Amend Senate File 218 as follows:

1. Amend section one (1) by striking the words "one dollar" in line four (4) and inserting in lieu thereof the words "seventy-five cents".

2. Further amend section one (1) by inserting immediately before the quotation mark (") after the word "cents" in line six (6) the following: "and that fee for an operator's license issued to expire subsequent to July 5, 1946, shall be fifty cents".

3. Amend section two (2) by striking the words "one dollar" in line eleven (11) and inserting in lieu thereof the words "seventy-five cents".

#### HOUSE AMENDMENTS TO SENATE JOINT RESOLUTION 10

Amend Senate Joint Resolution 10 as follows:

1. Amend section two (2) by striking the period (.) at the end thereof, inserting a comma (,), and adding the following: "and shall have access to all records and data in the hands of the commission created by the Forty-ninth General Assembly."

2. Amend section three (3) by striking from line three (3) the following: "November 10", and inserting in lieu thereof the following: "July 1".

3. Further amend section three (3) by striking from line seven (7) the following: "December 1", and inserting in lieu thereof the following: "November 10".

4. Amend section five (5) by adding after the word "Pioneer" in line three (3) the word "Record".

#### HOUSE AMENDMENTS CONSIDERED

Senator Hess called up for consideration Senate Joint Resolution 10, a joint resolution for the appointment of commission to make further study of the matter provided for in chapter one

hundred fifty-two (152) (S. F. 291), acts of the Forty-ninth General Assembly, providing the scope of the work of the commission, and providing for a report of the commission to the governor and making an appropriation to carry out the provisions of the resolution, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate Joint Resolution 10 as follows:

1. Amend section two (2) by striking the period at the end thereof, inserting a comma, and adding the following: "and shall have access to all records and data in the hands of the commission created by the Forty-ninth General Assembly."

2. Amend section three (3) by striking from line three (3) the following: "November 10" and inserting in lieu thereof the following: "July 1".

3. Further amend section three (3) by striking from line seven (7) the following: "December 1", and inserting in lieu thereof the following: "November 10".

4. Amend section five (5) by adding after the word "Pioneer" in line three (3) the word "Record".

The Senate concurred in the House amendments.

Senator Hess moved that the joint resolution as amended by the House and concurred in by the Senate 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 pass?" the vote was:

Ayes, 39:

Bekman	Faul	Jones	Schluter
Benson	Findlay	Keir	Shaw
Berg	Foster	Leo	Sjulin
Byers	Fuller	Long	Turner
Clark	Goode	Love	Vittetoe
Clem	Hart	Lynes	Watson
Cromwell	Harvey	Martin	Whitehill
Dykhous	Hattery	Miller	Zastrow
Elthon	Hess	Mowry	Zeigler
Evans	Hill	Pelzer	

Nays, 5:

Augustine	Mercer	Reilly	Vrba
Johnson			

Absent or not voting, 6:

Emerson	Hunt	Pine	Stewart
Henningsen	Lundy		

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

Senator Evans called up for consideration House File 494, a bill for an act making an appropriation for payment of miscel-

- laneous expenses of the Fiftieth General Assembly, and moved that the Senate recede from its amendment to House File 494.

The Senate receded from its amendment to House File 494.

Senator Evans moved that the bill as amended by the House and concurred in by the Senate be read a third 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:**

Bekman	Findlay	Keir	Reilly
Benson	Foster	Leo	Schluter
Berg	Fuller	Long	Shaw
Clark	Goode	Love	Sjulin
Clem	Hart	Lundy	Turner
Cromwell	Harvey	Lynes	Vittetoe
Dykhouse	Hattery	Martin	Vrba
Elthon	Hess	Mercer	Watson
Emerson	Hill	Miller	Whitehill
Evans	Hunt	Mowry	Zastrow
Faul	Jones	Pelzer	Zeigler

**Nays, 1:**

Augustine

**Absent or not voting, 5:**

Byers	Johnson	Pine	Stewart
Henningsen			

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.

### BILLS REREFERRED TO SIFTING COMMITTEE

Senator Hunt moved that all bills and joint resolutions on the calendar, with the exception of bills that have a companion bill either passed or on the House calendar, all House bills, all claims and appropriation bills and unfinished business, be referred to the sifting committee.

Senator Clem moved to amend the motion by adding Senate File 199 to the list of bills to be excluded.

Senator Dykhouse moved, as a substitute, that all bills on the calendar except unfinished business be rereferred to the sifting committee, which motion was lost.

Rule 8 was invoked on the amendment by Senator Clem.

Senator Dykhouse asked and received unanimous consent that he be excused from casting any vote on Senate File 199.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 27:**

Augustine	Goode	Lundy	Turner
Benson	Hattery	Mercer	Vittetoe
Berg	Hess	Mowry	Vrba
Byers	Hill	Reilly	Watson
Clem	Johnson	Schluter	Whitehill
Foster	Jones	Shaw	Zastrow
Fuller	Leo	Sjulin	

**Nays, 19:**

Bekman	Evans	Hunt	Martin
Clark	Faul	Keir	Miller
Cromwell	Findlay	Long	Pelzer
Elthon	Hart	Love	Zeigler
Emerson	Harvey	Lynes	

**Absent or not voting, 4:**

Dykhouse	Henningsen	Pine	Stewart
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The amendment was adopted.

The motion as amended was adopted.

**MOTION TO LAY ON THE TABLE**

Senator Hunt moved that Senate File 199 be laid on the table.

Roll call was demanded.

On the question "Shall Senate File 199 be laid on the table?" the vote was:

**Ayes, 10:**

Clark	Evans	Harvey	Long
Cromwell	Findlay	Hunt	Zeigler
Emerson	Hart		

**Nays, 20:**

Augustine	Fuller	Mercer	Turner
Benson	Hattery	Mowry	Vittetoe
Berg	Hess	Reilly	Vrba
Clem	Leo	Schluter	Watson
Foster	Lundy	Shaw	Whitehill

**Absent or not voting, 20:**

Bekman	Goode	Keir	Pelzer
Byers	Henningsen	Love	Pine
Dykhouse	Hill	Lynes	Sjulin
Elthon	Johnson	Martin	Stewart
Faul	Jones	Miller	Zastrow

The motion was lost.

## THIRD READING OF BILLS

On motion of Senator Clem, Senate File 199, a bill for an act to amend section two (2) of chapter three hundred eleven (311), Senate File twenty-five (25), acts of the Forty-ninth General Assembly of the state of Iowa relating to a general system of practice in all courts of this state, and to provide that all rules and forms prescribed by the supreme court of Iowa before becoming effective must be approved by enactment by the General Assembly of the state of Iowa, was taken up and considered.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend Senate File 199 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Chapter three hundred eleven (311) of the acts of the Forty-ninth General Assembly is hereby amended by repealing all of section two (2) and inserting in lieu thereof the following: "The rules and forms prescribed by the supreme court and reported by it to the Fiftieth General Assembly shall take effect on the 15th day of January, 1945, and thereafter all laws in conflict therewith shall be of no force or effect."

Sec. 2. This act being of immediate importance shall be in full force and effect from and after its passage and publication in the Sibley Gazette-Tribune, a newspaper published at Sibley, Iowa, and the Charles City Daily Press, a newspaper published at Charles City, Iowa.

Senator Bekman offered the following amendment to the amendment by Senator Dykhouse, by Senators Bekman, Hunt and Hart, and moved its adoption:

Amend the Dykhouse amendment to Senate File 199, found on page 1067 of the Senate Journal, as follows: "Strike from lines five (5) and six (6) the following: "15th day of January, 1945" and insert in lieu thereof the following: "July 1, 1944".

The amendment to the amendment was lost.

Senator Clem offered the following amendment to the amendment by Senator Dykhouse and moved its adoption:

Amend the amendment to Senate File 199 filed by Senator Dykhouse April 5, 1943, by striking the words "15th day of January, 1945," in line five (5) of section one (1) of said amendment, and substituting therefor the words "4th day of July, 1945".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Long offered the following amendment and moved its adoption:

Amend Senate File 199 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Chapter three hundred eleven (311) of the acts of the Forty-ninth General Assembly is hereby amended by repealing all of section two (2) and inserting in lieu thereof the following: 'The rules and forms prescribed by the supreme court and reported by it to the Fiftieth General Assembly shall take effect on the fourth day of July, 1943, and thereafter all statutes listed in the appendix to such rules as reported to the General Assembly as hereby repealed.'

Sec. 2. This act being of immediate importance shall be in full force and effect from and after its passage and publication in the Sibley Gazette-Tribune, a newspaper published at Sibley, Iowa, and the Charles City Daily Press, a newspaper published at Charles City, Iowa."

Senator Johnson moved that the amendment by Senator Long be laid on the table.

Roll call was demanded.

On the question "Shall the amendment by Senator Long be laid on the table?" the vote was:

Ayes, 15:

Cromwell	Hart	Long	Stewart
Elthon	Harvey	Love	Vrba
Emerson	Hunt	Martin	Zeigler
Evans	Johnson	Miller	

Nays, 28:

Augustine	Findlay	Keir	Schluter
Benson	Fuller	Leo	Shaw
Berg	Goode	Lundy	Turner
Byers	Hattery	Mercer	Vittetoe
Clark	Hess	Mowry	Watson
Clem	Hill	Pelzer	Whitehill
Dykhouse	Jones	Reilly	Zastrow

Absent or not voting, 7:

Bekman	Foster	Lynes	Sjulin
Faul	Henningsen	Pine	

The motion was lost.

Senator Clark moved the previous question on the amendment by Senator Long.

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

## Ayes, 22:

Bekman	Evans	Johnson	Martin
Berg	Faul	Jones	Miller
Clark	Goode	Long	Stewart
Cromwell	Hart	Love	Turner
Elthon	Harvey	Lynes	Zeigler
Emerson	Hunt		

## Nays, 24:

Augustine	Fuller	Lundy	Shaw
Benson	Hattery	Mercer	Vittetoe
Byers	Hess	Mowry	Vrba
Clem	Hill	Pelzer	Watson
Findlay	Keir	Reilly	Whitehill
Foster	Leo	Schluter	Zastrow

## Absent or not voting, 4:

Dykhouse	Henningsen	Pine	Sjulin
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The amendment was lost.

Senator Dykhouse 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	Goode	Lundy	Shaw
Benson	Hattery	Mercer	Vittetoe
Berg	Hess	Mowry	Vrba
Byers	Hill	Pelzer	Watson
Clem	Keir	Reilly	Whitehill
Findlay	Leo	Schluter	Zastrow
Fuller			

## Nays, 21:

Bekman	Faul	Johnson	Martin
Clark	Foster	Jones	Miller
Cromwell	Hart	Long	Stewart
Elthon	Harvey	Love	Turner
Emerson	Hunt	Lynes	Zeigler
Evans			

## Absent or not voting, 4:

Dykhouse	Henningsen	Pine	Sjulin
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Long 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.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Reilly, 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 204, 212, 234, 239, 258, 336, 363, 372, 376, 380, and 386, and House Files 138, 348, 210, 218, 244, 275, 282, 344, and 477.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 204, 212, 234, 239, 258, 336, 363, 372, 376, 380, and 386, and House Files 138, 348, 210, 218, 244, 275, 282, 344, and 477.

## BILLS SENT TO THE GOVERNOR

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

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 8th day of April, 1943, sent to the governor for his approval: Senate Files 204, 212, 234, 239, 258, 336, 363, 372, 376, 380, and 386.

ROBERT C. REILLY, *Chairman.*

Passed on file.

## MOTION TO WITHDRAW BILL FROM SIFTING COMMITTEE

Senator Bekman moved that Senate File 163 be withdrawn from the sifting committee.

Senator Faul moved, as a substitute motion, that the Senate consider no more bills except those now on the calendar, strictly administrative measures, concurrence in House amendments, and conference committee reports.

Senator Hunt asked and received unanimous consent to amend the substitute motion by Senator Faul, to include school legislation.

Roll call was demanded on the substitution.

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



## Ayes, 27:

Byers	Findlay	Keir	Schluter
Clark	Foster	Leo	Shaw
Clem	Goode	Love	Stewart
Dykhouse	Hart	Lynes	Vittetoe
Elthon	Harvey	Martin	Whitehill
Emerson	Hess	Mowry	Zeigler
Faul	Hill	Pelzer	

## Nays, 20:

Augustine	Evans	Long	Sjulin
Bekman	Fuller	Lundy	Turner
Benson	Hattery	Mercer	Vrba
Berg	Hunt	Miller	Watson
Cromwell	Johnson	Reilly	Zastrow

## Absent or not voting, 3:

Henningsen	Jones	Pine
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The substitution was made.

The substitute motion prevailed.

## JOINT REPORT OF COMMITTEE ON STATE ACCOUNTING

Senator Fuller called up the report of the joint committee on state accounting and moved that the Senate recede from its amendments to the report, which motion prevailed.

## HOUSE AMENDMENTS CONSIDERED

Senator Hattery called up for consideration Senate File 218, a bill for an act to amend chapter two hundred fifty-one and one tenth (251.1), Code, 1939, and to amend section five thousand thirteen and sixteen hundredths (5013.16), in said chapter, Code, 1939; to repeal section five thousand thirteen and twenty-one hundredths (5013.21), in said chapter, Code, 1939, and enact a substitute therefor, relating to fees for licenses for operation of motor vehicles, extending the expiration date for such licenses and providing for issuance of licenses without examination, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 218 as follows:

1. Amend section one (1) by striking the words "one dollar" in line four (4) and inserting in lieu thereof the words "seventy-five cents".

2. Further amend section one (1) by inserting immediately before the quotation mark after the word "cents" in line six (6) the following: "and that fee for an operator's license issued to expire subsequent to July 5, 1943, shall be fifty cents."

3. Amend section two (2) by striking the words "one dollar" in line eleven (11) and inserting in lieu thereof the words "seventy-five cents".

The Senate concurred in the House amendments.

Senator Hattery moved that the bill as amended by the House and concurred in by the Senate be read a third 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	Foster	Love	Sjulin
Berg	Goode	Lynes	Stewart
Clark	Hart	Mercer	Turner
Clem	Hattery	Miller	Vittetoe
Cromwell	Hess	Mowry	Vrba
Dykhouse	Hill	Pelzer	Watson
Emerson	Jones	Reilly	Whitehill
Evans	Keir	Schluter	Zastrow
Faul	Leo	Shaw	Zeigler
Findlay	Long		

Nays, none.

Absent or not voting, 12:

Bekman	Elthon	Henningsen	Lundy
Benson	Fuller	Hunt	Martin
Byers	Harvey	Johnson	Pine

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

Senator Hattery moved that the 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 Keir, Senate File 389, a bill for an act to authorize the purchase of and payment for certain property adjacent to and adjoining the Pillsbury Point Park in the town of Arnolds Park, Dickinson county, Iowa, and to contract for the vacation of a street or alley in said town, was taken up and considered.

Senator Hess offered the following amendment and moved its adoption:

Amend Senate File 389 by striking the words "and to enter" in line three (3) of section two (2) and insert in lieu thereof the words "after entering".

Further amend Senate File 389 by adding after the word "alley" in line four (4) of section two (2) the words "without cost to the state".

The amendment was adopted.

Senator Keir moved that the bill be read a third 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:

Benson	Faul	Long	Reilly
Berg	Hart	Love	Shaw
Byers	Hess	Lundy	Turner
Clem	Hill	Lynes	Vittetoe
Cromwell	Johnson	Martin	Vrba
Dykhouse	Jones	Mercer	Whitehill
Elthon	Keir	Miller	Zeigler
Evans	Leo	Mowry	

Nays, 7:

Clark	Harvey	Schluter	Watson
Findlay	Hattery	Sjulin	

Absent or not voting, 12:

Augustine	Foster	Henningsen	Pine
Bekman	Fuller	Hunt	Stewart
Emerson	Goode	Pelzer	Zastrow

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 Elthon, House File 465, a bill for an act to provide an emergency appropriation to cover remaining expenses incurred by the advisory committee of the supreme court on rules of procedure, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Clem asked and received unanimous consent to withdraw the amendment filed by him and found on page 1047 of the Senate Journal.

Senator Long asked and received unanimous consent to withdraw the amendment filed by him and found on page 1066 of the Senate Journal.

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:

Bekman	Faul	Johnson	Pelzer
Benson	Findlay	Jones	Reilly
Berg	Foster	Keir	Schluter
Clark	Goode	Long	Shaw
Clem	Hart	Love	Turner
Cromwell	Harvey	Lynes	Vittetoe
Dykhouse	Hattery	Martin	Vrba
Elthon	Hess	Mercer	Watson
Emerson	Hill	Miller	Zeigler
Evans	Hunt	Mowry	

Nays, 1:

Augustine

Absent or not voting, 10:

Byers	Leo	Sjulin	Whitehill
Fuller	Lundy	Stewart	Zastrow
Henningsen	Pine		

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 Bekman, House File 496, a bill for an act to authorize the state comptroller to transfer from the use tax fund designed for homestead credit to the general fund of the state of Iowa, was substituted for Senate File 392.

On motion of Senator Bekman, House File 496 was taken up and considered.

Senator Bekman asked and received unanimous consent that action be temporarily deferred on House File 496 and that it retain its place on the calendar.

On motion of Senator Goode, House File 367, a bill for an act to amend section four thousand six hundred thirty-four (4634), Code, 1939, relating to the method of paying special assessments by the state for improvements on highways along or through state-owned lands, was taken up and considered.

Senator Goode moved that the bill be read a third 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	Berg	Evans	Fuller
Bekman	Clem	Findlay	Goode
Benson	Cromwell	Foster	Harvey

Hess	Lundy	Pelzer	Turner
Hill	Martin	Reilly	Vittetoe
Jones	Mercer	Schluter	Vrba
Leo	Miller	Shaw	Whitehill
Long	Mowry	Sjulin	Zeigler

Nays, none.

Absent or not voting, 18:

Byers	Faul	Johnson	Pine
Clark	Hart	Keir	Stewart
Dykhouse	Hattery	Love	Watson
Elthon	Henningsen	Lynes	Zastrow
Emerson	Hunt		

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

Senator Goode moved that the 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, House File 168, a bill for an act to amend sections ten thousand sixty-six (10066), ten thousand one hundred six (10106) and ten thousand one hundred eleven (10111), Code, 1939, authorizing and requiring the recording of certified copies of petitions in bankruptcy and of orders approving trustees' bonds in bankruptcy; and to provide for the indexing thereof, 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, 31:

Augustine	Fuller	Love	Shaw
Benson	Goode	Lundy	Sjulin
Berg	Harvey	Martin	Turner
Clem	Hess	Miller	Vittetoe
Cromwell	Hill	Mowry	Vrba
Elthon	Jones	Pelzer	Whitehill
Evans	Leo	Reilly	Zeigler
Findlay	Long	Schluter	

Nays, none.

Absent or not voting, 19:

Bekman	Faul	Hunt	Pine
Byers	Foster	Johnson	Stewart
Clark	Hart	Keir	Watson
Dykhouse	Hattery	Lynes	Zastrow
Emerson	Henningsen	Mercer	

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.

Senator Hill took the chair at 5:45 p. m.

On motion of Senator Cromwell, House File 404, a bill for an act to amend chapter three hundred three and one-tenth (303.1), Code, 1939, relating to airports, air transportation systems, and other facilities required by aeronautical commerce, was taken up and considered.

Senator Benson offered the following amendment and moved its adoption:

Amend House File 404 by striking the word "highway" in line four (4) of section one (1) and insert in lieu thereof the words "Iowa aeronautics commission".

Further amend by striking the words "state highway commission" in line three (3) of section two (2) and insert in lieu thereof the words "Iowa aeronautics commission".

Senator Clark moved the previous question on the amendment, which motion prevailed.

The amendment was lost.

Senator Goode offered the following amendment and moved its adoption:

Amend House File 404 by striking section two (2).

The amendment was lost.

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, 24:

Augustine	Dykhouse	Hattery	Long
Bekman	Elthon	Hess	Love
Berg	Emerson	Hill	Lynes
Byers	Evans	Hunt	Mercer
Clark	Foster	Johnson	Vrba
Cromwell	Hart	Keir	Zeigler

Nays, 20:

Benson	Jones	Mowry	Sjulin
Clem	Leo	Pelzer	Turner
Findlay	Lundy	Reilly	Vittetoe
Fuller	Martin	Schluter	Watson
Harvey	Miller	Shaw	Whitehill

Absent or not voting, 6:

Faul	Henningsen	Stewart	Zastrow
Goode	Pine		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Benson 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 Watson, House File 437, a bill for an act to establish the boundary line between Iowa and Nebraska by agreement; to cede to Nebraska and to relinquish jurisdiction over lands now in Iowa but lying westerly of said boundary line and contiguous to lands in Nebraska; to provide that the provisions of this act become effective upon the enactment of a similar and reciprocal law by Nebraska and the approval of and consent to the compact thereby effected by the congress of the United States of America and to declare an emergency, was taken up and considered.

Senator Watson moved that the bill be read a third 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	Foster	Leo	Reilly
Benson	Fuller	Long	Schluter
Byers	Goode	Love	Shaw
Clark	Hart	Lundy	Sjulin
Clem	Harvey	Lynes	Turner
Cromwell	Hattery	Martin	Vittetoe
Dykhouse	Hess	Mercer	Vrba
Elthon	Hill	Miller	Watson
Emerson	Johnson	Mowry	Whitehill
Evans	Jones	Pelzer	Zeigler
Findlay	Keir	Pine	

Nays, none.

Absent or not voting, 8:

Bekman	Faul	Hunt	Stewart
Berg	Henningsen	Pine	Zastrow

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

Senator Watson moved that the 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 ON SENATE JOINT  
RESOLUTION 10

In our opinion the passage of Senate Joint Resolution 10 before any consideration of House File 300 as passed by the House is premature at this time and in effect blocks consideration of House File 300.

We further feel that deferring the filing of the report of the new committee until November 10, 1944, creates danger of further delay in any needed school legislation by the Fifty-first General Assembly. We therefore record our vote at this time against the resolution.

We feel that the re-reference of the matter to another committee should only be resorted to if and when effort for action at this session fails.

C. V. FINDLAY.  
A. J. SHAW.  
DEVERE WATSON.

## 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: House File 490.

STANLEY L. HART, *Chairman*.

## AMENDMENTS FILED

Amend Senate File 379 as amended by Bekman by adding 1% to each of the rates in lines thirty-eight (38) to forty-four (44) inclusive.

HUGH LUNDY.  
FRANK D. MARTIN.  
ROBERT C. REILLY.  
A. E. AUGUSTINE.

Senator Lundy moved that the Senate recess until the fall of the gavel, which motion prevailed.



\* \*

The Senate resumed regular session, President Blue presiding.

Prayer was offered by the Rev. Robt. A. Dahl, pastor of the Union Park Methodist church of Des Moines.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Pine for the day on request of Senator Martin.

#### PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from residents of Black Hawk county, in opposition to Senate Concurrent Resolution 20, relative to Japanese-American citizens.

By Senator Zeigler, from residents of Jefferson county, in opposition to Senate Concurrent Resolution 20, relative to Japanese-American citizens.

By Senator Cromwell, from residents of Des Moines county, favoring local option.

Senator Evans asked and received unanimous consent to take up the following resolution and moved its adoption:

#### SENATE RESOLUTION 11

*Be It Resolved by the Senate*, That the bill room of the Senate, together with all bills introduced in the Senate of the Fiftieth General Assembly of Iowa, remain intact in the bill room of the Senate Chamber, and that the office of the Secretary of the Senate with all equipment and supplies remain intact, and that the upholstered swivel chairs of the Senate be stored in the cloakroom of the Senate, and the custodian of the state of Iowa is hereby instructed and directed not to permit the use of any such equipment or supplies except that he shall permit the distribution of any bills from the bill room which may be requested, and neither the bill room of the Senate nor the cloakroom, nor the office of the Secretary of the Senate shall be occupied by any state department during the interim between the Fiftieth and Fifty-first General Assemblies of Iowa.

The motion prevailed and the resolution was adopted.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

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

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

Senate File 389, a bill for an act authorizing purchase of certain property at Arnolds Park, Iowa. A. C. GUSTAFSON, *Chief Clerk*.

### THIRD READING OF BILLS

On motion of Senator Bekman, the Senate resumed consideration of Senate File 379, a bill for an act to provide for war risk contributions on the payrolls of employers; to provide the manner in which the commission shall determine the contribution rates on certain employers for the periods from July 1, 1943, to and including December 31, 1945; and to provide the rate of contribution based upon increased payrolls, and the following amendment by Senator Lundy, et al:

Further amend Senate File 379 by striking all of lines thirty-nine (39) to forty-eight (48) inclusive.

Senator Lundy asked and received unanimous consent to withdraw the above amendment.

Senator Lundy asked and received unanimous consent to withdraw the amendment filed by Senators Lundy, Martin, Reilly and Augustine and found on page 1158 of the Senate Journal.

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	Evans	Keir	Schluter
Bekman	Faul	Long	Shaw
Berg	Findlay	Love	Sjulin
Byers	Goode	Lundy	Stewart
Clark	Hattery	Lynes	Turner
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hess	Mercer	Vrba
Dykhouse	Hill	Miller	Watson
Elthon	Hunt	Mowry	Whitehill
Emerson	Jones	Pelzer	Zeigler

Nays, none.

Absent or not voting, 10:

Benson	Hart	Leo	Reilly
Foster	Harvey	Pine	Zastrow
Fuller	Johnson		

The bill having received a constitutional majority was declared to have passed the Senate 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 Byers called up House File 23, a bill for an act to amend section sixty-nine hundred eighty-six (6986), Code, 1939, relating to the computing and apportioning of taxes, and moved that the Senate recede from its amendment.

As a substitute, for the motion by Senator Byers, Senator Faul moved that action be deferred on House File 23.

The substitution was made and the substitute motion adopted.

On motion of Senator Bekman, the Senate resumed consideration of House File 496, a bill for an act to authorize the state comptroller to transfer from the use tax fund designed for homestead credit to the general fund of the state of Iowa.

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.

The President announced that Senator Hunt had left a written request at the desk to be recorded as voting "aye" on House File 496.

The request was granted.

On the question "Shall the bill pass?"

Senator Bekman asked unanimous consent that the completion of the vote be withheld until the Senate members in committee meeting return to the Senate.

Objection was made.

Senator Bekman moved that the completion of the vote be withheld until the Senate members, in committee meeting return to the Senate, which motion was lost.

The vote was:

## Ayes, 17:

Berg	Hart	Hess	Mercer
Byers	Harvey	Hill	Mowry
Cromwell	Hattery	Hunt	Turner
Evans	Henningsen	Long	Zeigler
Goode			

## Nays, 22:

Augustine	Findlay	Pelzer	Stewart
Bekman	Foster	Reilly	Vittetoe
Clark	Jones	Schluter	Vrba
Clem	Love	Shaw	Watson
Elthon	Martin	Sjulin	Whitehill
Faul	Miller		

## Absent or not voting, 11:

Benson	Fuller	Leo	Pine
Dykhouse	Johnson	Lundy	Zastrow
Emerson	Keir	Lynes	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Bekman moved that the vote by which the bill failed to pass the Senate be reconsidered.

Senator Shaw moved to lay the motion by Senator Bekman, to reconsider the vote by which House File 496 failed to pass the Senate, on the table.

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the motion by Senator Bekman to reconsider the vote by which House File 496 failed to pass the Senate be laid on the table?" the vote was:

## Ayes, 18:

Augustine	Foster	Lynes	Stewart
Clark	Henningsen	Martin	Vittetoe
Clem	Johnson	Reilly	Vrba
Elthon	Jones	Shaw	Whitehill
Findlay	Keir		

## Nays, 25:

Bekman	Faul	Hess	Miller
Berg	Fuller	Hill	Mowry
Byers	Goode	Hunt	Schluter
Cromwell	Hart	Long	Sjulin
Dykhouse	Harvey	Love	Turner
Emerson	Hattery	Mercer	Zeigler
Evans			

## Absent or not voting, 7:

Benson	Lundy	Pine	Zastrow
Leo	Pelzer	Watson	

The motion to table the motion was lost.

Senator Bekman moved to reconsider the vote by which House File 496 failed to pass the Senate, which motion prevailed.

Senator Bekman moved that the Senate reconsider the vote by which House File 496 went to its third reading, which motion prevailed.

Senator Goode moved the previous question on the main bill, 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.

Rule 8 was invoked.

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

Ayes, 21:

Bekman	Evans	Hess	Lynes
Berg	Goode	Hill	Mercer
Byers	Hart	Hunt	Mowry
Cromwell	Harvey	Long	Vittetoe
Dykhhouse	Hattery	Love	Zeigler
Emerson			

Nays, 23:

Augustine	Foster	Lundy	Sjulin
Clark	Fuller	Martin	Stewart
Clem	Henningsen	Miller	Turner
Elthon	Johnson	Reilly	Vrba
Faul	Jones	Schluter	Whitehill
Findlay	Keir	Shaw	

Absent or not voting, 6:

Benson	Pelzer	Watson	Zastrow
Leo	Pine		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Shaw 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.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File 379, a bill for an act to provide for war risk contributions on the payrolls of employers. A. C. GUSTAFSON, *Chief Clerk*.

### 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 243, 299, 463 and 478.

STANLEY L. HART, *Chairman*.

### THIRD READING OF BILLS

On motion of Senator Goode, House File 243, a bill for an act to amend section five thousand and one hundredth (5000.01), Code, 1939, by amending subsection 19 defining "where a vehicle is kept", by amending subsection 23 defining "authorized emergency vehicles", by amending subsection 40 defining "chauffeur"; to amend section five thousand one and two hundredths (5001.02), Code, 1939, so as to exempt from registration any vehicle propelled by electric power obtained from overhead trolley wires, but not operated on rails; to amend section five thousand one and three hundredths (5001.03), five thousand one and twelve hundredths (5001.12), five thousand one and thirteen hundredths (5001.13), five thousand one and twenty-seven hundredths (5001.27), five thousand two and one-hundredth (5002.01), five thousand two and two hundredths (5002.02), five thousand two and three hundredths (5002.03), five thousand two and six hundredths (5002.06), five thousand two and seven hundredths (5002.07), five thousand two and eight hundredths (5002.08), five thousand three and four hundredths (5003.04), five thousand eight and three hundredths (5008.03), five thousand eight and twenty-seven hundredths (5008.27), five thousand nine and one hundredth (5009.01), five thousand ten and seven hundredths (5010.07), and five thousand ten and eight hundredths (5010.08), Code, 1939, by changing the term "motor vehicle" in each of such sections to "vehicle"; to amend section five thousand one and four hundredths (5001.04), Code, 1939, relating to application for registration of a vehicle; to amend section five thousand one and ten hundredths (5001.10), Code, 1939, relating to use of "registration applied for" cards; to amend section five thousand one and fifteen hundredths (5001.15), Code, 1939, relating to files of the motor vehicle department; to amend section five thousand one and twenty-five hundredths (5001.25),

Code, 1939, relating to change of address or name of applicant for registration; to amend section five thousand two and five hundredths (5002.05), Code, 1939, relating to dealer transfers; to amend section five thousand five and four hundredths (5005.04), Code, 1939, so as to permit registered motor vehicle dealers to secure a waiver of the unpaid second installment of the current annual registration fee on all used trucks, truck tractors, road tractors, trailers and semi-trailers held by them for sale or trade, by listing the same on or before July fifth of each year with the county treasurer and the motor vehicle department and to further permit the reregistration of any such vehicle under the provisions of section five thousand eight and two hundredths (5008.02) at such time as a dealer ceases to hold any such vehicle for sale or trade; to amend section five thousand thirty-four and eleven hundredths (5034.11), Code, 1939, relating to spot lamps on motor vehicles; to amend section five thousand thirty-four and fifty-six hundredths (5034.56), Code, 1939, by providing that every motor vehicle transporting flammables shall carry red reflectors or red electric lanterns at night and that during daylight hours every truck shall carry not less than three red flags; to amend section five thousand thirty-four and fifty-seven hundredths (5034.57), Code, 1939, so as to permit the use of reflectors by vehicles used for transportation of flammable liquids or gases; to amend section five thousand thirty-four and fifty-eight hundredths (5034.58), Code, 1939, relating to the transportation of explosives by motor truck, was taken up and considered.

Senator Goode offered the following amendments and moved their adoption:

Amend House File 243 by striking from section one (1), line twenty (20) all after the word "that", and all of lines twenty-one (21), twenty-two (22) and twenty-three (23) and insert in lieu thereof: "a person or an employee of such person operating a vehicle exclusively in connection with the business or farming operations of such person shall not be deemed a chauffeur."

Also: Amend House File 243, section nineteen (19) by inserting after the word "all" in line six (6) thereof, the word "repossessed".

The amendments were adopted.

Senator Goode moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 40:

Augustine	Evans	Hunt	Reilly
Bekman	Faul	Jones	Schluter
Berg	Findlay	Keir	Shaw
Byers	Foster	Long	Sjulin
Clark	Goode	Lundy	Stewart
Clem	Hart	Lynes	Turner
Cromwell	Harvey	Martin	Vittetoe
Dykhouse	Hattery	Mercer	Vrba
Elthon	Henningsen	Miller	Whitehill
Emerson	Hill	Mowry	Zeigler

Nays, none.

Absent or not voting, 10:

Benson	Johnson	Pelzer	Watson
Fuller	Leo	Pine	Zastrow
Hess	Love		

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

Senator Goode moved that the 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 Hunt, House File 490, a bill for an act to amend section four (4), Code of Iowa, 1939, and subsection one (1) of section six thousand nine hundred forty-four (6944), Code of Iowa, 1939, and providing for the taxation of property of the United States of America in the state of Iowa when such taxation is consented to by the United States of America, was taken up and considered.

Senator Hunt moved that the bill be read a third 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:

Bekman	Findlay	Jones	Shaw
Berg	Fuller	Keir	Sjulin
Clark	Goode	Long	Stewart
Clem	Hart	Lundy	Turner
Cromwell	Harvey	Lynes	Vittetoe
Dykhouse	Hattery	Martin	Vrba
Emerson	Henningsen	Miller	Whitehill
Evans	Hill	Mowry	Zeigler
Faul	Hunt	Schluter	

Nays, none.



Absent or not voting, 15:

Augustine	Foster	Love	Reilly
Benson	Hess	Mercer	Watson
Byers	Johnson	Pelzer	Zastrow
Elthon	Leo	Pine	

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

Senator Hunt moved that the 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 Goode, House File 299, a bill for an act to amend sections five thousand thirteen and four hundredths (5013.04), five thousand thirteen and six hundredths (5013.06), five thousand thirteen and seven hundredths (5013.07), five thousand thirteen and eight hundredths (5013.08), five thousand thirteen and nine hundredths (5013.09), five thousand thirteen and ten hundredths (5013.10), five thousand thirteen and twelve hundredths (5013.12), five thousand thirteen and fourteen hundredths (5013.14), five thousand thirteen and nineteen hundredths (5013.19), five thousand thirteen and twenty hundredths (5013.20), five thousand thirteen and twenty-two hundredths (5013.22), five thousand fourteen and two hundredths (5014.02), five thousand fourteen and seven hundredths (5014.07), five thousand fourteen and twelve hundredths (5014.12), and five thousand fourteen and thirteen hundredths (5014.13), Code, 1939, and chapter one hundred seventy-three (173), acts of the Forty-ninth General Assembly, all relating to the application and issuance of operator's and chauffeur's licenses, examination of applicant or holder of operator's or chauffeur's licenses, form of licenses issued, reports on traffic violations by operators and chauffeurs, suspension of operator's or chauffeur's licenses, and providing for issuance of duplicate license or extension certificates, was taken up and considered.

Senator Goode moved that the bill be read a third 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	Clem	Faul	Hart
Bekman	Cromwell	Findlay	Harvey
Berg	Dykhous	Foster	Hattery
Byers	Emerson	Fuller	Henningsen
Clark	Evans	Goode	Hill

Hunt	Lundy	Mowry	Vittetoe
Johnson	Lynes	Reilly	Vrba
Jones	Martin	Schluter	Whitehill
Keir	Mercer	Shaw	Zeigler
Long	Miller	Turner	

Nays, none.

Absent or not voting, 11:

Benson	Leo	Pine	Watson
Elthon	Love	Sjulin	Zastrow
Hess	Pelzer	Stewart	

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

Senator Goode moved that the 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 Hunt, House File 463, a bill for an act to amend section five thousand twenty-two and two hundredths (5022.02), Code, 1939, relating to the penalty for operating a motor vehicle while intoxicated or under the influence of narcotic drugs, and providing as to revocation of operator's license in such case, was taken up and considered.

Senator Hunt moved that the bill be read a third 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	Foster	Johnson	Reilly
Berg	Fuller	Jones	Schluter
Clark	Goode	Keir	Shaw
Clem	Hart	Long	Sjulin
Cromwell	Hattery	Lundy	Turner
Dykhouse	Henningsen	Lynes	Vittetoe
Emerson	Hess	Mercer	Vrba
Evans	Hill	Miller	Whitehill
Faul	Hunt	Mowry	Zeigler
Findlay			

Nays, 1:

Martin

Absent or not voting, 12:

Bekman	Elthon	Love	Stewart
Benson	Harvey	Pelzer	Watson
Byers	Leo	Pine	Zastrow

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

Senator Hunt moved that the 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 Hattery, House File 478, a bill for an act to repeal sections five thousand thirty-seven and two hundredths (5037.02), five thousand thirty-seven and three hundredths (5037.03), and five thousand thirty-seven and four hundredths (5037.04), Code, 1939, and to enact substitutes therefor; to amend chapter two hundred fifty-one and one-tenth (251.1), Code, 1939, and section thirteen thousand four hundred sixty (13460), Code, 1939, relating to making arrests, the issuance of summons, and memoranda for violations of said chapter, stopping of vehicles by peace officers, the issuance of summons in lieu of warrants for arrest by magistrates in case of misdemeanor and the procedure thereunder, was taken up and considered.

Senator Hattery moved that the bill be read a third 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	Faul	Hill	Mowry
Bekman	Findlay	Johnson	Reilly
Berg	Foster	Jones	Schluter
Byers	Fuller	Keir	Shaw
Clark	Goode	Long	Sjulin
Clem	Hart	Lundy	Turner
Cromwell	Harvey	Lynes	Vittetoe
Dykhouse	Hattery	Martin	Vrba
Emerson	Henningsen	Mercer	Whitehill
Evans	Hess	Miller	Zeigler

Nays, none.

**Absent or not voting, 10:**

Benson	Leo	Pine	Watson
Elthon	Love	Stewart	Zastrow
Hunt	Pelzer		

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

Senator Hattery moved that the 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**

Senator Faul asked and received unanimous consent to withdraw Senate File 391 from the further consideration of the Senate.

## PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present a troop of Boy Scouts from Ankeny, who were present in the balcony.

## MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House File 243, a bill for an act relating to motor vehicles.

A. C. GUSTAFSON, *Chief Clerk.*

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your joint committee on enrolled bills respectfully report that it has examined and finds correctly enrolled: Senate Joint Resolutions 6, 9, 10, and Senate Files 24, 41, 218, 292, 296, 353, 371, 379, 381, 382, 383, 384, 385, 387, and 389, and House Files 168, 299, 362, 367, 437, 463, 465, 478, 487, 488, 490, 492, 494, and 243.

ROBERT C. REILLY, *Chairman Senate Committee.*

E. L. EDWARDS, *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 Resolutions 6, 9, 10, and Senate Files 24, 41, 218, 292, 296, 353, 371, 379, 381, 382, 383, 384, 385, 387, and 389, and House Files 168, 299, 362, 367, 437, 463, 465, 478, 487, 488, 490, 492, 494, and 243.

## BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 8th day of April, 1943, sent to the governor for his approval: Senate Joint Resolutions 6, 9, 10, and Senate Files 24, 41, 218, 292, 296, 353, 371, 379, 381, 382, 383, 384, 385, 387, and 389.

ROBERT C. REILLY, *Chairman.*

Passed on file.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on April 8th he had approved the following bills:

Senate File 115 relating to disabled and retired firemen and policemen.

Senate File 227 relating to the preparation of laws, acts and joint resolutions passed at each session of the legislature.

Senate File 257 relating to transfer of funds from the general fund to the state commissioner of labor.

Senate File 333 relating to annual reports of corporations.

Senate File 350 appropriating funds to the various departments and divisions of the state.

Senate File 360 making appropriations to cover refunds on motor vehicle registration fees.

Senate File 373 providing for the payment of claims to certain named persons.

Senate File 378 making an appropriation for repair of capitol grounds.

Senate File 98 relating to service of notice to terminate lease.

Senate File 103 relating to old age assistance.

Senate File 334 relating to payment of tuition for nonresident pupils.

Senate File 343 authorizing expenditures of the highway commission for primary road fund.

Senate File 345 relating to disposition of the balance in the emergency relief fund.

Senate File 356 relating to claims between the state of Iowa and others.

Senate File 359 providing for the payment of claims to certain named persons.

Senate File 375 authorizing the state highway commission to cooperate with the public roads administration of the United States in the construction and maintenance of flight strips.

Senate File 386 establishing a general fund for the biennium from July 1, 1943, to June 30, 1945.

Senate File 380 making an appropriation for the payment of certain claims.

Senate File 376 making an appropriation for the payment of certain claims.

Senate File 372 making an appropriation for the payment of certain claims.

Senate File 363 relating to the use of oleomargarine in certain state institutions.

Senate File 336 relating to school district levies.

Senate File 258 creating the Iowa Dairy Industry Commission.

Senate File 239 relating to aid to dependent children.

Senate File 234 relating to funds for secondary road construction.

Senate File 212 relating to the use of live birds at conducted field meets.

Senate File 204 relating to homestead tax credit for those in military service.

#### MOTION FOR INDEFINITE POSTPONEMENT

Senator Faul moved that House File 23 be indefinitely postponed.

Senator Goode raised the point of order that a bill which has been acted on by both houses cannot be indefinitely postponed.

Senator Clark asked and received unanimous consent that action on House File 23 be temporarily deferred.

Senator Hunt moved that the Senate recess until the fall of the gavel, which motion prevailed.

The Senate resumed regular session at the fall of the gavel.

## RESIGNATIONS

MR. ROBERT D. BLUE,  
President of the Senate.

April 8, 1943.

Dear Mr. President:

I hereby tender my resignation as chairman of the public lands and buildings committee of the Senate.

Respectfully submitted,  
S. RAY EMERSON, *State Senator*.

MR. ROBERT D. BLUE,  
President of the Senate,  
Senate Chamber.

Mr. President:

I hereby tender my resignation as chairman of the ways and means committee, effective at once.

SANFORD ZEIGLER, JR.

## APPOINTMENT OF COMMITTEES

The President announced the following appointment of committees:

The committee on Legislative Advisory, State Office Building, Senators Dykhouse, Henningsen, and Leo.

The committee on National Defense, Senators Berg and Love.

The Interim committee, Senators Evans, Hill, Goode, Mercer, and Reilly.

The committee on Council of State Governments, Senators Cromwell, Turner, Hess, Clark, and Long.

The committee on Public Schools, Senators Hunt and Keir.

## PRESENTATION OF GIFT TO SECRETARY

On behalf of the members of the Senate, the employees and his many friends, Senator Faul presented William J. Scarborough with a wrist watch, preceding the presentation with the following poem by Senator Emerson:

## TO YOU, BILL

And now the Fiftieth G. A. is drawing to an end  
We've had a stormy session, we staunchly will defend,  
If we've done anything worthwhile and sorta feel a thrill  
No small part of the credit should go to Faithful Bill.  
He has a thousand things to do and we are here to state

He's on the job—and *we mean job*—from early morn 'till late,  
We like the way he gets things done and like his diction clear  
And we take this occasion now to give him one big cheer.  
There's a thousand little items that must be done right now  
He gets them done, by gosh, but I can't tell you how,  
And when he reads the titles you can get it all with ease  
He's here, there, and everywhere—like his pants were full of fleas.  
To this gray-haired gent with the golden voice  
Of the Senate and Clerks, he is the choice,  
This watch we present, we hope 'twill keep time  
And I guess I'll sign off—this ditty don't rhyme!

The following communication was received:

LIEUTENANT GOVERNOR ROBERT D. BLUE:

If permissible would like in this manner to express to the members of the Senate, my deep appreciation for confirming my appointment as industrial commissioner. It is most gratifying and acceptable.

Regards to all,

E. P. CORWIN.

#### COMMITTEE TO NOTIFY THE GOVERNOR

Senator Hunt moved that the President appoint a committee of two 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, which motion prevailed.

The President appointed as such committee, Senators Hunt and Henningsen.

#### COMMITTEE TO NOTIFY THE HOUSE

Senator Evans moved that the President appoint a committee of two to notify the House that the Senate was ready to adjourn sine die, which motion prevailed.

The President appointed as such committee, Senators Evans and Clem.

#### COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to adjourn sine die.



## REPORT OF COMMITTEE TO NOTIFY THE HOUSE

The committee appointed to notify the House that the Senate was ready to adjourn sine die returned and announced that it had performed its duty.

The report was accepted and the committee was discharged.

## REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

The committee appointed to wait upon the Governor reported that it had performed its duty and that the Governor had sent the following message:

THE HONORABLE PRESIDENT OF THE SENATE:

THE HONORABLE MEMBERS OF THE SENATE OF THE FIFTIETH GENERAL ASSEMBLY:

MY DEAR MR. PRESIDENT AND THE HONORABLE MEMBERS OF THE SENATE:

Your message of the completion of your work in the Fiftieth General Assembly has been received by me. I thank you for your efforts in behalf of legislation for the state of Iowa and I assure you that your conscientious consideration of the matters before the legislature are appreciated.

Our nation, and the state, is going through the most troublesome and uncertain period in its history. I believe you have considered well the major problems confronting us and that you have met these problems with sincere conviction.

My own association with the legislature, as a member, occasions sincere regret at the breaking up of the associations of this Fiftieth General Assembly. I know that our mutual efforts will guarantee a future cooperation in public matters in the interest of government in Iowa.

As you leave for your homes, however, may I wish you and yours comfort, happiness and the best of luck.

BOURKE B. HICKENLOOPER, *Governor*.

The report was accepted and the committee discharged.

## FINAL ADJOURNMENT

The hour of five o'clock p. m., April 8, 1943, having arrived, President Robert D. Blue declared the Senate of the Fiftieth General Assembly adjourned sine die.

## SENATE FILES APPROVED AFTER SESSION

The following list shows the Senate Files approved by the Governor after the close of the session, with the date of approval.

Following the "Bills Approved" is a copy of the letter of the Governor relative to the veto of Senate File 385, which provided for a list of state employees to be included in the budget report of the state comptroller.

- S. F. 24—Relating to appointment and terms of civil service commissioners. Approved April 20.
- S. F. 41—Relating to levy for garbage collection. Approved April 20.
- S. F. 204—Relating to homestead tax credit for those in military service. Approved April 10.
- S. F. 212—Relating to live birds as targets. Approved April 9.
- S. F. 218—Relating to fees for licenses for operation of motor vehicles. Approved April 15.
- S. F. 234—Relating to secondary road funds. Approved April 10.
- S. F. 239—Relating to aid to dependent children. Approved April 10.
- S. F. 258—Relating to the Iowa dairy industry. Approved April 10.
- S. F. 292—Relating to the meaning of the words "Agricultural Labor". Approved April 20.
- S. F. 296—Relating to the release of powers of appointment. Approved April 15.
- S. F. 336—Relating to levy for the general fund of school districts. Approved April 10.
- S. F. 353—Relating to funeral expenses paid from old age assistance fund. Approved April 15.
- S. F. 363—Relating to the suspension of the use of oleomargarine in state institutions. Approved April 10.
- S. F. 371—Relating to deductions for medical care in computing income tax. Approved April 15.
- S. F. 372—Relating to certain claims against the state. Approved April 10.
- S. F. 376—Relating to certain claims against the state. Approved April 10.
- S. F. 379—Relating to war risk contributions on employers' payrolls. Approved April 15.
- S. F. 380—Relating to certain claims against the state. Approved April 10.
- S. F. 381—Relating to certain claims against the state. Approved April 20.
- S. F. 382—Relating to unencumbered balances of appropriations. Approved April 20.
- S. F. 383—Relating to unredeemed state warrants. Approved April 20.
- S. F. 384—Relating to unredeemed treasury checks of the state. Approved April 20.
- S. F. 386—Relating to the establishment of the general fund for the state. Approved April 10.

S. F. 387—Relating to annual tax levy for general state purposes. Approved April 15.

S. F. 389—Relating to the purchase of property adjacent to Pillsbury Point Park at Arnolds Park. Approved April 15.

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May 6, 1943.

TO THE HONORABLE MEMBERS OF THE SENATE, FIFTIETH IOWA GENERAL ASSEMBLY:

GENTLEMEN: This will advise the members that I have disapproved Senate File 385 as of this date, May 6, 1943, and set out the following objections.

1. The act provides that "As a supplement to the budget report the comptroller shall report to the general assembly a salary schedule showing the annual rate of each employee of the state departments, except the highway department, the department of control of state institutions and the department of education, as of the first day of January preceding the convening of the general assembly." The information here required is already provided from three general present sources; first, the salary schedule book authorized by statute; second, the biennial budget reports that are available; and third, the records of the comptroller's office.

This provision changes the report of salaries from a fiscal yearly basis to a period ending on the first day of January preceding the convening of the General Assembly and gives approximately fifteen to twenty days for the compilation of this list. This is a practical impossibility and would result in unnecessary confusion as well as unnecessary and unwarranted expense.

2. In my judgment there is no practical or substantial public benefit accomplished by putting this act into effect.

Very truly yours,

B. B. HICKENLOOPER,

Governor.



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## IN MEMORIAM

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### *Senate*

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PERRY C. HOLDOEGEL.....	September 7, 1869-July 30, 1940
M. L. BOWMAN.....	September 18, 1884-June 12, 1942
WILLIAM H. KLEMME.....	February 17, 1849-March 11, 1943
CHARLES DAVIS BOOTH.....	January 2, 1870-December 5, 1942

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# JOURNAL OF THE SENATE

## MEMORIALS

### PERRY C. HOLDOEGEL

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character, and public service of the late Honorable Perry C. Holdoegel of Rockwell City, Iowa, begs leave to submit the following:

Perry C. Holdoegel was born in Harrison county, Iowa, September 7, 1869. In the early nineties he was elected superintendent of the Manson school and later went to Rockwell City to assume the superintendency of the city school.

Before coming to Calhoun county he built the first independent telephone line in Iowa between Woodbine and Logan. In 1903 he was instrumental in establishing the Central Mutual Telephone Company of Rockwell City. He became president of the Independent Telephone Association of the United States.

Mr. Holdoegel became a director in each of the three banks in Rockwell City, and later negotiated the consolidation of these three banks into what is now the Union State Bank of which he was chairman of the board. He was an extensive land owner in Calhoun county.

He was an active member of the Methodist church. He had a membership in all the Masonic lodges including the Za-Ga-Zig in which he prized his membership. In politics he was a Republican, and took an active and responsible place in the party of his choice. He was elected from the twenty-seventh district to the state senate and continued to serve through the Thirty-seventh, Thirty-eighth, Thirty-ninth, Fortieth and Fortieth Extraordinary sessions.

He is survived by his wife, Mattie, and daughter, Dorothy, both living in the home in Rockwell City; also a son, Donald, an attorney, living in Des Moines.

If this were prepared as a eulogy instead of a simple biographical sketch designed to commemorate his service in this body, there are many things that could be said with propriety.

Senator Holdoegel had been in failing health for several months, and finally passed away at his home in Rockwell City, July 30, 1940, therefore,

*Be It Resolved by the Senate of the Fiftieth General Assembly: That in the passing of the Honorable Perry C. Holdoegel of Rockwell City, Iowa, the state has lost a valuable and honorable citizen, an earnest statesman, and the family, a loving husband and father, and*

*Be It Further Resolved, That a copy of these resolutions be spread on the Journal of the Senate and that the Secretary of the Senate be di-*

rected to forward an enrolled copy to the members of the family of the deceased.

C. V. FINDLAY,  
RALPH E. BENSON,  
A. J. SHAW,

*Committee.*

The resolution was unanimously adopted.

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### M. L. BOWMAN

MR. PRESIDENT: Your committee which was appointed to prepare and report resolutions commemorating the character, service and life of the late M. L. Bowman, begs leave to submit the following report:

M. L. Bowman served as a member of the Senate during the Fortieth, Fortieth Extraordinary and Forty-first sessions of the General Assembly of Iowa.

Mr. Bowman was born at Galesburg, Illinois, in 1885. At four years of age he moved with his parents to Hutchinson, Kansas. While still a youth his parents died, leaving him an orphan, at which time he returned to Iowa and began working under his guardian who was a stock man and banker. He responded readily to the training received as a youth, as evidenced by the fact that at 17 years of age he was serving in the responsible position of buyer at the Chicago stock yards.

In 1903, Mr. Bowman responded to an urge for higher education and entered the State Agricultural College at Ames, where he was graduated in 1905. During his college career, he served as superintendent of the college farm, in which position, together with extra work in the Agronomy Department, he financed his college education. Upon his graduation, he was offered a chair in the Farm Crop Department of the State Agricultural College by Professor Holden, who had taken a great interest in him during his progress as a student. Two years later, he had earned and was given a full professorship in farm crops experimental work.

During the time Mr. Bowman was associated with Professor Holden, they traveled to all parts of the state on what was known as the "seed corn specials." Mr. Bowman originated the idea of an "oats special" which made similar educational trips throughout the state of Iowa.

Mr. Bowman was secretary of the Iowa Corn Growers' Association. While his whole life and activities were associated and interwoven with farming and the livestock industry, he was a public-spirited man who always had an interest in civic developments. He operated a farm near Waterloo, Iowa, where he specialized in the raising of Holstein cattle. He found time during his busy career to serve his immediate community as secretary of the Greater Waterloo Association. While acting in this capacity, he was elected to the State Senate of Iowa from the Black Hawk-Grundy District. His record during the Fortieth, Fortieth Extraordinary, and Forty-first sessions of the General Assembly of Iowa give testimony of his active attention to a varied legislative program.

The sessions found him active in introducing utility regulation, ap-

propriations for state educational institutions, development of municipal utilities, and a proposal to create a board of commerce, and also to use the state's credit in establishing a system of rural credits based on real estate security. Senator Bowman was greatly interested in road development and he saw in such program the future welfare of the rural districts, to which he was ever loyal, as well as to the welfare and development of cities and towns.

Senator Bowman always took an active interest in politics. In 1926, he was a candidate for governor in the Republican primaries, and later was a Republican candidate for the nomination of Congressman from the former Sixth District. In 1942, he became a candidate in the Democratic primaries for Secretary of Agriculture. During the period from 1933 to 1936, Senator Bowman was state supervisor of the farm debt adjustment program. From 1936 to 1941, he served as public relations representative of the Central Nebraska Public Power and Irrigation District at Hastings, Nebraska. Thereafter he returned and took up his residence in Iowa as office manager at the Des Moines Ordnance plant.

On June 12, 1942, Senator Bowman was taken suddenly ill while riding in his automobile and passed away before he reached the hospital. He is survived by his widow and two daughters, Mrs. William Meade of Tacoma, Washington, and Marjorie Bowman of Los Angeles, California.

Senator Bowman was an outstanding agriculturalist and citizen. He left a worthy record as a member of the State Senate of Iowa.

*Therefore Be It Resolved by the Senate of the Fiftieth General Assembly of Iowa, That in the passing of Senator Bowman, Iowa has lost a distinguished citizen whose life symbolized integrity and honesty in affairs of the state.*

*Be It Further Resolved, That this resolution be spread upon the records of the Journal of the Senate of the Fiftieth General Assembly of Iowa, and that enrolled copies thereof be transmitted to the members of his family.*

J. BERG,

*Committee.*

The resolution was unanimously adopted.

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#### WILLIAM H. KLEMME

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late William H. Klemme, begs leave to submit the following report:

Mr. William H. Klemme was born in Brookville, Indiana, February 17, 1849, and died at his home in Ridgeway, Iowa, on March 11, 1943, at the age of 94. He was married to Mary Augusta Bolles on March 22, 1870, and is survived by his daughter, Mrs. J. G. Parker; his wife having preceded him in death seven years ago.

Mr. Klemme came to Ridgeway in 1872, where he operated a drug store and later established a lumber yard. He was postmaster during



President McKinley's term of office and justice of the peace in Lincoln township for thirty-two years.

Mr. Klemme served in the legislature from the Forty-second District, comprised of Winneshiek and Howard counties, as a representative in the Twenty-fifth, Twenty-sixth, Twenty-sixth extra and Twenty-seventh General Assemblies, and as a senator in the Forty-second, Forty-second extra, Forty-third, Forty-fourth, Forty-fifth and Forty-fifth extra General Assemblies. He was a man of high character and beloved and respected by all his associates. He was always interested in the church and civic affairs and also served in educational work, having been a trustee of Upper Iowa University for many years. He contributed liberally to this institution and also to Luther College.

Mr. Klemme was a capable, conscientious and honest citizen and his death is a great loss to the citizens of this state and his community.

*Therefore, Be It Resolved by the Senate of the Fiftieth General Assembly, That in the passing of William H. Klemme, this state mourns the loss of a valuable and honored citizen; a man who devoted many years of his life to public service, and the Senate of Iowa by this resolution extends to the family of William H. Klemme its deepest sympathy.*

*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.*

ED VRBA,  
FRANK C. BYERS,  
LEO ELTHON,

*Committee.*

The resolution was unanimously adopted.

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### CHARLES DAVIS BOOTH

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Charles Davis Booth, begs leave to submit the following:

Charles Davis Booth was born in Stockton, California, January 2, 1870, and moved with his parents to Shelby county, Iowa, when he was one year of age. He lived the balance of his life in and around Harlan in Shelby county. He graduated from the Harlan high school and attended Iowa State College and then returned to his home town of Harlan to enter business with his father. This business was carried on under the Booth name and at the time of his death he was the oldest merchant in Harlan.

On October 31, 1895, he was united in marriage with Edith B. Pickard, who survives him.

The life story of Charles Davis Booth has been one of constant activity, marked with his power and ability in carrying to completion the many things that he undertook to do. He was a man that was very decided in his views and ideals, yet he expected no more from others than he demanded of himself. His firm pioneered the automobile business in Shelby county, having sold the first automobile in Harlan. In

addition to his active business life, he found time and inclination to give active support to many other worthwhile agencies. During the first world war he was the chairman of many drives and programs which aided the nation in that great effort. He was an active and potent member of the Congregational church, the Community and Kiwanis clubs and the Odd Fellows and Masonic lodges.

Mr. Booth was elected to the state Senate in 1926, and served eight years, during which time there were four regular and two special sessions of the legislature. He brought to the Senate and the legislature the policies that had made him successful in private business. He was proud of his membership in the Senate and he commanded the respect of the other members of the body and of his constituents, insisting that the high ideals and honesty of purpose that had made his private life a success should govern his actions in his services to the state.

Senator Booth is survived by his widow, a daughter, Estella May Crabtree, and grandson, Charles Richard, of Belmond, Iowa, two sisters, one brother and several nieces and nephews.

His unswerving loyalty to his country, his fidelity to duty, and his faithfulness in every public and private trust, was an inspiration to all with whom he came in contact.

*Be It Resolved by the Senate of the Fiftieth General Assembly of Iowa in Regular Session:* That in the passing of Senator Booth the state mourns the loss of an honored citizen, a man of strong and excellent character, a public servant of the highest type and that by this resolution the Senate of Iowa extends its sympathy to his family.

*Be It Further Resolved,* That this memorial resolution be printed in the Journal of the Senate and that the Secretary be directed to send copies of the same to the members of the family of the deceased.

DE VERE WATSON,  
FRANK PELZER,  
ROBT. W. HARVEY,

*Committee.*

The resolution was unanimously adopted.

# HISTORY OF SENATE BILLS IN SENATE

## SENATE FILES AND JOINT RESOLUTIONS PASSED

### AND APPROVED—163

J. R. 2, 3, 4, 5, 6, 9, 10.

1, 2, 4, 5, 7, 9, 10, 11, 13, 15, 17, 19, 21, 22, 24, 30,  
31, 33, 34, 35, 41, 43, 44, 45, 47, 48, 49, 50, 54, 56, 58, 60,  
66, 73, 74, 75, 81, 82, 88, 98, 103, 108, 109, 111, 112, 115, 117, 118,  
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218, 221, 227, 233, 234, 236, 239, 240, 249, 253, 257, 258, 262, 289, 292, 293,  
294, 296, 297, 302, 303, 304, 306, 312, 313, 316, 317, 318, 323, 325, 326, 329,  
322, 333, 334, 335, 336, 337, 338, 339, 340, 341, 343, 344, 345, 346, 347, 348,  
349, 350, 351, 353, 355, 356, 357, 358, 359, 360, 362, 363, 371, 372, 373, 375,  
376, 378, 379, 380, 381, 382, 383, 384, 386, 387, 389.

Passed both Houses, vetoed by Governor, S. F. 385.

### RECORD OF EACH SENATE BILL

S. F.	Page	S. F.	Page
1 By Emerson, Faul, Evans, Berg and Bekman. To provide for segregation and invest- ment of state building funds for duration.		Referred	85
Introduced, passed on file.....	10	Recommended for passage.....	127
Amendments filed .....	394	Passed; ayes 44, nays none.....	142
.....39, 65, 158, 314, 378, 393,	394	Returned to Senate.....	703
Referred	85	Reported enrolled .....	727
Recommended for amendment		Signed by President.....	728
and passage .....	334	Sent to Governor.....	728
Amendments adopted.....	392 399, 400	Signed by Governor.....	758
Passed; ayes 45, nays none.....	401		
Returned to Senate.....	741	5 By Martin. Relating to levy of taxes for mainte- nance, operation and im- provement of playgrounds and swimming pools.	
Concurred .....	744	Introduced, passed on file.....	14
Passed; ayes 42, nays none.....	744	Referred	85
Reported enrolled .....	801	Recommended for passage.....	127
Signed by President.....	801	Passed; ayes 45, nays none.....	141
Sent to Governor.....	802	Returned to Senate.....	703
Signed by Governor.....	889	Reported enrolled .....	727
		Signed by President.....	728
2 By Faul. Authorizing coun- ties in sale of real estate ac- quired by delinquent taxes.		Sent to Governor.....	728
Introduced, passed on file.....	10	Signed by Governor.....	758
Referred	85		
Recommended for passage.....	234	6 By Martin. To authorize special charter cities to levy tax for police department maintenance fund.	
Passed; ayes 47, nays none.....	323	Introduced, passed on file.....	14
Returned to Senate.....	932	Referred	85
Concurred .....	936	Withdrawn .....	100
Passed; ayes 42, nays none.....	937		
Reported enrolled .....	990	7 By Faul, Henningsen, Berg, and Reilly. To grant addi- tional powers to cities or towns to regulate seizure, protection, disposal of dogs.	
Signed by President.....	990	Introduced, passed on file.....	14
Sent to Governor.....	991	Amendment filed .....	65
Signed by Governor.....	1058	Referred	85
		Recommended for passage.....	127
3 By Hill. Pertaining to manner of attaining majority by minors entering military or naval service.		Deferred .....	142
Introduced, passed on file.....	14	Amendments adopted .....	163, 169
Referred	85	Passed; ayes 43, nays 1.....	169
Recommended for amendment		Returned to Senate.....	796
and passage .....	111	Report enrolled .....	822
Amendment adopted .....	118	Signed by President.....	822
Referred	118	Sent to Governor.....	823
Amendments filed .....	130	Signed by Governor.....	890
4 By Martin. Authorizing increased levy by certain charter cities for recreation programs in parks.			
Introduced, passed on file.....	14		

S. F.	Page
8 By Evans, Lynes, Sjulín and Goode. Relating to appointment of members of the committee on retrenchment and reform.	
Introduced, passed on file.....	15
Referred .....	85
Withdrawn .....	100
9 By Mowry. Permitting boards of supervisors to levy additional millage for support of the poor.	
Introduced, passed on file.....	15
Referred .....	85
Recommended for passage.....	128
Passed; ayes 45, nays none.....	143
Returned to Senate.....	994
Concurred .....	998
Passed; ayes 42, nays none.....	999
Reported enrolled .....	1032
Signed by President.....	1033
Sent to Governor.....	1033
Signed by Governor.....	1127
10 By Mercer. Relating to amendments to articles of incorporation of certain corporations; renewal thereof.	
Introduced, passed on file.....	31
Referred .....	85
Recommended for passage.....	177
Passed; ayes 48, nays none.....	198
Returned to Senate.....	302
Reported enrolled .....	355
Signed by President.....	356
Sent to Governor.....	356
Signed by Governor.....	443
11 By Committee on Special Bills. Relating to appropriation for use of Iowa Industrial and Defense Commission.	
Introduced, passed on file.....	32
Passed; ayes 46, nays 1.....	36
Messaged to House.....	36
Returned to Senate.....	138
Reported enrolled .....	191
Signed by President.....	191
Sent to Governor.....	192
Signed by Governor.....	232
12 By Leo, Keir, Benson, Turner, Stewart, Augustine, Lynes and Schluter. To provide for recognition of Iowa State Sheep Association; to promote welfare of sheep industry in Iowa.	
Introduced passed on file.....	32
Referred .....	85
Amendments filed .....	100, 193
Recommended for passage.....	213
H. F. 87 substituted.....	322
13 By Byers and Hart. Relating to collection of license renewal fees of registered professional engineers.	
Introduced, passed on file.....	40
Referred .....	85
Recommended for amendment and passage .....	110
Amendment adopted .....	118
Passed; ayes 43, nays none.....	119
Returned to Senate.....	302
Reported enrolled .....	355
Signed by President.....	356
Sent to Governor.....	356
Signed by Governor.....	443

S. F.	Page
14 By Augustine. To repeal personal net income tax.	
Introduced, passed on file.....	41
Referred .....	85
Amendment filed .....	155
15 By Vrba. Legalizing action of supervisors of Howard county, Iowa, in making certain expenditures.	
Introduced, passed on file.....	41
Referred .....	86
Recommended for passage.....	128
Deferred .....	143, 169
Proof of publication certified.....	175
Passed; ayes 42, nays none.....	175
Returned to Senate.....	716
Reported enrolled .....	791
Signed by President.....	792
Sent to Governor.....	792
Signed by Governor.....	823
16 By Vrba, Augustine and Reilly. To authorize state and political subdivisions to invest funds and moneys in federal bonds or obligations.	
Introduced, passed on file.....	41
Referred .....	86
17 By Watson. Relating to duties of city and town officers in municipal primary elections.	
Introduced, passed on file.....	41
Referred .....	86
Recommended for passage.....	127
Passed; ayes 47, nays none.....	144
Returned to Senate.....	417
Reported enrolled .....	442
Signed by President.....	442
Sent to Governor.....	442
Signed by Governor.....	463
18 By Hill. To regulate construction of theaters where combustible films are used; to authorize state fire marshal.	
Introduced, passed on file.....	41
Referred .....	86
Withdrawn .....	587
19 By Hill. Relative to permanent school fund interest rates and loans.	
Introduced, passed on file.....	42
Referred .....	86
Recommended for passage.....	129
Passed; ayes 45, nays none.....	145
Returned to Senate.....	764
Refused to concur.....	774
Returned to Senate.....	796
Reported enrolled .....	822
Signed by President.....	822
Sent to Governor.....	823
Signed by Governor.....	890
20 By Long and Love. Pertaining to tax imposed on taxable income.	
Introduced, passed on file.....	42
Referred .....	86
21 By Evans, Lynes, Sjulín and Goode. Relating to membership of the committee on retrenchment and reform.	
Introduced, passed on file.....	42
Referred .....	86
Recommended for amendment and passage .....	245

S. F.	Page
Amendment adopted .....	329
Point of order raised .....	329
Passed; ayes 37, nays 5 .....	329
Returned to Senate .....	741
Amendment filed .....	358
Refused to concur .....	802
Conference committee appointed .....	928
Conference report .....	948
Conference report and amend- ment adopted .....	955
Passed; ayes 40, nays 4 .....	955
Reported enrolled .....	990
Signed by President .....	990
Sent to Governor .....	991
Signed by Governor .....	1056

22 By Mowry. To eliminate requirement that income tax return be notarized.	
Introduced, passed on file .....	58
Referred to income tax reduc- tion .....	86
Amendments filed .....	157, 214, 235
Amendment withdrawn .....	207
Recommended for passage .....	356
Amendments adopted .....	424
Passed; ayes 43, nays none .....	425
Returned to Senate .....	649
Concurred .....	655
Passed; ayes 41, nays none .....	655
Reported enrolled .....	677
Signed by President .....	678
Sent to Governor .....	678
Signed by Governor .....	757

23 By Benson. Relating to time of holding primary elec- tion and county and state political conventions.	
Introduced, passed on file .....	58
Referred .....	86
Returned without recommenda- tion .....	377
Failed; ayes, 13, nays 25 .....	474

24 By Faul. Relating to ap- pointment and length of terms of civil service com- missioners.	
Introduced, passed on file .....	58
Referred .....	86
Recommended for passage .....	127
Passed; ayes 42, nays none .....	145
Returned to Senate .....	1125
Reported enrolled .....	1170
Signed by President .....	1170
Sent to Governor .....	1170
Signed by Governor .....	

25 By Martin. Authorizing special charter cities to adopt and publish municipal codes.	
Introduced, passed on file .....	59
Referred .....	86
Amendments filed .....	130, 335
Recommended for passage .....	246
Amendments adopted .....	342
Passed; ayes 41, nays none .....	343

26 By Whitehill. Relating to the recording of military dis- charges.	
Introduced, passed on file .....	66
Referred .....	86

27 By Pine, Lynes, Mercer and Reilly. Relating to registra- tion plates of automobiles used by dealers.	
Introduced, passed on file .....	67
Referred .....	86
Withdrawn .....	587

S. F.	Page
28 By Clem. Relating to de- linquent dog tax.	
Introduced, passed on file .....	67
Referred .....	86
Amendment filed .....	179

29 By Clem. Relating to com- pensation of township asses- sors.	
Introduced, passed on file .....	67
Referred .....	86
Recommended for passage .....	129
Amendment adopted .....	146
Passed; ayes 41, nays 5 .....	146

30 By Cromwell and Hattery. Relating to acknowledgment of instruments by persons in armed forces.	
Introduced, passed on file .....	67
Referred .....	86
Withdrawn .....	108
Reintroduced .....	257
Recommended for passage .....	412
Amendment adopted .....	533
Passed; ayes 45, nays none .....	533
Messaged to House .....	533
Returned to Senate .....	764
Concurred .....	773
Passed; ayes 39, nays none .....	773
Reported enrolled .....	801
Signed by President .....	801
Sent to Governor .....	802
Signed by Governor .....	889

31 By Martin. To prohibit killing of or interfering with carrier pigeons.	
Introduced, passed on file .....	67
Referred .....	86
Recommended for passage .....	247
Passed; ayes 37, nays 5 .....	344
Returned to Senate .....	982
Reported enrolled .....	1055
Signed by President .....	1055
Sent to Governor .....	1055
Signed by Governor .....	1128

32 By Cromwell. To provide for disposition of property in cases of apparent simul- taneous death.	
Introduced, passed on file .....	67
Referred .....	86
Withdrawn .....	257

33 By Love. Relating to re- ports, assessments of hail in- surance companies.	
Introduced, passed on file .....	68
Referred .....	86
Recommended for passage .....	313
Passed; ayes 43, nays none .....	370
Returned to Senate .....	932
Reported enrolled .....	990
Signed by President .....	990
Sent to Governor .....	991
Signed by Governor .....	1056

34 By Faul. Relating to use of poor fund by boards of su- pervisors.	
Introduced, passed on file .....	68
Referred .....	86
Recommended for passage .....	129
Passed; ayes 46, nays none .....	147
Returned to Senate .....	453
Reported enrolled .....	551
Signed by President .....	552
Sent to Governor .....	552
Signed by Governor .....	579

S. F.	Page	S. F.	Page
35 By Faul. Relating to embezzlement by public officers. Introduced, passed on file.....	68	42 By Bekman and Clem. To empower Industrial Commissioner, with approval of Governor, in appointment of deputy commissioners. Introduced, referred.....	84
Referred .....	86	Amendments filed .....	193, 214
Recommended for passage.....	176	Recommended for amendment and passage .....	513
Passed; ayes 44, nays none.....	199		
Returned to Senate.....	302	43 By Cromwell and Bekman. To limit time for bringing action for certain claims against federal government. Introduced, referred .....	84
Reported enrolled .....	355	Amendments filed .....	112, 263
Signed by President.....	356	Amendment withdrawn .....	280
Sent to Governor.....	356	Recommended for amendment and passage .....	357
Signed by Governor.....	443	Amendment adopted .....	459
		Passed; ayes 45, nays none.....	459
36 By Bekman, Zastrow and Cromwell. To prohibit certain types of advertising by optical firms. Introduced, passed on file.....	68	Messaged to House.....	459
Referred .....	86	Returned to Senate.....	716
Returned without recommendation .....	332	Concurred .....	722
Amendment filed .....	431	Passed; ayes 41, nays none.....	722
Passed; ayes 28, nays 16.....	439	Reported enrolled .....	791
		Signed by President.....	792
37 By Hattery, Martin and Clem. Providing that boards of supervisors shall fix annual salaries of deputy sheriffs. Introduced, passed on file.....	68	Sent to Governor.....	792
Referred .....	86	Signed by Governor.....	823
Amendments filed .....	130, 335		
Recommended for passage.....	282	44 By Committee on Special Bills. Relating to recommendation for pardon of paroled prisoners who enter military service. Introduced, placed on calendar..	84
Amendment adopted .....	354	Amendment adopted .....	85
Passed; ayes 44, nays 1.....	355	Passed; ayes 48, nays none.....	95
		Returned to Senate.....	186
38 By Berg, Emerson, Mercer and Faul. To increase the salary of the Governor of Iowa. Introduced, passed on file.....	69	Concurred .....	190
Referred .....	86	Passed; ayes 46, nays none.....	191
Recommended for calendar.....	777	Reported enrolled .....	212
Failed; ayes 17, nays 24.....	845	Signed by President.....	218
		Sent to Governor.....	213
39 By Faul. To establish retirement system for public school employees other than teachers in certain cities. Introduced, passed on file.....	69	Signed by Governor.....	232
Referred .....	86		
Amendments filed .....	130, 180	45 By Committee on Special Bills. Providing for limitation of time within which tax commission may appeal ruling on homestead exemption tax credits. Introduced, placed on calendar..	84
Recommended for passage.....	178	Passed; ayes 48, nays none.....	92
Amendments adopted.....	199, 200	Returned to Senate.....	796
Passed; ayes 37, nays 3.....	201	Concurred .....	825
		Passed; ayes 46, nays none.....	826
40 By Faul. Relating to special assessments against property acquired by tax sales. Introduced, passed on file.....	69	Reported enrolled .....	904
Referred .....	86	Signed by President.....	905
Amendment filed .....	112	Sent to Governor.....	905
		Signed by Governor.....	929
41 By Fuller. Relating to garbage levies in cities or towns under 5,000 population. Introduced, passed on file.....	69		
Referred .....	86	46 By Committee on Special Bills. To require probate court clerk to set bond of administrators of estates. Introduced, placed on calendar..	84
Recommended for passage.....	128	Rereferred .....	95
Deferred .....	147, 170, 197		
Amendments filed .....	157, 213	47 By Committee on Special Bills. To correct reference in Unemployment Compensation act as to method of obtaining service on nonresident employer. Introduced, placed on calendar..	84
Amendment adopted .....	218	Passed; ayes 48, nays none.....	96
Amendment withdrawn .....	218	Reconsidered; ayes 45, nays none	107
Passed; ayes 37, nays 3.....	218	Deferred .....	107, 116
Returned to Senate.....	1125	Amendments filed .....	130
Concurred .....	1137	Amendment adopted .....	140
Passed; ayes 44, nays none.....	1137	Passed; ayes 46, nays none.....	140
Reported enrolled .....	1170		
Signed by President.....	1170		
Sent to Governor.....	1170		
Signed by Governor.....			

S. F.	Page
Returned to Senate.....	951
Concurred.....	961
Passed; ayes 44, nays none.....	962
Reported enrolled.....	1008
Signed by President.....	1008
Sent to Governor.....	1008
Signed by Governor.....	1127
48 By Goode. To provide for transfer of funds from state sinking fund to general fund.	
Introduced, referred.....	85
Recommended for passage.....	192
Passed; ayes 46, nays 1.....	242
Returned to Senate.....	918
Reported enrolled.....	969
Signed by President.....	970
Sent to Governor.....	970
Signed by Governor.....	1033
49 By Martin. To confirm in treasurer duty of collecting taxes in special charter cities.	
Introduced, referred.....	85
Recommended for passage.....	128
Passed; ayes 44, nays none.....	148
Returned to Senate.....	796
Reported enrolled.....	822
Signed by President.....	822
Sent to Governor.....	823
Signed by Governor.....	890
50 By Reilly, Henningsen and Faul. To increase amount that certain insurance companies may invest in corporate bonds and stocks.	
Introduced, referred.....	89
Recommended for amendment and passage.....	157
Amendment adopted.....	170
Passed; ayes 29, nays 17.....	171
Returned to Senate.....	994
Concurred.....	997
Passed; ayes 41, nays 1.....	998
Reported enrolled.....	1032
Signed by President.....	1033
Sent to Governor.....	1033
Signed by Governor.....	1127
51 By Shaw. To provide that rules and regulations adopted construing statutes must be approved by attorney general.	
Introduced, referred.....	89
Amendment filed.....	235
52 By Cromwell, Berg, Emerson, Evans, Foster, Goode, Bekman, Hattery, Henningsen, Hess, Hill, Lynes, Martin, Pine, Sjulín, Zastrow and Zeigler. To make office of commerce commissioner appointive.	
Introduced, referred.....	90
Recommended for passage.....	192
Amendments filed.....	234, 248
Amendment as amended adopted.....	255
Passed; ayes 38, nays 12.....	256
Amendment withdrawn.....	257
53 By Martin. To make an appropriation for payment of one-half cost of sewer in street adjoining state owned property.	
Introduced, referred.....	90
Recommended for passage.....	513

S. F.	Page
54 By Watson. To permit increase in pay of county surveyors.	
Introduced, referred.....	90
Recommended for passage.....	393
Deferred.....	508
Amendment filed.....	515
Amendment adopted.....	530
Passed; ayes 46, nays none.....	530
Returned to Senate.....	784
Reported enrolled.....	801
Signed by President.....	801
Sent to Governor.....	802
Signed by Governor.....	889
55 By Sjulín, Dykhouse, Schluter, Leo, Henningsen and Evans. To require licensing of insurance agents.	
Introduced, referred.....	90
Recommended for passage.....	157
Passed; ayes 44, nays none.....	171
56 By Schluter and Faul. Relating to mechanic's liens and priority thereof.	
Introduced, referred.....	90
Recommended for amendment and passage.....	112
Amendment filed.....	112
Amendment adopted.....	119
Passed; ayes 43, nays none.....	120
Returned to Senate.....	302
Reported enrolled.....	355
Signed by President.....	356
Sent to Governor.....	356
Signed by Governor.....	443
57 By Faul. Pertaining to airport hazards; empowering Iowa Aeronautics Commission.	
Introduced, referred.....	91
58 By Pine. Authorizing Muscatine and Louisa counties with respect to Muscatine Island Levee District.	
Introduced, referred.....	91
Recommended for passage.....	129
Passed; ayes 42 nays none.....	149
Returned to Senate.....	287
Reported enrolled.....	311
Signed by President.....	311
Sent to Governor.....	312
Signed by Governor.....	331
59 By Hill. To provide for licensing of watchmakers.	
Introduced, referred.....	101
Returned without recommendation.....	499
60 By Mercer, Bekman, Hattery, Emerson and Whitehill. Relating to support of patients committed to Oakdale sanatorium.	
Introduced, referred.....	101
Recommended for amendment and passage.....	260
Amendment adopted.....	352
Passed; ayes 46, nays none.....	353
Returned to Senate.....	703
Reported enrolled.....	727
Signed by President.....	728
Sent to Governor.....	728
Signed by Governor.....	758

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61 By Turner, Keir, Findlay, Jones, Mowry, Foster, Shaw, Miller, Harvey, Zastrow, Sjulin, Whitehill and Hess. Relating to liquor control and providing for elections, petitions; local option.	
Introduced, referred .....	102
62 By Mowry, Turner, Benson, Hess, Sjulin, Whitehill, Zastrow, Harvey, Miller, Shaw, Foster, Keir, Jones and Findlay. Relating to sale of beer and malt liquors; to provide for local option.	
Introduced, referred .....	102
63 By Watson. Relating to the territories of a county from which supervisors may be elected.	
Introduced, referred .....	102
Recommended for passage.....	377
Deferred .....	456
Passed; ayes 47, nays none.....	475
64 By Committee on Election Reform. Relating to election and term of members of boards of supervisors.	
Introduced, passed on file.....	102
Deferred .....	120, 140
Passed; ayes 41, nays 5.....	168
Returned to Senate.....	584
65 By Committee on Election Reform. To extend terms of county officers from two to four years.	
Introduced, passed on file.....	103
Deferred .....	120, 140
Amendment filed .....	157
Amendment adopted .....	167
Passed; ayes 46, nays 1.....	167
Returned to Senate.....	626
66 By Byers. Relating to minors in bowling alleys.	
Introduced, referred .....	103
Recommended for passage.....	179
Passed; ayes 34, nays 7.....	201
Returned to Senate.....	993
Reported enrolled .....	1032
Signed by President.....	1033
Sent to Governor.....	1033
Signed by Governor.....	1127
67 By Evans. To provide for care of indigent persons in city or town hospitals.	
Introduced, referred .....	109
Recommended for passage.....	333
Amendments filed .....	393
Amendment adopted .....	440
Passed; ayes 46, nays none.....	441
68 By Evans. Making total insanity for a period of five years grounds for divorce.	
Introduced, referred .....	109
Returned without recommendation .....	554
69 By Evans. Relating to publication of notice of hearing for probate of a will.	
Introduced, referred .....	109

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70 By Berg. Relating to real property legalizing acts; to legalize sheriff's deeds prior to January 1930.	
Introduced, referred .....	110
Amendments filed .....	130, 158
Recommended for amendment and passage .....	176
Amendment adopted .....	202
Amendment withdrawn .....	202
Deferred .....	202, 220, 241
Withdrawn .....	280
71 By Harvey. To legalize proceedings of Monona county, Iowa, supervisors for account of Haitz drainage district.	
Introduced, referred .....	110
Proof of publication certified..	232
Recommended for passage.....	246
Reported adopted .....	344
H. F. 134 substituted.....	344
72 By Harvey. To legalize proceedings of supervisors of Monona county, Iowa, for account of Farmers and Garretson drainage district.	
Introduced, referred .....	110
Proof of publication certified...	244
Recommended for passage.....	246
Report adopted .....	345
H. F. 135 substituted.....	345
73 By Committee on Judiciary No. 2. To correct error in Code on spelling of referee.	
Introduced, placed on calendar..	114
Passed; ayes 43, nays none.....	149
Returned to Senate .....	303
Concurred .....	320
Passed; ayes 45, nays none.....	320
Reported enrolled .....	355
Signed by President.....	356
Sent to Governor.....	356
Signed by Governor.....	443
74 By Committee on Judiciary No. 2. Relating to landlord's lien.	
Introduced, placed on calendar..	115
Passed; ayes 43, nays none.....	150
Returned to Senate .....	950
Reported enrolled .....	1008
Signed by President.....	1008
Sent to Governor.....	1008
Signed by Governor.....	1127
75 By Committee on Judiciary No. 2. Relating to sale of second-hand watches.	
Introduced, placed on calendar	115
Passed; ayes 45, nays none.....	151
Returned to Senate .....	341
Reported enrolled .....	373
Signed by President.....	373
Sent to Governor.....	373
Signed by Governor.....	443
76 By Vrba, Shaw, Miller and Elthon. To exempt from taxation cooperative corporations organized to furnish rural electrification.	
Introduced, passed on file.....	115
Referred .....	165
Recommended for amendment and passage .....	466
Amendment filed .....	699



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77 By Lundy. Relating to the administration of an estate of an absentee.	
Introduced, referred .....	115
Recommended for passage.....	178
Passed; ayes 46, nays none.....	203
Returned to Senate.....	740
78 By Paul. To make an appropriation to defray expense of the inaugural ceremonies.	
Introduced, referred .....	115
Recommended for passage.....	245
H. F. 142 substituted.....	278
79 By Henningsen. To empower municipal courts in regard to proceedings auxiliary to execution.	
Introduced, referred .....	115
Recommended for passage.....	498
80 By Paul. Relating to civil service in cities; appointment of milk inspectors.	
Introduced, referred .....	116
Recommended for passage.....	246
Amendment filed .....	335
Amendment adopted .....	346
Passed; ayes 46, nays none.....	347
81 By Keir, Whitehill, Paul and Sjuln. To provide for clearing at par of checks drawn on any bank or trust company organized under the laws of the state.	
Introduced, referred .....	133
Recommended for passage.....	234
Amendment filed .....	248
Amendment adopted .....	323
Passed; ayes 44, nays 4.....	324
Returned to Senate.....	398
Reported enrolled .....	442
Signed by President.....	442
Sent to Governor.....	442
Signed by Governor.....	463
82 By Shaw. Relating to allowable deductions on personal income and providing for deduction provisions for medical care.	
Introduced, referred .....	133
Recommended for passage.....	357
Amendment filed .....	415
Amendment adopted .....	460
Passed; ayes 46, nays none.....	460
Returned to Senate.....	704
Reported enrolled .....	727
Signed by President.....	728
Sent to Governor.....	728
Signed by Governor.....	758
83 By Byers. To empower supervisors to lease or sell real estate owned by counties.	
Introduced, referred .....	134
Recommended for passage.....	333
Passed; ayes 37, nays 2.....	442
Returned to Senate.....	765
84 By Byers. Relating to the salary of probation officers.	
Introduced, referred .....	134
Amendment filed .....	335
Recommended for passage.....	482
85 By Dykhouse. Relating to notice and time for holding elections relative to management of public utility plants.	
Introduced, referred .....	134

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86 By Shaw. Relative to increasing amount of deductions on individual income taxes.	
Introduced, referred .....	134
87 By Hill. Relating to audits of cities and school districts; providing for filing reports.	
Introduced, referred .....	134
Recommended for passage.....	579
88 By Berg. Relating to the incurring of indebtedness, issuance of bonds for public improvements.	
Introduced, referred .....	135
Recommended for passage.....	334
Amendment filed .....	394
Amendment adopted .....	455
Passed; ayes 43, nays none.....	455
Returned to Senate.....	993
Reported enrolled .....	1032
Signed by President.....	1033
Sent to Governor.....	1033
Signed by Governor.....	1127
89 By Committee on National Defense Coordination. To provide for the continuation of the legislative committee on national defense.	
Introduced, placed on calendar..	135
Amendment adopted .....	172
Passed; ayes 43, nays none.....	172
Messaged to House.....	172
90 By Hill, Zastrow, Paul, Cromwell and Reilly. Relating to the supervision of the practice of embalming.	
Introduced, referred .....	135
Recommended for amendment and passage .....	482
91 By Elthon. To authorize, direct county attorneys to secure names of all persons holding federal liquor stamps.	
Introduced, referred .....	135
92 By Augustine. To raise maximum amount of old age pensions.	
Introduced, referred .....	136
Amendment filed .....	314
93 By Watson, Paul and Martin. Relating to benefits under retirement systems for policemen and firemen.	
Introduced, referred .....	136
Recommended for passage.....	334
Passed; ayes 40, nays none.....	456
94 By Byers. Relating to powers of cities and towns to regulate and license electricians and electrical contractors.	
Introduced, referred .....	136
Recommended for passage.....	334
Passed; ayes 38, nays 3.....	457
95 By Paul. Relating to publication of title and assignment of court cases.	
Introduced, referred .....	136
Recommended for passage.....	233
Amendment filed .....	314
Report adopted .....	325
H. F. 225 substituted.....	325

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96 By Faul. Relating to cancellation of individual personal net income tax accrued or accruing for years 1942, 1943.	
Introduced, referred .....	137
97 By Byers. Relating to the salary of judges of the superior court.	
Introduced, referred .....	159
Recommended for calendar .....	728
Amendment adopted .....	756
Passed; ayes 37, nays 1 .....	756
98 By Hess. Relating to service of notice to terminate lease by land owner or tenant.	
Introduced, referred .....	159
Recommended for passage .....	313
Amendment filed .....	315
Amendment as amended adopted .....	371
Passed; ayes 29, nays 11 .....	371
Returned to Senate .....	1022
Concurred .....	1053
Passed; ayes 45, nays none .....	1054
Reported enrolled .....	1126
Signed by President .....	1126
Sent to Governor .....	1127
Signed by Governor .....	1171
99 By Hattery and Evans. Providing for county assessor and board of review and prescribing their powers and duties.	
Introduced, referred .....	160
Returned without recommendation .....	500
Recommended for calendar .....	1064
Amendments filed .....	1081, 1082
100 By Mowry. Relative to proceedings for reinstatement of driver's license where revocation was mandatory.	
Introduced, referred .....	161
101 By Berg, Zastrow and Sjuln. To enlarge the definition of material and increase the scope of mechanics' liens.	
Introduced, referred .....	161
Recommended for calendar .....	777
Passed; ayes 41, nays 1 .....	842
102 By Berg, Bekman and Faul. Relating to property upon which there is an old age assistance lien.	
Introduced, referred .....	162
Recommended for passage .....	393
Rereferred .....	401
Returned without recommendation .....	498
Recommended for calendar .....	623
Amendment filed .....	645
Amendment adopted .....	670
Passed; ayes 43, nays none .....	671
103 By Faul, Bekman and Berg. Relating to monthly grants for old age assistance.	
Introduced, referred .....	162
Recommended for passage .....	393
Rereferred .....	401
Returned without recommendation .....	498
Recommended for calendar .....	645

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Amendment filed .....	665
Report adopted .....	677
Amendment withdrawn .....	693
Passed; ayes 46, nays none .....	695
Returned to Senate .....	1089
Concurred .....	1100
Passed; ayes 44, nays none .....	1100
Reported enrolled .....	1126
Signed by President .....	1126
Sent to Governor .....	1127
Signed by Governor .....	1171
104 By Hess, Henningsen and Faul. To authorize minors to receive benefit payments of life insurance.	
Introduced, referred .....	162
Recommended for passage .....	312
Amendment filed .....	378
Passed; ayes 29, nays 15 .....	389
105 By Dykhous, Zeigler and Faul. To authorize minors to contract for life insurance.	
Introduced, referred .....	162
106 By Committee on Insurance. Relating to policies of insurance on aircraft.	
Introduced, placed on calendar .....	162
Passed; ayes 43, nays none .....	203
107 By Committee on Insurance. Relating to funeral benefit contracts having no certain or fixed benefits.	
Introduced, placed on calendar .....	163
Amendment filed .....	193
Deferred .....	204, 220
Amendment adopted .....	254
Passed; ayes 44, nays none .....	255
108 By Committee on Insurance. Relating to medical examination for life insurance policies.	
Introduced, placed on calendar .....	163
Passed; ayes 44, nays none .....	204
Returned to Senate .....	649
Reported enrolled .....	677
Signed by President .....	678
Sent to Governor .....	678
Signed by Governor .....	757
109 By Committee on Insurance. Relating to investment of trust funds by fiduciaries.	
Introduced, placed on calendar .....	163
Passed; ayes 45, nays none .....	205
Returned to Senate .....	649
Concurred .....	656
Passed; ayes 42, nays none .....	656
Reported enrolled .....	677
Signed by President .....	678
Sent to Governor .....	678
Signed by Governor .....	757
110 By Berg and Bekman. To appropriate funds for the erection and furnishing of a governor's home.	
Introduced, referred .....	163
111 By Committee on Conservation. To allow conservation commission to charge for printed material furnished individuals and organizations.	
Introduced, placed on calendar .....	163
Passed; ayes 44, nays none .....	205
Returned to Senate .....	434

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Reported enrolled .....	462
Signed by President .....	462
Sent to Governor .....	463
Signed by Governor .....	479

112 By Committee on Conservation. To grant free hunting and fishing privileges to persons in the military forces during time of war.

Introduced, placed on calendar..	163
Amendment filed .....	193
Amendment adopted .....	206
Passed; ayes 42, nays none .....	207
Returned to Senate .....	269
Concurred .....	279
Passed; ayes 47, nays none .....	280
Reported enrolled .....	292
Signed by President .....	292
Sent to Governor .....	293
Signed by Governor .....	293

113 By Committee on Conservation. Relating to trapping license and fur dealer's license.

Introduced, placed on calendar..	164
Deferred .....	207
Amendment filed .....	214
Passed; ayes 45, nays none .....	221
Title amended .....	221

114 By Committee on Conservation. To prohibit dumping of substances harmful to fish into streams.

Introduced, placed on calendar..	164
Deferred .....	207
Passed; ayes 45, nays none .....	221
Returned to Senate .....	504

115 By Watson, Faul and Martin. Relating to disabled and retired firemen and policemen.

Introduced, referred .....	164
Recommended for amendment and passage .....	413
Amendments adopted .....	534
Passed; ayes 45, nays none .....	534
Returned to Senate .....	1050
Reported enrolled .....	1096
Signed by President .....	1096
Sent to Governor .....	1096
Signed by Governor .....	1171

116 By Hill, Lundy, Martin, Berg, Hattery and Byers. To regulate construction of theaters and other assembly halls where combustible films are used.

Introduced, referred .....	164
Recommended for amendment and passage .....	555
Recommended for calendar .....	777
Amendment filed .....	793
Deferred .....	876
Amendments filed .....	890, 892
Committee amendment as amended adopted .....	904
Passed; ayes 46, nays none .....	904

117 By Shaw. Relating to mortgages on real estate in estates where claims not yet due.

Introduced, referred .....	181
Recommended for passage .....	313
Amendments filed .....	335, 430
Deferred .....	389
Amendment adopted .....	439

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Passed; ayes 40, nays 3 .....	440
Returned to Senate .....	950
Reported enrolled .....	1008
Signed by President .....	1008
Sent to Governor .....	1008
Signed by Governor .....	1127

118 By Zeigler. Authorizing supervisors with respect to liability insurance on county employees.

Introduced, referred .....	182
Recommended for passage .....	413
Passed; ayes 43, nays none .....	535
Returned to Senate .....	951
Concurred .....	961
Passed; ayes 44, nays none .....	961
Reported enrolled .....	1008
Signed by President .....	1008
Sent to Governor .....	1008
Signed by Governor .....	1127

119 By Pine. For an appropriation to pay drainage assessment on state land in Muscatine county.

Introduced, referred .....	182
Recommended for passage .....	513
Recommended for calendar .....	645
Passed; ayes 46, nays none .....	673
Returned to Senate .....	695
Reported enrolled .....	736
Signed by President .....	736
Sent to Governor .....	757
Signed by Governor .....	776

120 By Clem. To legalize action of supervisors of Woodbury county in setting salaries of deputy sheriffs.

Introduced, referred .....	182
Proof of publication certified..	393

121 By Clem. To legalize action of supervisors of Woodbury county with respect to real estate tax sales.

Introduced, referred .....	182
Proof of publication certified..	393
Recommended for amendment and passage .....	411
Amendment adopted .....	536
Passed; ayes 44, nays none .....	536
Returned to Senate .....	716
Reported enrolled .....	791
Signed by President .....	792
Sent to Governor .....	792
Signed by Governor .....	823

122 By Clem. To legalize action of supervisors of Woodbury county in making expenditures from poor fund.

Introduced, referred .....	183
Proof of publication certified..	331
Recommended for passage .....	357
Passed; ayes 43, nays none .....	461
Returned to Senate .....	717
Reported enrolled .....	791
Signed by President .....	792
Sent to Governor .....	792
Signed by Governor .....	823

123 By Clem. To legalize action of supervisors of Woodbury county in making expenditures from court expense fund.

Introduced, referred .....	183
Recommended for amendment and passage .....	313
Proof of publication certified..	331

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Amendment adopted .....	390	131 By Committee on Judiciary	
Passed; ayes 43, nays none .....	390	No. 2. Relating to contracts	
Returned to Senate .....	765	for deeds to real property	
Concurred .....	768	given prior to 1930.	
Passed; ayes 43, nays none .....	769	Introduced, placed on calendar	184
Reported enrolled .....	801	Amendment filed .....	248
Signed by President .....	801	Amendment adopted .....	275
Sent to Governor .....	802	Passed; ayes 45, nays none .....	275
Signed by Governor .....	889	Returned to Senate .....	950
		Reported enrolled .....	1008
124 By Clem. Relating to sal-		Signed by President .....	1008
aries, expenses of officers and		Sent to Governor .....	1008
employees of the juvenile		Signed by Governor .....	1128
court.			
Introduced, referred .....	183	132 By Committee on Judiciary	
Recommended for passage .....	333	No. 2. Relating to the legal-	
Passed; ayes 45, nays none .....	457	ization of improperly ac-	
		knowledgeed plats.	
125 By Foster. Relating to		Introduced, placed on calendar	184
arrangements for the execu-		Amendment filed .....	248
tion of a condemned person.		Amendment adopted .....	276
Introduced, referred .....	183	Passed; ayes 44, nays none .....	276
Recommended for passage .....	580	Returned to Senate .....	796
		Concurred in part .....	827
126 By Foster. Relating to ad-		Returned to Senate .....	894
mission of witnesses to the		Passed; ayes 32, nays none .....	908
execution of a condemned		Reported enrolled .....	969
person.		Signed by President .....	970
Introduced, referred .....	183	Sent to Governor .....	970
		Signed by Governor .....	1033
127 By Foster, Goode and			
Clark. To change open sea-		133 By Committee on Judiciary	
son on quail and time for		No. 2. Relating to real estate	
shooting quail.		deeds of trust recorded prior	
Introduced, referred .....	184	to 1930.	
128 By Committee on Judiciary		Introduced, placed on calendar	185
No. 2. Relating to convey-		Amendment filed .....	235
ances of homesteads; le-		Amendment adopted .....	277
galizing conveyances hereto-		Passed; ayes 44, nays none .....	277
fore executed.		Returned to Senate .....	983
Introduced, placed on calendar ..	184	Reported enrolled .....	1055
Amendment filed .....	247	Signed by President .....	1055
Amendment adopted .....	271	Sent to Governor .....	1055
Passed; ayes 48, nays none .....	272	Signed by Governor .....	1129
Returned to Senate .....	950		
Reported enrolled .....	1008	134 By Augustine, Johnson,	
Signed by President .....	1008	Vrba, Reilly and Mercer. To	
Sent to Governor .....	1008	provide a uniform state-wide	
Signed by Governor .....	1127	program for aid to depend-	
		ent children.	
129 By Committee on Judiciary		Introduced, referred .....	185
No. 2. Relating to legalizing			
acts affecting titles to real		135 By Zastrow, Bekman,	
property.		Emerson, Hill, Byers and	
Introduced, placed on calendar ..	184	Mowry. Relating to labor,	
Amendments filed .....	235, 247	material used on public im-	
Amendments adopted .....	273	provements and time for	
Passed; ayes 47, nays none .....	273	bringing action thereon.	
Returned to Senate .....	717	Introduced, passed on file .....	185
Reported enrolled .....	791	Referred .....	212
Signed by President .....	792	Recommended for passage .....	498
Sent to Governor .....	792	Recommended for calendar .....	916
Signed by Governor .....	824	Passed; ayes 45, nays none .....	1003
130 By Committee on Judiciary		136 By Elthon. To legalize ac-	
No. 2. Relating to legaliza-		tion of board of supervisors	
tion of acts of notaries pub-		of Worth county, Iowa, in	
lic.		making certain expenditures.	
Introduced, placed on calendar	184	Introduced, referred .....	194
Amendment filed .....	247	Recommended for passage .....	358
Amendment adopted .....	274	Proof of publication certified ..	480
Passed; ayes 44, nays none .....	274	Passed; ayes 40, nays none .....	505
Returned to Senate .....	850	Returned to Senate .....	717
Reported enrolled .....	1008	Reported enrolled .....	791
Signed by President .....	1008	Signed by President .....	792
Sent to Governor .....	1008	Sent to Governor .....	792
Signed by Governor .....	1127	Signed by Governor .....	823

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137 By Goode. Relating to reference to child's liability for funeral expenses of a recipient of old age assistance.	
Introduced, referred .....	194
Recommended for passage.....	314
Passed; ayes 38, nays 1.....	391
138 By Martin, Reilly and Vrba. Relating to state printing board and establishing requirements for bidders.	
Introduced, referred .....	194
139 By Watson. Relating to exemption of tax levying bodies from use and sales tax.	
Introduced, referred .....	195
140 By Shaw. Relating to actions of forcible entry and detention of real property.	
Introduced, referred .....	195
Recommended for passage.....	314
Passed; ayes 33, nays 2.....	392
141 By Clem and Bekman. Relating to unmaturred claims secured by mortgages against decedent's estate.	
Introduced, referred .....	195
Amendment filed .....	293
142 By Goode. Relating to payment of funeral expenses of old age assistance recipients.	
Introduced, referred .....	195
Recommended for amendment and passage .....	499
Recommended for calendar....	777
Amendment filed .....	778
Withdrawn .....	916
143 By Faul. Relating to collection of sewage rentals.	
Introduced, passed on file.....	195
Referred .....	212
144 By Augustine. Relating to distribution of profits of state liquor commission.	
Introduced, passed on file.....	196
Referred .....	212
145 By Byers and Lundy. Relating to the taxation of electric transmission lines.	
Introduced, passed on file.....	196
Referred .....	233
Amendment filed .....	284
146 By Elthon. Relating to fish and game conservation providing for exceptions in the Winnebago river.	
Introduced, passed on file.....	196
Referred .....	212
Recommended for passage.....	554
147 By Whitehill. Relating to trustees for public utilities.	
Introduced, passed on file.....	196
Referred .....	212
Recommended for amendment and passage.....	413
Amendments adopted .....	594, 595
Failed; ayes 24, nays 17.....	595

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148 By Hart. Relating to compensation of county officers in counties having two places at which court is held.	
Introduced, passed on file.....	196
Referred .....	212
Recommended for passage.....	482
Recommended for calendar....	777
Passed; ayes 40, nays none....	879
Returned to Senate.....	950
Reported enrolled.....	1008
Signed by President.....	1008
Sent to Governor .....	1008
Signed by Governor.....	1128
149 By Watson. Relating to acceptances by officers of cities and towns of free passes issued by railroad companies.	
Introduced, passed on file.....	216
Referred .....	233
Recommended for passage.....	376
Passed; ayes 40, nays 1.....	475
Returned to Senate.....	649
Reported enrolled.....	677
Signed by President.....	678
Sent to Governor .....	678
Signed by Governor.....	758
150 By Cromwell, Zeigler, Pine, Mercer, Hart, Foster and Dykhouse. To fix amount of unemployment compensation to be paid to unemployed seasonal employees.	
Introduced, passed on file.....	216
Referred .....	233
Recommended for passage.....	465
151 By Cromwell, Zeigler, Pine, Mercer, Hart, Foster and Dykhouse. Fixing maximum amount of weekly compensation under unemployment compensation and reducing the waiting period.	
Introduced, passed on file.....	216
Referred .....	233
Recommended for passage.....	465
152 By Cromwell, Zeigler, Pine, Mercer, Hart, Foster and Dykhouse. To increase unemployment compensation benefits and to provide retention of credits.	
Introduced, passed on file.....	216
Referred .....	233
Recommended for passage.....	465
Amendment filed .....	483
153 By Hart and Schluter. Relating to costs and fees in prosecutions for prison escapes and violations of parole.	
Introduced, passed on file.....	217
Referred .....	233
154 By Faul. To legalize acts and proceedings of the Continental Amusement Company.	
Introduced, passed on file.....	237
Referred .....	244
Recommended for passage.....	358
Passed; ayes 47, nays none....	462
Returned to Senate.....	717
Reported enrolled.....	791
Signed by President.....	792
Sent to Governor .....	792
Signed by Governor.....	823

S. F.	Page	S. F.	Page
155 By Berg and Shaw. All relating to a dormitory, apartment and cottage system for institutions under board of control.		162 By Elthon. To provide for education in the public schools on harmful effects of alcohol and narcotics.	
Introduced, passed on file.....	237	Introduced, passed on file.....	249
Referred .....	244	Referred .....	258
Recommended for passage.....	451		
156 By Whitehill and Evans. Relating to annual publication of amounts paid to state employees.		163 By Bekman, Berg, Cromwell, Sjulín and Watson. To authorize banks to make installment loans subject to certain definite limitations.	
Introduced, passed on file.....	238	Introduced, passed on file.....	249
Referred .....	244	Referred .....	258
Amendment filed .....	378	Recommended for passage.....	554
Recommended for amendment and passage .....	481		
Recommended for calendar.....	1064	164 By Berg and Hill. To provide a revolving contingent fund to insure state properties.	
157 By Committee on Income Tax Reduction. To provide for a credit on personal net income tax for years 1942 and 1943.		Introduced, passed on file.....	250
Introduced, placed on calendar	238	Referred .....	258
Made special order.....	253		
Amendments filed. 260, 282, 283.	294	165 By Hunt and Martin. Relating to seining for fish in Mississippi river.	
Point of order raised.....	291	Introduced, passed on file.....	250
Ruling made .....	299	Referred .....	258
Amendments adopted .....	309	Amendment filed .....	314
Passed; ayes 50, nays none.....	311	Recommended for passage.....	464
Messaged to House.....	311	Recommended for calendar.....	623
Returned to Senate.....	363	Amendment adopted .....	657
Reported enrolled .....	373	Passed; ayes 41, nays none.....	658
Signed by President.....	373		
Sent to Governor.....	373	166 By Goode. Relating to allocation of license fees and taxes collected upon beer.	
Signed by Governor.....	443	Introduced, passed on file.....	250
158 By Faul. Relating to the registration of trade marks, labels and advertisements.		Referred .....	258
Introduced, passed on file.....	238	Recommended for passage.....	414
Referred .....	244	Passed; ayes 46, nays 1.....	537
159 By Schluter and Hart. Relating to salaries at the state penitentiary and men's reformatory.		Returned to Senate.....	518
Introduced, passed on file.....	238	Reported enrolled .....	969
Referred .....	244, 281.	Signed by President.....	970
160 By Faul. To authorize certain non-life companies with respect to fidelity bonds.		Sent to Governor.....	970
Introduced, passed on file.....	239	Signed by Governor.....	1033
Referred .....	244		
Recommended for passage.....	376	167 By Bekman. Relating to election of park commissioners in cities and towns.	
Passed; ayes 40, nays none.....	476	Introduced, passed on file.....	250
Returned to Senate.....	764	Referred .....	258
Reported enrolled .....	801	Amendment filed .....	283
Signed by President.....	801	Recommended for passage.....	334
Sent to Governor.....	802	Amendments adopted .....	422
Signed by Governor.....	889	Passed; ayes 39, nays none.....	422
161 By Faul. Relating to bonds executed by reciprocal or interinsurance exchanges.		Returned to Senate.....	704
Introduced, passed on file.....	239	Concurred .....	723
Referred .....	244	Passed; ayes 43, nays none.....	724
Recommended for passage.....	376	Reported enrolled .....	791
Passed; ayes 32, nays none.....	477	Signed by President.....	792
Returned to Senate.....	933	Sent to Governor.....	792
Concurred .....	935	Signed by Governor.....	823
Passed; ayes 36, nays 1.....	936		
Reported enrolled .....	990	168 By Lundy. Relating to annual county levies; to continue additional levies to distressed counties.	
Signed by President.....	990	Introduced, passed on file.....	250
Sent to Governor.....	991	Referred .....	258
Signed by Governor.....	1056	Recommended for passage.....	414
		Amendments filed.....	415, 678
		Amendment withdrawn .....	596
		Deferred .....	596, 669
		Amendments adopted .....	691
		Passed ayes 48, nays none.....	692
		Returned to Senate.....	1022
		Reported enrolled .....	1055
		Signed by President.....	1055
		Sent to Governor.....	1055
		Signed by Governor.....	1129

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169 By Augustine. To limit number of state employees.		Passed; ayes 31, nays 9.....	472
Introduced, passed on file.....	250	Amendment withdrawn.....	472
Referred.....	258	Returned to Senate.....	854
Amendment filed.....	358	Amendment filed.....	916
Amendment withdrawn.....	363	Concurred.....	928
170 By Cromwell. To provide method of determining inheritance in case of apparently simultaneous death.		Passed; ayes 30, nays 4.....	924
Introduced, passed on file.....	250	Reported enrolled.....	969
Referred.....	258	Signed by President.....	970
Recommended for passage.....	412	Sent to Governor.....	970
Amendment filed.....	609	Signed by Governor.....	1033
171 By Cromwell and Foster. To permit continuous pole and line fishing in certain counties.		179 By Cromwell. To require highway commission to promote a state system of airports.	
Introduced, passed on file.....	251	Introduced, passed on file.....	266
Referred.....	258	Referred.....	281
Recommended for passage.....	464	180 By Mowry. Relating to compensation of county, municipal and school examiners.	
172 By Hill, Berg, Mercer and Shaw. Relating to public health and the pollution of waters of state owned lakes.		Introduced, passed on file.....	267
Introduced, passed on file.....	251	Referred.....	281
Referred.....	258	Recommended for indefinite postponement.....	580
173 By Committee on Conservation. Relating to federal acquisitions of real estate within the state and jurisdiction thereover.		Rereferred.....	638
Introduced, placed on calendar	265	181 By Foster and Faul. Relating to insurance upon aircraft.	
H. F. 136 substituted.....	453	Introduced, passed on file.....	267
174 By Committee on Conservation. Relating to powers, duties of conservation commission with respect to fur-bearing animals.		Referred.....	281
Introduced, placed on calendar.	266	Recommended for passage.....	376
S. F. 221 substituted.....	425	Amendment filed.....	431
Withdrawn.....	426	Amendment adopted.....	478
175 By Committee on Dairying. Relating to standard by weight of milk fat in ice cream.		Passed; ayes 41, nays none.....	478
Introduced, placed on calendar	266	Amendment withdrawn.....	478
H. F. 216 substituted.....	365	Returned to Senate.....	983
176 By Henningsen. To authorize the writing of insurance against loss from additional hazards.		Concurred.....	985
Introduced, passed on file.....	266	Passed; ayes 46, nays none.....	986
Referred.....	281	Reported enrolled.....	1055
Recommended for passage.....	376	Signed by President.....	1055
Passed; ayes 40, nays none.....	477	Sent to Governor.....	1055
177 By Cromwell. Relative to compensation of inheritance tax appraisers.		Signed by Governor.....	1129
Introduced, passed on file.....	266	182 By Watson. Relating to the appropriation of levy in cities and towns.	
Referred.....	281	Introduced, passed on file.....	267
Recommended for passage.....	413	Referred.....	281
Amendments filed.....	467, 515	Amendment filed.....	379
178 By Cromwell. Relative to the compensation of probation officers in counties of less than 30,000 population.		Recommended for passage.....	414
Introduced, passed on file.....	266	Amendment adopted.....	537
Referred.....	281	Passed; ayes 42, nays none.....	588
Recommended for passage.....	333	Returned to Senate.....	854
Deferred.....	453	Concurred.....	877
Amendment filed.....	487	Passed; ayes 43, nays none.....	878
Amendment adopted.....	471	Reported enrolled.....	904
		Signed by President.....	905
		Sent to Governor.....	905
		Signed by Governor.....	929
		183 By Hess. Relative to taking of school census.	
		Introduced, passed on file.....	267
		Referred.....	281
		Recommended for passage.....	554
		184 By Committee on Conservation. To provide for legal method for handling beaver property damage on private and public lands.	
		Introduced, placed on calendar.	267
		Passed; ayes 43, nays none.....	366
		Returned to Senate.....	434
		Amended and concurred.....	471
		Passed; ayes 42, nays none.....	471
		Reported enrolled.....	579
		Signed by President.....	579
		Sent to Governor.....	608
		Signed by Governor.....	623

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185 By Dykhouse. Relating to investment of permanent school funds in United States bonds.		193 By Faul. Relating to F. H. A. loans made by savings and loan associations.	
Introduced, passed on file.....	285	Introduced, passed on file.....	296
Referred .....	293	Referred .....	312
		Recommended for calendar....	311
186 By Hess. To empower cities and towns to make levy for city hall maintenance.		Passed; ayes 42, nays 1.....	959
Introduced, passed on file.....	285		
Referred .....	293	194 By Faul and Clem. Relating to expenditures from court expense fund and legalizing expenditures already made.	
Amendments filed .....	358, 415	Introduced, passed on file.....	296
Recommended for amendment and passage .....	463	Referred .....	312
187 By Lundy, Byers and Lynes. To provide for taxation of municipal public utilities.		Proof of publication certified...	511
Introduced, passed on file.....	286	Recommended for passage.....	514
Referred .....	293	Recommended for calendar....	728
188 By Evans. To permit sale of stamps issued by the state, to collectors; prescribing conditions of such sale.		Passed; ayes 39, nays 3.....	750
Introduced, passed on file.....	286	Returned to Senate.....	932
Referred .....	293	Reported enrolled .....	990
Recommended for passage.....	450	Signed by President.....	990
Recommended for calendar....	664	Sent to Governor.....	991
Rereferred .....	713	Signed by Governor.....	1056
189 By Love. Relating to form of license for public scales and gasoline pumps.		195 By Mercer. To make mandatory the pay to state employees during incapacity because of sickness or injury.	
Introduced, passed on file.....	286	Introduced, passed on file.....	317
Referred .....	293	Referred .....	331
Recommended for passage.....	411	196 By Bekman. To provide retirement plan for employees of municipal water works plants.	
Amendment filed .....	467	Introduced, passed on file.....	317
Amendment adopted .....	538	Referred .....	331
Passed; ayes 44, nays none.....	539	197 By Vrba. To create United Nations scholarships at Iowa state schools.	
Returned to Senate.....	680	Introduced, passed on file.....	317
Reported enrolled .....	736	Referred .....	331
Signed by President.....	736	198 By Vrba. To create scholarships for certain students who have graduated from Iowa high schools.	
Sent to Governor.....	757	Introduced, passed on file.....	317
Signed by Governor.....	776	Referred .....	331
190 By Faul. Relating to workmen's compensation; providing for additional compensation for permanent injury.		199 By Dykhouse, Clem, Zastrow and Henningsen. To provide that rules and forms prescribed by Supreme Court of Iowa must be approved by the General Assembly.	
Introduced, passed on file.....	295	Introduced, passed on file.....	317
Referred .....	312	Referred .....	331
191 By Cromwell. To permit minors between ages fourteen and sixteen to work in bowling alleys under certain conditions.		Recommended for calendar....	1064
Introduced, passed on file.....	296	Amendments filed.....	1067, 1082, 1105
Referred .....	312	Added to special calendar.....	1119
Recommended for passage.....	412	Amendment as amended adopted	1147
Amendment filed .....	580	Failed; ayes 25, nays 21.....	1149
192 By Evans, Long and Shaw. To provide for postponement of publication, issuance of new code.		200 By Pine, Elthon, Leo, Shaw and Clem. Relating to weight of motor vehicles and providing for adjustment of loads.	
Introduced, passed on file.....	296	Introduced, passed on file.....	318
Referred .....	312	Referred .....	331
Recommended for passage.....	499	201 By Faul, Cromwell, Bekman and Clem. Concerning the transfer of shares of stock in corporations.	
Recommended for calendar....	611	Introduced, passed on file.....	318
Passed; ayes 39, nays none.....	612	Referred .....	331
Returned to Senate.....	918		
Concurred .....	925		
Passed; ayes 41, nays none.....	925		
Reported enrolled .....	969		
Signed by President.....	970		
Sent to Governor.....	970		
Signed by Governor.....	1033		



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202 By Faul. To provide for creation of benefited districts for establishment of sanitary, safety facilities.	
Introduced, passed on file.....	318
Referred .....	331
203 By Mowry. To make binding upon heirs orders and agreements relative to fences.	
Introduced, passed on file.....	336
Referred .....	356
Withdrawn .....	1046
204 By Shaw and Hill. Relating to homestead tax credit for persons in military service and to provide homestead tax credit for spouse.	
Introduced, passed on file.....	336
Referred .....	356
Amendment filed .....	378
Recommended for calendar.....	1020
Amendment adopted .....	1043
Passed; ayes 42, nays none.....	1043
Returned to Senate.....	1132
Reported enrolled .....	1150
Signed by President.....	1150
Sent to Governor.....	1150
Signed by Governor.....	1172
205 By Berg, Vrba and Evans. Relating to title and jurisdiction of bed of meandered streams in cities and towns.	
Introduced, passed on file.....	336
Referred .....	356
206 By Berg, Vrba and Evans. Relating to water navigation regulations.	
Introduced, passed on file.....	337
Referred .....	356
207 By Hess. Relating to records kept of tax lists of real and personal property taxes.	
Introduced, passed on file.....	337
Referred .....	356
Amendment filed .....	414
Recommended for amendment and passage .....	500
Recommended for calendar.....	777
Amendments adopted .....	843
Passed; ayes 38, nays none.....	844
Returned to Senate.....	951
Concurred .....	960
Passed; ayes 43, nays none.....	960
Reported enrolled .....	1008
Signed by President.....	1008
Sent to Governor.....	1008
Signed by Governor.....	1128
208 By Reilly and Dykhouse. Relating to reciprocal agreements with adjoining states for transportation of carcasses of dead animals.	
Introduced, passed on file.....	338
Referred .....	356
Amendment filed .....	849
209 By Augustine. To vest powers and duties of committee on retrenchment and reform in executive council.	
Introduced, passed on file.....	338
Referred .....	356
210 By Bekman. To provide for creation of local housing corporations.	
Introduced, passed on file.....	338
Referred .....	356

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211 By Lynes, Pine, Elthon, Leo, Shaw and Clem. Relating to powers of commerce commission in connection with fixing rates of truck operators.	
Introduced, passed on file.....	338
Referred .....	356
Recommended for calendar.....	777
Rereferred .....	838
212 By Fuller. To permit use of live birds and animals as targets at supervised field meets.	
Introduced, passed on file.....	339
Referred .....	356
Recommended for indefinite postponement .....	465
Rereferred .....	494
Amendment filed .....	560
Recommended for calendar.....	974
Amendment adopted .....	1017
Passed; ayes 31, nays 14.....	1018
Returned to Senate.....	1125
Reported enrolled .....	1150
Signed by President.....	1150
Sent to Governor.....	1150
Signed by Governor.....	1172
213 By Faul and Whitehill. Relating to excess revenues derived from levies for soldier bonus bonds and disposition thereof.	
Introduced, passed on file.....	339
Referred .....	356
Recommended for passage.....	450
Recommended for calendar.....	723
Amendment adopted .....	774
Passed; ayes 45, nays none.....	775
Returned to Senate.....	983
Reported enrolled .....	1055
Signed by President.....	1055
Sent to Governor.....	1055
Signed by Governor.....	1129
214 By Faul. To permit payment of real estate taxes in quarterly installments.	
Introduced, passed on file.....	339
Referred .....	356
215 By Hess. Relating to compensation of members of election boards.	
Introduced, passed on file.....	359
Referred .....	375
Recommended for passage.....	511
216 By Mowry. To provide for sale of milk as a beverage in bottles.	
Introduced, passed on file.....	360
Referred .....	375
217 By Hattery. Relating to re-assignment of motor vehicle registration plates and issuance of distinctive emblems.	
Introduced, passed on file.....	360
Referred .....	375
Recommended for passage.....	499
Recommended for calendar.....	623
Passed; ayes 43, nays none.....	638
Returned to Senate.....	932
Reported enrolled .....	990
Signed by President.....	990
Sent to Governor.....	991
Signed by Governor.....	1056

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218 By Hattery. Relating to fees for licenses for operation of motor vehicles; extending expiration date of such licenses.	
Introduced, passed on file.....	360
Referred .....	375
Recommended for calendar.....	645
Amendment adopted .....	705
Passed; ayes 40, nays none.....	706
Returned to Senate.....	1143
Concurred .....	1152
Passed; ayes 38, nays none.....	1152
Reported enrolled .....	1170
Signed by President.....	1170
Sent to Governor.....	1170
Signed by Governor.	
219 By Hattery. Relating to blood or urine test of persons charged with operation of a motor vehicle while intoxicated.	
Introduced, passed on file.....	360
Referred .....	375
Recommended for passage.....	579
220 By Johnson. Relating to amendment of articles of incorporation of corporations not for pecuniary profit.	
Introduced, passed on file.....	361
Referred .....	375
221 By Committee on Conservation. Pertaining to powers of conservation commission with respect to reducing numbers of certain species of game and fowl.	
Introduced, placed on calendar..	361
Amendment filed .....	378
Amendment adopted .....	425
Passed; ayes 47; nays none.....	426
Returned to Senate.....	453
Reported enrolled .....	551
Signed by President.....	552
Sent to Governor.....	552
Signed by Governor.....	579
222 By Committee on Judiciary No. 2. To coordinate certain statutes relating to departments under control of library board.	
Introduced, placed on calendar..	361
Passed; ayes 42, nays none.....	479
223 By Byers, Martin, Clem and Faul. To provide increase in compensation of members of board of supervisors in certain counties.	
Introduced, passed on file.....	361
Referred .....	375
Recommended for passage.....	500
Amendment filed .....	762
224 By Evans. To permit claimants of motor vehicle fuel tax refunds to substitute verified copies of invoices.	
Introduced, passed on file.....	361
Referred .....	375
225 By Committee on Child Welfare. All relating to day nurseries and licensing thereof.	
Introduced, placed on calendar..	361
Amendment adopted .....	527
Passed; ayes 46, nays none.....	528

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226 By Committee on Child Welfare. Relating to examination of alleged feeble-minded persons.	
Introduced, placed on calendar.	362
Passed; ayes 44, nays 2.....	528
227 By Shaw and Evans. Relating to the preparation and indexing of the session laws.	
Introduced, passed on file.....	362
Referred .....	375
Recommended for passage.....	499
Recommended for calendar.....	974
Amendment filed .....	977
Amendment adopted .....	1011
Passed; ayes 47, nays none.....	1011
Returned to Senate.....	1050
Reported enrolled .....	1096
Signed by President.....	1096
Sent to Governor.....	1096
Signed by Governor.....	1171
228 By Hill. Relating to the disposition of property by will by persons in military or naval service.	
Introduced, passed on file.....	362
Referred .....	375
Recommended for passage.....	514
229 By Bekman. To control disease of trichinosis in hogs fed upon garbage.	
Introduced, passed on file.....	363
Referred .....	375
Amendments filed .....	515, 559
230 By Sjulín, Emerson, Evans, Harvey, Miller, Pelzer, Love, Turner and Watson. To make an appropriation for first producing oil well in Iowa.	
Introduced, passed on file.....	363
Referred .....	375
Recommended for passage.....	450
231 By Faul, Shaw, Bekman and Reilly. Relating to transportation of school children who are enrolled in private schools.	
Introduced, passed on file.....	380
Referred .....	448
232 By Long. Relating to trustees for public utility plants.	
Introduced, passed on file.....	381
Referred .....	448
233 By Committee on Agriculture No. 1. Relating to exemption from chain store taxation of agricultural seeds, fertilizer and twine.	
Introduced, placed on calendar..	381
Amendment filed .....	581
Amendments adopted .....	591
Passed; ayes 37, nays 2.....	592
Returned to Senate.....	695
Reported enrolled .....	736
Signed by President.....	736
Sent to Governor.....	757
Signed by Governor.....	776
234 By Goode. Relating to funds for secondary road construction.	
Introduced, passed on file.....	381
Referred .....	448
Recommended for calendar.....	1020
Passed; ayes 40, nays none.....	1044

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Returned to Senate.....	1132
Reported enrolled.....	1150
Signed by President.....	1150
Sent to Governor.....	1150
Signed by Governor.....	1172

235 By Committee on Banks and Banking. Relating to method for determining salaries in the state department of banking.	
Introduced, placed on calendar..	381
Amendment adopted.....	592
Passed; ayes 26, nays 20.....	594
Returned to Senate.....	765

236 By Committee on Public Lands and Buildings. To provide for the better preservation and usefulness of the state archives.	
Introduced, placed no calendar..	381
Referred.....	552, 758
Recommended for calendar.....	728
Recommended for passage.....	792
Passed; ayes 45, nays 1.....	915
Returned to Senate.....	993
Reported enrolled.....	1032
Signed by President.....	1033
Sent to Governor.....	1033
Signed by Governor.....	1128

237 By Committee on Child Welfare. Relating to supervision and licensing of child-placing agencies by department of social welfare.	
Introduced, placed on calendar..	381
Passed; ayes 45, nays none.....	532

238 By Shaw and Bekman. Relating to priority of mechanic's liens.	
Introduced, passed on file.....	383
Referred.....	448

239 By Faul, Berg, Watson, Hill, Bekman, Hart, Hattery, Lundy, Pine, Jones, Fuller and Zastrow. To provide for a state-county aid to dependent children and to make an appropriation therefor.	
Introduced, passed on file.....	383
Referred.....	448, 552
Returned without recommendation.....	481
Amendments filed.....	516, 664
Recommended for calendar.....	645
Recommended for passage.....	664
Made special order.....	677
Amendment as amended adopted.....	690
Passed; ayes 49, nays none.....	690
Returned to Senate.....	816
Refused to concur.....	833
Conference committee appointed	915
Report of conference committee	1070
Conference report, amendments adopted.....	1076
Passed; ayes 46, nays none.....	1076
Returned to Senate.....	1098
Reported enrolled.....	1150
Signed by President.....	1150
Sent to Governor.....	1150
Signed by Governor.....	1172

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240 By Committee on National Defense Coordination. To provide for creation of Iowa industrial and defense commission; to provide penalty for blackout violations.	
Introduced, placed on calendar..	383
Referred.....	401
Recommended for amendment and passage.....	450
Made special order.....	479
Amendments filed.....	483, 501, 502, 515, 559
Amendments adopted.....	509, 566, 567, 568
Vote on amendment reconsidered, amendment withdrawn	568
Engrossed, printed in Senate Journal.....	568
Amendment adopted.....	588
Passed; ayes 44, nays 2.....	589
Returned to Senate.....	680
Concurred.....	682
Passed; ayes 42, nays none.....	683
Reported enrolled.....	736
Signed by President.....	736
Sent to Governor.....	775
Signed by Governor.....	823

241 By Fuller. Relating to issuance and payment of county secondary road bonds.	
Introduced, passed on file.....	384
Referred.....	448

242 By Schluter and Long. To create county boards of health.	
Introduced, passed on file.....	395
Referred.....	448

243 By Byers, Emerson, Reilly and Bekman. Relating to wages on public works.	
Introduced, passed on file.....	396
Referred.....	448

244 By Byers, Mercer and Clem. Relating to salaries of city assessors and deputy assessors.	
Introduced, passed on file.....	396
Referred.....	448

245 By Lundy. Relating to annual levies for ordinary county revenue.	
Introduced, passed on file.....	396
Referred.....	448
Recommended for passage.....	500
Amendment filed.....	559

246 By Shaw. To provide counsel for any minor accused of an indictable offense.	
Introduced, passed on file.....	396
Referred.....	448
Recommended for passage.....	558

247 By Berg. Relating to branches of study at state educational institutions.	
Introduced, passed on file.....	396
Referred.....	449

248 By Emerson, Berg and Hattery. To provide for proof of financial ability in damages resulting from operation of motor vehicles.	
Introduced, passed on file.....	397
Referred.....	449

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249 By Lynes. Relating to the levying under certain conditions of a school house tax.		Deferred .....	928
Introduced, passed on file.....	397	Amendment withdrawn.....	916, 937
Referred .....	449	Passed; ayes 41, nays none.....	938
Recommended for passage.....	554	Returned to Senate.....	1050
Recommended for calendar.....	623	Reported enrolled .....	1096
Deferred .....	670	Signed by President.....	1096
Passed; ayes 46, nays none.....	692	Sent to Governor.....	1096
Returned to Senate.....	1022	Signed by Governor.....	1171
Concurred .....	1026		
Passed; ayes 45, nays none.....	1026	258 By Committee on Dairying. To create Iowa dairy industry commission.	
Reported enrolled .....	1055	Introduced, placed on calendar.....	402
Signed by President.....	1055	Amendments filed.....	430, 976, 977
Sent to Governor.....	1055	Recommended for calendar.....	846
Signed by Governor.....	1129	Amendments withdrawn .....	989
		Passed; ayes 43, nays 5.....	990
250 By Faul. To provide free short course in agriculture to honorably discharged veterans.		Messaged to House.....	990
Introduced, passed on file.....	397	Returned to Senate.....	1089
Referred .....	449	Reported enrolled .....	1150
		Signed by President.....	1150
251 By Byers. Relating to appeals to superior courts from justice courts.		Sent to Governor.....	1156
Introduced, passed on file.....	397	Signed by Governor.....	1172
Referred .....	449		
Recommended for passage.....	514	259 By Keir, Sjulín and Hess. Relating to improvement of drainage districts and preserving right of appeal to property owners.	
		Introduced, passed on file.....	402
252 By Augustine. To suspend collection of retail sales tax for the biennium.		Referred .....	449
Introduced, passed on file.....	397	Amendment filed .....	847
Referred .....	449		
253 By Bekman. To legalize proceedings in renewal of the Saul-Edmund Furniture Company.		260 By Faul, Shaw and Elthon. Relating to repairs on improvements in levee and drainage districts and notice of assessment therefor.	
Introduced, passed on file.....	398	Introduced, passed on file.....	402
Referred .....	449	Referred .....	449
Recommended for passage.....	514		
Recommended for calendar.....	611	261 By Faul. To provide* for power of cities and towns relative to collection and disposal of garbage.	
Passed; ayes 43, nays none.....	618	Introduced, passed on file.....	403
Returned to Senate.....	717	Referred .....	449
Reported enrolled .....	791		
Signed by President.....	792	262 By Faul. Relating to investment of funds by savings and loan associations.	
Sent to Governor.....	792	Introduced, passed on file.....	403
Signed by Governor.....	823	Referred .....	449
		Recommended for calendar.....	664
254 By Berg and Zastrow. To provide free tuition at state schools for three years for honorably discharged veterans of this war.		Amendment filed .....	665
Introduced, passed on file.....	398	Amendment adopted .....	729
Referred .....	449	Passed; ayes 38, nays none.....	729
Amendments filed .....	516, 977	Returned to Senate.....	1022
		Reported enrolled .....	1055
255 By Cromwell and Clark. Relating to bounty on wolves and foxes.		Signed by President.....	1055
Introduced, passed on file.....	398	Sent to Governor.....	1055
Referred .....	449	Signed by Governor.....	1129
256 By Jones. Relating to the local budget law.		263 By Faul. Relating to occupancy of dwellings for which certificates of compliance have not been issued.	
Introduced, passed on file.....	398	Introduced, passed on file.....	403
Referred .....	449	Amendments filed .....	431, 738
Amendment filed .....	665	Referred .....	449
		Recommended for calendar.....	761
257 By Goode. To make a transfer of funds from the state general fund to the commissioner of labor.		Amendment adopted .....	803
Introduced, passed on file.....	402	Amendment withdrawn.....	803
Referred .....	449, 758	Passed; ayes 42, nays none.....	803
Recommended for calendar.....	728		
Recommended for passage.....	792	264 By Faul. To declare that person receiving public assistance has acquired legal status as a poor person.	
Amendments filed .....	831, 916	Introduced, passed on file.....	403
		Referred .....	449

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265 By Faul. Relating to ac- quirement of legal residence status of a poor person. Introduced, passed on file.....	403
Referred .....	449
266 By Lundy and Bekman. To create a legislative council and provide for appropriation of funds therefor. Introduced, passed on file.....	404
Referred .....	449
267 By Clem. Relating to the clean-out of an outlet drain- age district ditch. Introduced, passed on file.....	404
Referred .....	449
268 By Johnson. Relating to compensation of councilmen; providing maximum fee per diem and per annum. Introduced, passed on file.....	404
Referred .....	449
269 By Lundy. Relating to use of secondary road construc- tion fund. Introduced, passed on file.....	404
Referred .....	449
270 By Stewart. Relating to maintenance of municipal hospitals. Introduced, passed on file.....	405
Referred .....	449
Amendment filed .....	467
271 By Shaw, Elthon and Zas- trow. To provide program of state-wide aid to dependent children in conformity with the federal social security act. Introduced, passed on file.....	405
Referred .....	449, 562
Returned without recommenda- tion .....	481
272 By Leo, Pine and Faul. Relating to exemption of persons in the armed forces from personal state income tax. Introduced, passed on file.....	405
Referred .....	449
Recommended for passage.....	608
Recommended for calendar.....	664
Passed; ayes 44, nays none....	731
273 By Sjulín, Leo, Miller, Pel- zer, Lynes and Turner. Relat- ing to compensation of members of boards of super- visors. Introduced, passed on file.....	405
Referred .....	449
274 By Dykhouse, Pine, Leo, Reilly, Shaw and Clem. Relat- ing to weight limits of truck loads. Introduced, passed on file.....	406
Referred .....	449
275 By Augustine. To require labelling of hybrid seed corn. Introduced, passed on file.....	406
Referred .....	449
Recommended for passage.....	498

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276 By Committee on Private Corporations. To exempt stock of manufacturing cor- porations from taxation. Introduced, passed on file.....	406
Recommended for calendar.....	664
Passed; ayes 46, nays 1.....	733
Motion to reconsider filed.....	758
Amendments filed .....	778, 813
Motion to take from table car- ried .....	833
Vote reconsidered .....	834
Amendment as amended adopted	835
Passed; ayes 32, nays 12.....	835
277 By Lynes. To regulate the practice of butter-making and license butter-makers. Introduced, passed on file.....	406
Referred .....	449
278 By Mowry. To authorize reinstatement of suspended junior colleges after the war. Introduced, passed on file.....	407
Referred .....	449
Recommended for passage.....	579
Recommended for calendar....	728
Deferred .....	755
Amendment filed .....	761
Amendment adopted .....	769
Passed; ayes 42, nays none.....	770
279 By Watson. Relating to regulatory jurisdiction over electric utility properties or- ganized under laws of an ad- joining foreign state. Introduced, passed on file.....	407
Amendment filed .....	430
Referred .....	578
280 By Committee on Judiciary No. 1. Relating to limita- tions of actions against mu- nicipalities for personal in- jury or property damages. Introduced, placed on calendar.	407
281 By Committee on Judiciary No. 1. Relating to increase of mileage allowance for state officers and employees. Introduced, passed on file.....	408
Referred .....	463
282 By Lundy, Martin, Augus- tine and Reilly. To provide uniform contribution rate from all employers under un- employment compensation. Introduced, passed on file.....	408
Referred .....	449
283 By Byers. Relating to cor- porations not for pecuniary profit. Introduced, passed on file.....	408
Referred .....	449
284 By Keir, Fuller, Elthon, Leo, Reilly and Pine. Relat- ing to reciprocal motor ve- hicle relations between states. Introduced, passed on file.....	408
Referred .....	449
285 By Lundy. To abolish booths from beer parlors. Introduced, passed on file.....	409
Referred .....	449

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286 By Clem. Relating to use of flares by motor trucks and other vehicles.	
Introduced, passed on file.....	409
Referred .....	449
287 By Faul. To establish pension systems for employees other than firemen and policemen in cities of one thousand or more.	
Introduced, passed on file.....	409
Referred .....	449
Amendment filed .....	813
288 By Hunt. To provide for the education of handicapped children.	
Introduced, passed on file.....	409
Referred .....	449
289 By Lynes, Goode, Pine, Faul, Zeigler, Mercer, Dykhouse and Stewart. Relating to motor vehicle fuel specifications.	
Introduced, passed on file.....	409
Referred .....	449
Recommended for calendar.....	623
Passed; ayes 43, nays none.....	657
Messaged to House .....	657
Returned to Senate.....	695
Reported enrolled .....	736
Signed by President .....	736
Sent to Governor .....	757
Signed by Governor .....	776
290 By Augustine, Johnson and Reilly. Relating to disqualification for benefits under unemployment compensation of individuals who quit jobs without good cause.	
Introduced, passed on file.....	410
Referred .....	449
291 By Bekman and Faul. To define and provide for workmen's compensation benefits for disability due to disease contracted in connection with individual's employment.	
Introduced, passed on file.....	410
Referred .....	449
292 By Committee on Social Security. To define meaning of words "agricultural labor".	
Introduced, placed on calendar..	432
Amendments filed.. 483, 515, 559,	891
Recommended for calendar.....	846
Amendment as amended adopted .....	967
Amendment adopted .....	968
Amendment withdrawn .....	968
Passed; ayes 40, nays 2.....	968
Returned to Senate.....	1132
Concurred .....	1137
Passed; ayes 44, nays none.....	1138
Reported enrolled .....	1170
Signed by President .....	1170
Sent to Governor.....	1170
Signed by Governor.	
293 By Committee on Claims. To make appropriations to certain named persons in settlement of damages due to accidents on primary roads.	
Introduced, referred .....	432
Returned without recommendation .....	451

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Amendment adopted .....	619
Passed; ayes 40, nays none.....	620
Returned to Senate.....	740
Reported enrolled .....	801
Signed by President.....	801
Sent to Governor.....	802
Signed by Governor.....	889
294 By Committee on Claims. To make appropriations to M. D. Synhorst, James Babcock, Esther Deahl, Ben Brasser, Dr. James McKenzie, M. W. Ellis, receiver.	
Introduced, referred .....	433
Returned without recommendation .....	451
Deferred .....	620
Passed; ayes 45, nays none.....	629
Returned to Senate.....	906
Concurred .....	927
Passed; ayes 42, nays none.....	927
Reported enrolled .....	969
Signed by President.....	970
Sent to Governor.....	970
Signed by Governor.....	1033
295 By Committee on County and Township Affairs. To provide for the management of county, city and town hospitals.	
Introduced, placed on calendar..	433
Referred .....	480
Amendment filed .....	700
296 By Committee on Judiciary No. 2. To provide for the release of powers of appointment.	
Introduced, placed on calendar..	433
Recommended for calendar.....	623
Passed; ayes 39, nays none.....	659
Returned to Senate.....	1125
Reported enrolled .....	1170
Signed by President.....	1170
Sent to Governor.....	1170
Signed by Governor.	
297 By Committee on Military Affairs. To make an appropriation to aid in defraying expenses of a national convention in Iowa of the G.A.R.	
Introduced, referred .....	452
Recommended for passage.....	513
Recommended for calendar.....	611
Passed; ayes 46, nays none.....	619
Returned to Senate.....	740
Reported enrolled .....	801
Signed by President.....	801
Sent to Governor.....	801
Signed by Governor.....	889
298 By Committee on Child Welfare. Relating to the licensing of children's boarding houses.	
Introduced, placed on calendar..	468
299 By Committee on Child Welfare. Relating to the definition of a maternity hospital; to prohibit same acting as child placing agency.	
Introduced, placed on calendar..	468
Amendment filed .....	581
300 By Committee on Child Welfare. Relating to aid to widow and care of child.	
Introduced, placed on calendar..	470
Amendment filed .....	581

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301 By Committee on Public Health. Providing for the sterilization of drinking utensils in food establishments.	
Introduced, placed on calendar..	485
Amendments filed..559, 738, 846,	890
Amendment withdrawn .....	758
Recommended for calendar....	811
H. F. 260 substituted.....	965
302 By Committee on Claims. To make appropriations in settlement of damages due to accidents on primary roads.	
Introduced, referred .....	503
Returned without recommendation .....	512
Amendment adopted .....	621
Passed; ayes 42, nays none.....	621
Returned to Senate.....	741
Reported enrolled .....	801
Signed by President.....	801
Sent to Governor.....	802
Signed by Governor.....	890
303 By Committee on Claims. To make appropriations to Foster Funeral Home, and others.	
Introduced, referred .....	503
Returned without recommendation .....	512
Passed; ayes 43, nays none.....	622
Returned to Senate.....	741
Reported enrolled .....	801
Signed by President.....	801
Sent to Governor.....	802
Signed by Governor.....	890
304 By Committee on Claims. To make appropriations to Mrs. Anna Clark, and others.	
Introduced, referred .....	503
Returned without recommendation .....	512
Passed; ayes 38, nays none.....	622
Returned to Senate.....	741
Reported enrolled .....	801
Signed by President.....	801
Sent to Governor.....	802
Signed by Governor.....	890
305 By Committee on Judiciary No. 1. Providing for a decree of descent and distribution in estates of deceased persons.	
Introduced, placed on calendar..	504
Recommended for calendar.....	623
Amendments adopted .....	661
Passed; ayes 32, nays 5.....	662
306 By Committee on Private Corporations. All relating to foreign corporations qualifying in the state.	
Introduced, placed on calendar..	522
Recommended for calendar.....	761
Amendments filed .....	778, 793
Committee amendment as amended adopted .....	838
Passed; ayes 40, nays 1.....	838
Returned to Senate.....	983
Reported enrolled .....	1065
Signed by President.....	1065
Sent to Governor.....	1065
Signed by Governor.....	1129
307 By Committee on Judiciary No. 2. To change time of applying for letters of administration.	
Introduced, placed on calendar..	522
Recommended for calendar.....	623
Passed; ayes 39, nays none.....	660

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308 By Committee on Judiciary No. 2. Relating to primary road bonds.	
Introduced, placed on calendar..	522
309 By Committee on Judiciary No. 2. To legalize certain proceedings of the board of supervisors of Guthrie County.	
Introduced, placed on calendar..	523
Recommended for calendar.....	611
Passed; ayes 43, nays none.....	618
Proof of publication certified...	623
310 By Committee on Judiciary No. 2. Relating to secondary road assessment districts.	
Introduced, placed on calendar..	523
311 By Committee on Judiciary No. 2. To simplify form of bills to be presented to the General Assembly.	
Introduced, placed on calendar..	523
312 By Committee on Judiciary No. 2. To preserve state aid to county and district fair societies.	
Introduced, placed on calendar..	523
Recommended for calendar.....	611
Passed; ayes 42, nays none.....	617
Returned to Senate.....	932
Reported enrolled .....	990
Signed by President.....	990
Sent to Governor.....	991
Signed by Governor.....	1056
313 By Committee on Private Corporations. Relating to corporations for pecuniary profit; to authorize perpetual existence.	
Introduced, placed on calendar..	523
Amendment filed .....	713
Recommended for calendar.....	728
Amendment adopted .....	753
Passed; ayes 43, nays none.....	754
Title amended .....	754
Returned to Senate.....	918
Concurred .....	926
Passed; ayes 39, nays none.....	926
Reported enrolled .....	969
Signed by President.....	970
Sent to Governor.....	970
Signed by Governor.....	1033
314 By Committee on Public Libraries. Relating to state libraries; providing for change of membership of board of trustees.	
Introduced, placed on calendar..	539
315 By Committee on Banks and Banking. Relating to suspension of limitations on loans for the purpose of production and marketing of agricultural commodities.	
Introduced, placed on calendar..	561
Amendment filed .....	609
316 By Committee on Claims. To make appropriations to Independent School District of Muscatine, Iowa; Cecil H. Grantham and Hazel J. Smith.	
Introduced, referred .....	561
Returned without recommendation .....	664

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Passed; ayes 43, nays none.....	724
Returned to Senate.....	764
Reported enrolled.....	801
Signed by President.....	801
Sent to Governor.....	802
Signed by Governor.....	890

317 By Committee on Claims. To make appropriations to certain named persons in set- tlement of damages due to accidents on primary roads.	
Introduced, referred.....	562
Returned without recommenda- tion.....	623
Amendment adopted.....	630
Passed; ayes 40, nays none.....	631
Returned to Senate.....	741
Reported enrolled.....	801
Signed by President.....	801
Sent to Governor.....	802
Signed by Governor.....	890

318 By Committee on Claims. To Make appropriations to A. J. Evans, Johnson Brothers, Watts Funeral Service and McGregor Brothers and Coens.	
Introduced, referred.....	562
Returned without recommenda- tion.....	623
Passed; ayes 38, nays none.....	631
Returned to Senate.....	741
Reported enrolled.....	801
Signed by President.....	801
Sent to Governor.....	802
Signed by Governor.....	890

319 By Committee on Agriculture No. 1. To appropriate funds to the agricultural ex- periment station at Iowa State College.	
Introduced, referred.....	578

320 By Committee on Judiciary No. 2. Relating to the deposit and withdrawal of funds in the state treasury.	
Introduced, placed on calendar..	582
Recommended for calendar.....	816
Amendment adopted.....	1007
Passed; ayes 46, nays none.....	1007

321 By Committee on Judiciary No. 2. Relating to expenses of judges of the district court.	
Introduced, placed on calendar..	582

322 By Committee on Judiciary No. 2. Relating to cancella- tion of certificate of pur- chase.	
Introduced, placed on calendar..	582

323 By Committee on Ways and Means. Relating to the col- lection of license fees on mo- tor vehicle fuel.	
Introduced, placed on calendar..	582
Recommended for calendar.....	645
Amendment filed.....	665
Committee of the whole.....	674
Amendment adopted.....	675
Passed; ayes 43, nays none.....	675
Returned to Senate.....	894
Reported enrolled.....	869
Signed by President.....	870
Sent to Governor.....	870
Signed by Governor.....	1033

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324 By Committee on Cities and Towns. Relating to the po- lice department maintenance fund in certain cities and levy of taxes therefor.	
Introduced, placed on calendar..	583

325 By Committee on Income Tax Reduction. To extend provisions of income tax re- duction to tax payers asking a return on a fiscal year basis.	
Introduced, placed on calendar..	583
Recommended for calendar.....	611
Amendment adopted.....	616
Passed; ayes 44, nays none.....	616
Returned to Senate.....	649
Reported enrolled.....	677
Signed by President.....	678
Sent to Governor.....	678
Signed by Governor.....	758

326 By Committee on Income Tax Reduction. To permit making of photostat copies of tax commissions records and the destruction of the original records.	
Introduced, placed on calendar..	583
Recommended for calendar.....	623
Passed; ayes 38, nays none.....	659
Returned to Senate.....	933
Reported enrolled.....	1055
Signed by President.....	1055
Sent to Governor.....	1055
Signed by Governor.....	1129

327 By Committee on Judiciary No. 2. To clarify certain amendments of the 49th Gen- eral Assembly relating to old age assistance.	
Introduced, referred.....	625

328 By Committee on Judiciary No. 2. Relating to secondary road bonds.	
Introduced, referred.....	625

329 By Committee on Judiciary No. 2. To legalize corporate acts and proceedings of the Swedish Mutual Insurance Association of Polk county, Iowa.	
Introduced, referred.....	626
Recommended for calendar.....	664
Passed; ayes 42, nays none.....	706
Returned to Senate.....	894
Reported enrolled.....	1032
Signed by President.....	1033
Sent to Governor.....	1033
Signed by Governor.....	1128

330 By Committee on Judiciary No. 2. To legalize proceed- ings of the city of Burling- ton, Iowa, with respect to the acquisition of a municipal waterworks plant.	
Introduced, referred.....	626
Proof of publication certified...	663
Recommended for calendar.....	664
H. F. 456 substituted.....	729

331 By Committee on Judiciary No. 2. To amend, revise and codify statutes relating to debt limitations of municipal corporations.	
Introduced, referred.....	626



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332 By Committee on Appropriations No. 2. To make an appropriation to the state tax commission.	
Introduced, placed on calendar..	646
Passed; ayes 46, nays none.....	725
Returned to Senate.....	905
Reported enrolled .....	969
Signed by President.....	970
Sent to Governor.....	970
Signed by Governor.....	1033
333 By Committee on Private Corporations. Relating to annual reports of corporations to the secretary of state.	
Introduced, referred .....	646
Recommended for calendar.....	728
Passed; ayes 43, nays none.....	784
Returned to Senate.....	1050
Reported enrolled .....	1096
Signed by President.....	1096
Sent to Governor.....	1096
Signed by Governor.....	1171
334 By Committee on Public Schools. Relating to the payment of tuition for nonresident pupils attending an approved high school in another district.	
Introduced, referred .....	646
Recommended for calendar.....	811
Passed; ayes 45, nays 1.....	957
Returned to Senate.....	1098
Reported enrolled .....	1126
Signed by President.....	1126
Sent to Governor.....	1127
Signed by Governor.....	1171
335 By Committee on Public Schools. To authorize junior colleges to enter into agreements for training aviation cadets.	
Introduced, referred.....	647
Recommended for calendar.....	728
Amendment filed .....	738
Amendment adopted .....	750
Passed; ayes 44, nays none.....	751
Returned to Senate.....	950
Reported enrolled .....	1008
Signed by President.....	1008
Sent to Governor.....	1008
Signed by Governor.....	1128
336 By Committee on Public Schools. Relating to amount school districts may estimate for levy for the general fund.	
Introduced, referred .....	647
Recommended for calendar.....	728
Amendment adopted .....	755
Passed; ayes 44, nays none.....	755
Returned to Senate.....	1098
Concurred .....	1114
Passed; ayes 43, nays none.....	1115
Reported enrolled .....	1150
Signed by President.....	1150
Sent to Governor.....	1150
Signed by Governor.....	1172
337 By Committee on Appropriations No. 1. To appropriate funds to the board of education for maintenance for the biennium of institutions thereunder.	
Introduced, placed on calendar..	647
Passed; ayes 47, nays none.....	726
Messaged to House.....	726

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Returned to Senate.....	816
Concurred .....	826
Passed; ayes 45, nays none.....	827
Reported enrolled .....	904
Signed by President.....	905
Sent to Governor.....	905
Signed by Governor.....	929
338 By Committee on Social Security. Relating to unemployment compensation fund; to provide for cancellation of outstanding warrants and issuance of warrants in lieu thereof.	
Introduced, referred .....	666
Recommended for calendar.....	761
Passed; ayes 35, nays none.....	789
Returned to Senate.....	932
Reported enrolled .....	990
Signed by President.....	990
Sent to Governor.....	991
Signed by Governor.....	1056
339 By Committee on Agriculture No. 2. Relating to narcotic drugs and license fees therefor; to exempt persons producing, processing hemp.	
Introduced, referred .....	667
Recommended for calendar.....	761
Passed; ayes 40, nays none.....	790
Returned to Senate.....	950
Reported enrolled .....	1008
Signed by President.....	1008
Sent to Governor.....	1008
Signed by Governor.....	1128
340 By Committee on Appropriations No. 2. Creating a revolving audit fund; providing for its administration and payment of certain expenses of the tax commission.	
Introduced, placed on calendar..	667
Passed; ayes 42, nays none.....	735
Returned to Senate.....	906
Reported enrolled .....	969
Signed by President.....	970
Sent to Governor.....	970
Signed by Governor.....	1033
341 By Committee on Ways and Means. Relating to the collection of tax levied on freight line and equipment companies.	
Introduced, referred .....	679
Recommended for calendar.....	811
Passed; ayes 45, nays none.....	956
Returned to Senate.....	1022
Reported enrolled .....	1055
Signed by President.....	1055
Sent to Governor.....	1055
Signed by Governor.....	1129
342 By Committee on Mines and Mining. Relating to sealing of abandoned mines; to include "strip" mines.	
Introduced, referred .....	679
343 By Committee on Appropriations No. 1. Authorizing expenditures of the state highway commission from the primary road fund.	
Introduced, placed on calendar..	679
Passed; ayes 46, nays none.....	736
Returned to Senate.....	906
Refused to concur.....	915
Conference committee appointed	969

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Report of conference committee	1045
Conference report, amendments adopted	1051
Passed; ayes 43, nays none	1051
Title amended	1051
Reported enrolled	1126
Signed by President	1126
Sent to Governor	1127
Signed by Governor	1171

344 By Committee on Appropriations No. 2. Relating to allocations of revenues of the income, corporations and sales tax.	
Introduced, placed on calendar	702
Amendment filed	778
Amendment adopted	783
Passed; ayes 43, nays none	783
Returned to Senate	983
Concurred	996
Passed; ayes 41, nays none	997
Reported enrolled	1032
Signed by President	1033
Sent to Governor	1033
Signed by Governor	1128

345 By Committee on Appropriations No. 2. To provide for disposition of balance in the Iowa emergency relief fund; creating contingent fund and emergency relief fund.	
Introduced, placed on calendar	702
Amendment filed	738
Amendments adopted	746
Passed; ayes 43, nays none	746
Returned to Senate	951
Refused to concur	963
Conference committee appointed	1018
Conference committee report	1046
Conference report, amendments adopted	1052
Passed; ayes 46, nays none	1052
Reported enrolled	1126
Signed by President	1126
Sent to Governor	1127
Signed by Governor	1171

346 By Committee on Appropriations No. 2. To appropriate funds for the Iowa Co-operative Commission and Council of State Governments.	
Introduced, placed on calendar	702
Passed; ayes 42, nays none	747
Returned to Senate	950
Reported enrolled	1008
Signed by President	1008
Sent to Governor	1008
Signed by Governor	1128

347 By Committee on Appropriations No. 2. Relating to the approval of compensation of state employees during fiscal period to July 1, 1945.	
Introduced, placed on calendar	702
Amendment adopted	747
Passed; ayes 45, nays none	748
Returned to Senate	994
Concurred	999
Passed; ayes 43, nays none	1000
Reported enrolled	1032
Signed by President	1033
Sent to Governor	1033
Signed by Governor	1128

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348 By Committee on Appropriations No. 2. To appropriate funds from the primary road fund for payment of workmen's compensation claims.	
Introduced, placed on calendar	702
Passed; ayes 45, nays none	748
Returned to Senate	906
Reported enrolled	969
Signed by President	970
Sent to Governor	970
Signed by Governor	1034

349 By Committee on Appropriations No. 2. To make appropriations from the liquor control fund for use in liquor control enforcement.	
Introduced, placed on calendar	703
Passed; ayes 45, nays none	749
Returned to Senate	950
Reported enrolled	1008
Signed by President	1008
Sent to Governor	1008
Signed by Governor	1128

350 By Committee on Appropriations No. 2. To appropriate funds for various state departments, divisions for the biennium ending June 30, 1945.	
Introduced, placed on calendar	703
Amendments filed	738, 761, 762
Amendments as amended adopted	771
Amendment adopted	772
Passed; ayes 44, nays none	772
Ordered engrossed	772
Returned to Senate	852
Refused to concur	872
Conference committee appointed	915
Conference committee report	970
Report and amendments adopted	984
Passed; ayes 50, nays none	985
Title amended	985
Messaged to House	985
Reported enrolled	1096
Signed by President	1096
Sent to Governor	1096
Signed by Governor	1171

351 By Committee on Military Affairs. Relating to the military and naval staff of the Governor.	
Introduced, referred	703
Recommended for calendar	811
Amendment filed	814
Amendment adopted	947
Passed; ayes 45, nays none	948
Returned to Senate	1022
Reported enrolled	1055
Signed by President	1055
Sent to Governor	1055
Signed by Governor	1129

352 By Committee on Judiciary No. 2. Relating to tax exemptions for military service.	
Introduced, referred	739
Recommended for calendar	1130

353 By Committee on Judiciary No. 2. Relating to funeral expenses paid from the old age assistance fund.	
Introduced, referred	740
Recommended for calendar	811
Amendment filed	846
Amendment as amended adopted	909

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Amendment adopted .....	909
Passed; ayes 40, nays none.....	910
Returned to Senate.....	1132
Reported enrolled .....	1170
Signed by President.....	1170
Sent to Governor.....	1170
Signed by Governor.....	
 354 By Committee on Judiciary	
No. 2. Relating to penalty	
for operating a motor vehicle	
while intoxicated.	
Introduced, referred .....	740
 355 By Committee on Claims.	
To make appropriations to	
Henry and Eleanor Broder-	
son, et al.	
Introduced, referred .....	763
Recommended for passage.....	777
Amendment filed .....	793
Passed; ayes 43, nays 2.....	939
Returned to Senate.....	994
Reported enrolled .....	1032
Signed by President.....	1033
Sent to Governor.....	1033
Signed by Governor.....	1128
 356 By Committee on Claims.	
Relating to claims between	
the state of Iowa and others.	
Introduced, referred .....	780
Returned without recommenda-	
tion .....	846
Passed; ayes 43, nays 1.....	967
Returned to Senate.....	1089
Reported enrolled .....	1126
Signed by President.....	1126
Sent to Governor.....	1127
Signed by Governor.....	1171
 357 By Committee on Appro-	
priations No. 1. To appro-	
priate funds for improve-	
ments, repairs and supplies	
for the state capitol build-	
ings and grounds.	
Introduced, placed on calendar..	781
Amendment filed .....	813
Amendments adopted .....	945, 946
Passed; ayes 37, nays 1.....	946
Returned to Senate.....	994
Reported enrolled .....	1032
Signed by President.....	1033
Sent to Governor.....	1033
Signed by Governor.....	1128
 358 By Committee on Appro-	
priations No. 2. To appropri-	
ate funds to the state comp-	
troller from the motor ve-	
hicle fuel tax fund.	
Introduced, placed on calendar..	781
Passed; ayes 41, nays none.....	947
Returned to Senate.....	994
Reported enrolled .....	1032
Signed by President.....	1033
Sent to Governor.....	1033
Signed by Governor.....	1128
 359 By Committee on Claims.	
To make appropriations to	
treasurer of Worth county,	
Iowa, and others.	
Introduced, referred .....	839
Returned without recommenda-	
tion .....	975
Passed; ayes 41, nays none.....	1028
Returned to Senate.....	1050
Concurred .....	1068
Passed; ayes 39, nays none.....	1069
Reported enrolled .....	1126

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Signed by President.....	1126
Sent to Governor.....	1127
Signed by Governor.....	1171
 360 By Committee on Claims.	
To make appropriations to	
certain named persons to	
cover refunds on motor ve-	
hicle registration fees.	
Introduced, referred .....	839
Recommended for passage.....	976
Passed; ayes 41, nays none.....	1029
Returned to Senate.....	1050
Reported enrolled .....	1096
Signed by President.....	1096
Sent to Governor.....	1096
Signed by Governor.....	1171
 361 By Committee on Military	
Affairs. Relating to proce-	
dure for review under sol-	
diers' preference law.	
Introduced, referred .....	839
 362 By Committee on Military	
Affairs. To extend time for	
filing claims for exemption	
for military service.	
Introduced, referred .....	839
Recommended for calendar.....	846
Passed; ayes 42, nays none.....	910
Messaged to House.....	910
Returned to Senate.....	1022
Reported enrolled .....	1055
Signed by President.....	1055
Sent to Governor.....	1055
Signed by Governor.....	1128
 363 By Committee on Dairying.	
To permit serving of oleo-	
margarine at certain state	
institutions until six months	
after duration of the pres-	
ent war.	
Introduced, referred .....	893
Recommended for calendar.....	916
Passed; ayes 46, nays 1.....	1002
Messaged to House.....	1002
Returned to Senate.....	1098
Reported enrolled .....	1150
Signed by President.....	1150
Sent to Governor.....	1150
Signed by Governor.....	1172
 364 By Committee on Dairying.	
To provide for exemption	
from sales tax of gross re-	
ceipts from sale of dairy	
products to creamery pa-	
trons.	
Introduced, referred .....	893
 365 By Committee on Election	
Reform. To provide for vote	
in primary, general elections	
of qualified electors who are	
in armed forces.	
Introduced, referred .....	893
Recommended for calendar.....	991
Amendment adopted .....	1040
Passed; ayes 40, nays none.....	1040
 366 By Committee on Election	
Reform. Relating to nomi-	
nations by non-party politi-	
cal organizations.	
Introduced, referred .....	893
Recommended for calendar.....	991
Passed; ayes 35, nays none.....	1036

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367 By Committee on Election Reform. Providing procedure for nomination in case of the death of a candidate.	
Introduced, referred .....	894
Recommended for calendar.....	991
Passed; ayes 35, nays none.....	1037
Motion to reconsider filed.....	1046
368 By Committee on Election Reform. Relating to certification of jury lists.	
Introduced, referred .....	894
Recommended for calendar.....	991
H. F. 470 substituted.....	1037
369 By Committee on Post-War Planning. To provide that municipalities may create a sinking fund to be used for post-war improvements.	
Introduced, referred .....	905
Recommended for calendar.....	916
Amendment filed .....	992
Amendment adopted .....	1005
Failed; ayes 17, nays 32.....	1005
370 By Committee on Judiciary No. 2. Relating to certificates of health furnished by members of armed forces with respect to applications for marriage licenses.	
Introduced, referred .....	917
371 By Committee on Judiciary No. 2. Relating to deductions for medical care when computing net income; to amend S. F. 82.	
Introduced, referred .....	917
Recommended for calendar.....	974
Passed; ayes 41, nays none.....	1010
Returned to Senate.....	1142
Reported enrolled .....	1170
Signed by President.....	1170
Sent to Governor.....	1170
Signed by Governor.....	
372 By Committee on Claims. To make appropriations to certain named persons in settlement of damages sustained on primary roads.	
Introduced, referred .....	939
Returned without recommendation .....	975
Amendments filed .....	1047, 1066
Amendment adopted .....	1069
Passed; ayes 41, nays none.....	1069
Returned to Senate.....	1107
Reported enrolled .....	1150
Signed by President.....	1150
Sent to Governor.....	1150
Signed by Governor.....	1172
373 By Committee on Claims. To make appropriations to Giles Funeral Home and Oral C. Johnson.	
Introduced, referred .....	939
Returned without recommendation .....	975
Passed; ayes 40, nays none.....	1030
Returned to Senate.....	1050
Reported enrolled .....	1096
Signed by President.....	1096
Sent to Governor.....	1096
Signed by Governor.....	1171

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374 By Committee on Claims. To make appropriations to certain insurance companies in settlement of damages sustained by cancellation of policies.	
Introduced, referred .....	940
Returned without recommendation .....	975
Deferred .....	1030
Failed; ayes 29, nays 17.....	1139
375 By Committee on Highways. To authorize highway commission to cooperate in construction, maintenance of flight strips.	
Introduced, referred .....	940
Recommended for calendar.....	974
Passed; ayes 40, nays none.....	1009
Returned to Senate.....	1089
Reported enrolled .....	1126
Signed by President.....	1126
Sent to Governor.....	1127
Signed by Governor.....	1171
376 By Committee on Claims. To make appropriations to First National Bank, Council Bluffs, Iowa, and others.	
Introduced, referred .....	940
Returned without recommendation .....	991
Amendment adopted .....	1054
Passed; ayes 44, nays none.....	1055
Returned to Senate.....	1098
Concurred .....	1101
Passed; ayes 44, nays none.....	1101
Reported enrolled .....	1150
Signed by President.....	1150
Sent to Governor.....	1150
Signed by Governor.....	1172
377 By Committee on Appropriations No. 2. To appropriate \$5,000 for the purpose of paying the cost of supplies and services rendered to the 50th General Assembly.	
Introduced, placed on calendar..	981
Amendment filed .....	1020
Amendment adopted .....	1034
Passed; ayes 37, nays none.....	1035
378 By Committee on Appropriations No. 2. To appropriate \$5,000 for the purpose of repairs to stop slides of ground at the capitol grounds.	
Introduced, placed on calendar..	981
Passed; ayes 39, nays none.....	1036
Returned to Senate.....	1050
Reported enrolled .....	1096
Signed by President.....	1096
Sent to Governor.....	1096
Signed by Governor.....	1171
379 By Committee on Social Security. To provide for war risk contributions on the payrolls of employers under unemployment compensation.	
Introduced, referred .....	1021
Recommended for calendar.....	1064
Amendments filed.....	1066, 1083, 1158
Made special order.....	1118
Committee of the whole.....	1140, 1141
Amendment adopted .....	1140
Amendments withdrawn .....	1160
Passed; ayes 40, nays none.....	1161
Returned to Senate.....	1164

S. F.	Page	S. F.	Page
Reported enrolled .....	1170	Recommended for special calendar .....	1115
Signed by President .....	1170	Passed; ayes 40, nays none .....	1123
Sent to Governor .....	1170	Returned to Senate .....	1142
Signed by Governor.		Reported enrolled .....	1170
		Signed by President .....	1170
380 By Committee on Claims.		Sent to Governor .....	1170
To make appropriations to members of state office building committee.		Signed by Governor.	
Introduced, referred .....	1073		
Returned without recommendation .....	1080	385 By Committee on Accounting. Relating to the budget report of the state comptroller.	
Recommended for special calendar .....	1115	Introduced, referred .....	1086
Passed; ayes 42, nays none .....	1116	Recommended for calendar .....	1097
Returned to Senate .....	1125	Recommended for special calendar .....	1115
Reported enrolled .....	1150	Passed; ayes 44, nays none .....	1123
Signed by President .....	1150	Returned to Senate .....	1142
Sent to Governor .....	1150	Reported enrolled .....	1170
Signed by Governor .....	1172	Signed by President .....	1170
		Sent to Governor .....	1170
381 By Committee on Claims.		Vetoed by Governor.	
To make appropriations to Mr. and Mrs J. C. Cottrell, Albia, Iowa, and others.			
Introduced, referred .....	1073	386 By Committee on Judiciary No. 2. To establish general fund for the state for the biennium.	
Returned without recommendation .....	1080	Introduced, referred .....	1086
Recommended for special calendar .....	1115	Recommended for calendar .....	1097
Passed; ayes 43, nays none .....	1116	Amendment filed .....	1105
Returned to Senate .....	1125	Recommended for special calendar .....	1115
Concurred .....	1136	Amendment adopted .....	1117
Passed; ayes 44, nays none .....	1136	Passed; ayes 42, nays none .....	1117
Reported enrolled .....	1170	Returned to Senate .....	1132
Signed by President .....	1170	Reported enrolled .....	1150
Sent to Governor .....	1170	Signed by President .....	1150
Signed by Governor.		Sent to Governor .....	1150
		Signed by Governor .....	1172
382 By Committee on Accounting. To reduce time when unencumbered balances of appropriations shall revert to general fund; to reduce time in which to file claims.			
Introduced, referred .....	1085	387 By Committee on Judiciary No. 2. Relating to the annual tax levy for general state purposes.	
Recommended for calendar .....	1097	Introduced, referred .....	1086
Recommended for special calendar .....	1115	Recommended for calendar .....	1097
Passed; ayes 33, nays none .....	1121	Recommended for special calendar .....	1115
Returned to Senate .....	1142	Passed; ayes 40, nays none .....	1118
Reported enrolled .....	1170	Returned to Senate .....	1142
Signed by President .....	1170	Reported enrolled .....	1170
Sent to Governor .....	1170	Signed by President .....	1170
Signed by Governor.		Sent to Governor .....	1170
		Signed by Governor.	
383 By Committee on Accounting. To provide for cancellation of all state warrants unredeemed within six months; to provide that holders of same shall have claim against state.		388 By Committee on Judiciary No. 2. To authorize code editor to edit the expression "and/or" whenever it occurs in the statutes and acts of the General Assembly.	
Introduced, referred .....	1086	Introduced, referred .....	1086
Recommended for calendar .....	1097		
Recommended for special calendar .....	1115		
Passed; ayes 37, nays none .....	1122	389 By Committee on Appropriations No. 1. To authorize the purchase of and payment for certain property in Arnolds Park, Dickinson county, Iowa.	
Returned to Senate .....	1142	Introduced, placed on calendar .....	1087
Reported enrolled .....	1170	Amendment filed .....	1131
Signed by President .....	1170	Amendment adopted .....	1152
Sent to Governor .....	1170	Passed; ayes 31, nays 7 .....	1153
Signed by Governor.		Returned to Senate .....	1160
		Reported enrolled .....	1170
384 By Committee on Accounting. To provide for cancellation on all treasury checks unredeemed within six months; to provide that holders of same shall have claim against state.		Signed by President .....	1170
Introduced, referred .....	1086	Sent to Governor .....	1170
Recommended for calendar .....	1097	Signed by Governor.	

S. F.	Page	S. F.	Page
390 By Committee on Public Schools. Providing for state aid to public schools and providing for appropriation of state aid to school districts.		standards are affected by federal law regulation.	
Introduced, referred .....	1087	Introduced, referred .....	1087
Recommended for calendar.....	1097	Recommended for calendar 1097, 1130	
Recommended for passage.....	1104	Amendment filed .....	1130
Made special order.....	1105	Withdrawn .....	1169
Amendments adopted .....	1111, 1112		
Passed; ayes 32, nays 15.....	1112	392 By Committee on Judiciary	
Explanation of votes.....	1113	No. 2. To authorize state comptroller to transfer from the use tax fund designated for homestead credit to the general fund.	
391 By Committee on Judiciary		Introduced, referred .....	1111
No. 2. Relating to the sale in Iowa of commodities whose		Recommended for calendar.....	1130

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## HOUSE FILES AND JOINT RESOLUTIONS

PASSED AND APPROVED—152

J. R. 1, 2.

2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19,  
20, 21, 22, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37,  
38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54,  
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183, 186, 205, 210, 212, 214, 215, 216, 217, 218, 222, 223, 225, 235, 242, 243,  
244, 247, 254, 260, 261, 268, 275, 282, 283, 285, 294, 295, 296, 299, 317, 318,  
320, 325, 326, 327, 340, 343, 344, 348, 361, 362, 367, 369, 379, 381, 382, 387,  
388, 393, 398, 401, 403, 406, 411, 437, 447, 449, 456, 463, 465, 468, 470, 477,  
478, 487, 488, 490, 492, 494.

## RECORD OF EACH HOUSE BILL IN SENATE

H. F.	Page	H. F.	Page
1 By Special Committee on Legislation. Relating to traveling expenses of members of State Board of Eugenics.		6 By Special Committee on Legislation. Authorizing tax commission in collection of use tax where fraud is suspected.	
Received, referred .....	123	Received, passed on file .....	82
Recommended for passage .....	511	Referred .....	86
2 By Special Committee on Legislation. Relating to soldier's exemptions.		Recommended for passage .....	127
Received, passed on file .....	37	Passed; ayes 47, nays none .....	151
Referred .....	42, 92	Signed by President .....	191
Recommended for passage .....	111	7 By Special Committee on Legislation. To repeal certain obsolete provisions from income tax law.	
Amendment adopted .....	120	Received, passed on file .....	82
Passed; ayes 43, nays none .....	121	Referred .....	86
Signed by President .....	191	Recommended for passage .....	357
3 By Special Committee on Legislation. To eliminate filing of certain reports by wholesalers and distributors of beer.		Passed; ayes 43, nays none .....	473
Received, passed on file .....	82	Signed by President .....	579
Referred .....	86	8 By Special Committee on Legislation. Relating to election and termination of employer's coverage under unemployment compensation.	
4 By Special Committee on Legislation. Relating to investment of permanent school funds.		Received, passed on file .....	82
Received, passed on file .....	296	Referred .....	86
Referred .....	312	Recommended for passage .....	156
Recommended for amendment and passage .....	501	Passed; ayes 43, nays none .....	174
Recommended for calendar .....	611	Signed by President .....	213
Amendment adopted .....	614	9 By Special Committee on Legislation. To provide for collection of Class B and Class C beer permit fees.	
Passed; ayes 46, nays none .....	615	Received, referred .....	98
Recalled from House .....	638	Recommended for amendment and passage .....	179
Amendment filed .....	645	Amendment adopted .....	223
Reconsidered; ayes 46, nays none .....	672	Passed; ayes 43, nays none .....	223
Amendment withdrawn .....	672	Signed by President .....	258
Amendment adopted .....	672	10 By Special Committee on Legislation. Relating to licensing of golf and country clubs to sell beer.	
Passed; ayes 46, nays none .....	673	Received, passed on file .....	82
Signed by President .....	775	Referred .....	86
5 By Special Committee on Legislation. Relating to reciprocal agreements with other states regarding payment of unemployment taxes.		Recommended for passage .....	97
Received, passed on file .....	37	Passed; ayes 46, nays none .....	97
Referred .....	42, 92	Signed by President .....	126
Recommended for passage .....	178		
Passed; ayes 45, nays none .....	222		
Signed by President .....	258		

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11 By Special Committee on Legislation. Relating to licensing of the sale of cigarettes.	
Received, referred .....	154
Recommended for passage.....	233
Passed; ayes 46, nays none.....	326
Signed by President.....	373
12 By Special Committee on Legislation. Authorizing tax commission in collection of retail sales tax.	
Received, passed on file.....	61
Referred .....	86
Recommended for passage.....	88
Passed; ayes 48, nays none.....	97
Signed by President.....	126
13 By Special Committee on Legislation. Relating to license fees for scales and gasoline pumps.	
Received, referred .....	123
Amendments filed .....	180
Recommended for passage.....	192
Passed; ayes 47, nays none.....	278
Signed by President.....	311
14 By Special Committee on Legislation. To establish state institution fund in each county for commitment, transportation of patients.	
Received, passed on file.....	297
Referred .....	312
Amendment filed .....	415
Recommended for calendar.....	623
Amendments adopted .....	634
Passed; ayes 38, nays 2.....	635
Title amended .....	635
Signed by President.....	757
15 By Special Committee on Legislation. To enable cities and towns to include tests for Bang's disease in ordinances regulating dairy products.	
Received, passed on file.....	83
Referred .....	86
Recommended for calendar.....	761
Referred .....	802
16 By Special Committee on Legislation. Relating to court review of decisions of unemployment compensation commission.	
Received, referred .....	98
Recommended for passage.....	111
Passed; ayes 42, nays none.....	122
Signed by President.....	191
17 By Special Committee on Legislation. To require notice to state comptroller of approval by district court of any transfer of municipal funds.	
Received, passed on file.....	83
Referred .....	86
Recommended for passage.....	128
Passed; ayes 47, nays none.....	152
Signed by President.....	191
18 By Special Committee on Legislation. To make all persons living in Iowa subject to state income tax.	
Received, referred .....	154
Recommended for passage.....	192
Passed; ayes 44, nays none.....	322
Signed by President.....	373

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19 By Special Committee on Legislation. To clarify present state inheritance tax law.	
Received, referred .....	154
Amendments filed .....	157, 248
Recommended for amendment and passage .....	412
Recommended for calendar.....	761
Amendment adopted .....	785
Amendment withdrawn .....	785
Passed; ayes 39, nays none.....	785
Signed by President.....	928
20 By Special Committee on Legislation. Relating to tenure of Class "B" permits issued to golf and country clubs.	
Received, referred .....	104
Recommended for passage.....	177
Passed; ayes 43, nays none.....	224
Signed by President.....	258
21 By Special Committee on Legislation. Relating to contributions under unemployment compensation; to provide for appeal by employer.	
Received, referred .....	98
Recommended for passage.....	178
Passed; ayes 45, nays none.....	225
Signed by President.....	258
22 By Special Committee on Legislation. Relating to definition of practice of accountancy.	
Received, passed on file.....	61
Referred .....	86
Recommended for passage.....	112
Amendment adopted .....	122
Passed; ayes 42, nays none.....	122
Signed by President.....	191
23 By Special Committee on Legislation. Relating to the computing and apportionment of taxes in school districts.	
Received, referred .....	704
Amendments filed .....	976, 1086
Recommended for calendar.....	1030
Amendment adopted .....	1102
Passed; ayes 35, nays 6.....	1103
Messaged to House.....	1103
Returned to Senate with concurrence refused .....	1143
Deferred .....	1161, 1172
24 By Special Committee on Legislation. Relating to the enforcement of law affecting the practice of pharmacy.	
Received, referred .....	98
Recommended for calendar.....	991
Passed; ayes 39, nays none.....	1042
Signed by President.....	1097
25 By Special Committee on Legislation. Relating to expiration date of liquor permits.	
Received, referred .....	99
Recommended for passage.....	178
Passed; ayes 43, nays none.....	225
Signed by President.....	258
26 By Special Committee on Legislation. Relating to local budget law and powers, duties of the state board with respect thereto.	
Received, referred .....	652



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27 By Special Committee on Legislation. Relating to road maintenance patrol.		36 By Special Committee on Legislation. Relating to sec- ondary road system with reference to park and insti- tutional roads.	
Received, passed on file.....	61	Received, referred.....	105
Referred.....	86	Recommended for passage.....	281
Recommended for calendar.....	611	Passed; ayes 39, nays none.....	367
Deferred.....	614	Signed by President.....	429
Amendment adopted.....	629		
Passed; ayes 44, nays none.....	630		
Signed by President.....	678		
28 By Special Committee on Legislation. Relating to in- vestment of funds of banks and trust companies in fed- eral housing securities.		37 By Special Committee on Legislation. Relating to reg- istration of highway routes.	
Received, referred.....	99	Received, passed on file.....	270
Recommended for passage.....	280	Referred.....	281
Passed; ayes 48, nays none.....	353	Recommended for passage.....	429
Signed by President.....	411	Recommended for calendar.....	611
29 By Special Committee on Legislation. Relating to style, type to be used in print- ing the Code of Iowa.		Passed; ayes 36, nays none.....	613
Received, referred.....	104	Signed by President.....	678
Recommended for passage.....	177		
Passed; ayes 40, nays 2.....	226		
Signed by President.....	258		
30 By Special Committee on Legislation. Relating to maximum loads on motor trucks.		38 By Special Committee on Legislation. Relating to amount of paid capital re- quired of loan and trust com- panies.	
Received, referred.....	99	Received, referred.....	105
Recommended for passage.....	245	Recommended for passage.....	332
Passed; ayes 43, nays 2.....	348	Report adopted.....	417
Signed by President.....	411	Passed; ayes 40, nays none.....	418
31 By Special Committee on Legislation. Relating to the legal custody of paroled pris- oners.		Signed by President.....	442
Received, referred.....	99		
Recommended for passage.....	112		
Passed; ayes 43, nays none.....	123		
Signed by President.....	191		
32 By Special Committee on Legislation. Relating to the cash reserve required by cer- tain trust companies.		39 By Special Committee on Legislation. Relating to the appointment of the ad- jutant general.	
Received, referred.....	105	Received, referred.....	105
Recommended for passage.....	234	Recommended for amendment and passage.....	179
Passed; ayes 43, nays none.....	327	Amendment adopted.....	229
Signed by President.....	373	Passed; ayes 44, nays none.....	229
33 By Special Committee on Legislation. Relating to qualifications for license to practice accountancy.		Messaged to House.....	229
Received, referred.....	105	Signed by President.....	258
Recommended for passage.....	177		
Passed; ayes 43, nays none.....	227		
Signed by President.....	258		
34 By Special Committee on Legislation. Relating to com- missioners for Iowa in other states.		40 By Special Committee on Legislation. To authorize ap- propriations for campaigns for sale of war savings bonds.	
Received, referred.....	105	Received, referred.....	99
Recommended for passage.....	176	Recommended for passage.....	100
Passed; ayes 42, nays none.....	228	Rereferred.....	108
Signed by President.....	258	Amendment filed.....	112
35 By Special Committee on Legislation. Relating to transfer of lots for use as school sites.		Recommended for amendment and passage.....	129
Received, referred.....	105	Amendment as amended adopted	153
Recommended for passage.....	177	Amendment withdrawn.....	153
Passed; ayes 41, nays none.....	228	Passed; ayes 29, nays 13.....	153
Signed by President.....	258	Title amended.....	153
		Signed by President.....	191
		41 By Special Committee on Legislation. Relating to reversion and reapportion- ment of farm-to-market road fund.	
		Received, referred.....	124
		Recommended for passage.....	156
		Passed; ayes 41, nays none.....	174
		Signed by President.....	213
		42 By Special Committee on Legislation. Relating to penalties for violation of pro- visions of fish and game law.	
		Received, referred.....	106
		Recommended for passage.....	247
		Passed; ayes 46, nays none.....	348
		Signed by President.....	411

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43 By Special Committee on Legislation. To legalize expenditure of funds by counties and cities and towns for civilian defense.	
Received, referred .....	154
Amendment filed .....	217
44 By Special Committee on Legislation. Relating to water navigation regulations.	
Received, referred .....	106
Recommended for passage .....	177
Passed; ayes 45, nays none .....	230
Signed by President .....	253
45 By Special Committee on Legislation. Relating to salaries of municipal court officers.	
Received, referred .....	106
Recommended for passage .....	232
Passed; ayes 45, nays none .....	367
Signed by President .....	429
46 By Special Committee on Legislation. Relating to agents of licensed fur dealers.	
Received, referred .....	106
Recommended for passage .....	247
Passed; ayes 46, nays none .....	349
Signed by President .....	411
47 By Special Committee on Legislation. Relating to use of seines in removal of certain fish from Mississippi and Missouri rivers.	
Received, referred .....	190
Recommended for passage .....	512
Recommended for calendar .....	623
Passed; ayes 44, nays none .....	636
Signed by President .....	678
48 By Special Committee on Legislation. Relating to the assessment and liability of stockholders of banks and trust companies.	
Received, referred .....	106
Recommended for passage .....	332
Passed; ayes 38, nays none .....	419
Signed by President .....	442
49 By Special Committee on Legislation. Relating to date of meeting of presidential electors.	
Received, referred .....	106
Recommended for passage .....	378
Passed; ayes 45, nays none .....	529
Signed by President .....	608
50 By Special Committee on Legislation. Relating to conservation laws and officers of conservation commission.	
Received, referred .....	124
Recommended for passage .....	331
Deferred .....	419
Amendment adopted .....	421
Passed; ayes 36, nays none .....	421
Signed by President .....	579
51 By Special Committee on Legislation. Relating to duties of clerk of the district court.	
Received, referred .....	124
Recommended for passage .....	179
Passed; ayes 42, nays 1 .....	231
Signed by President .....	258

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52 By Special Committee on Legislation. Relating to the improvement of extensions of the primary roads in cities and towns.	
Received, referred .....	124
Recommended for passage .....	293
Amendment adopted .....	368
Passed; ayes 40, nays none .....	368
Signed by President .....	442
53 By Special Committee on Legislation. Relating to powers of board of parole.	
Received, referred .....	124
Recommended for passage .....	358
Rereferred .....	473
Recommended for passage .....	514
Recommended for calendar .....	623
Passed; ayes 44, nays none .....	637
Signed by President .....	678
54 By Special Committee on Legislation. Relating to closed season on frogs.	
Received, referred .....	125
Recommended for calendar .....	611
Passed; ayes 41, nays none .....	613
Signed by President .....	678
55 By Special Committee on Legislation. To permit confiscation of fishing equipment used in violation of law.	
Received, referred .....	125
56 By Special Committee on Legislation. Relating to record of commissions filed with secretary of state.	
Received, referred .....	125
Recommended for passage .....	376
Passed; ayes 42, nays none .....	505
Signed by President .....	579
57 By Te Paske. Relating to elections of boards of trustees of municipal water works.	
Received, passed on file .....	270
Referred .....	281
Recommended for passage .....	512
Recommended for calendar .....	611
Passed; ayes 46, nays none .....	616
Signed by President .....	678
61 By Graft. To authorize certain cemetery officers to attend meetings of cemetery officials; providing for certain expenses.	
Received, referred .....	355, 356
Recommended for calendar .....	611, 777
Rereferred .....	662
Amendments adopted .....	840
Passed; ayes 27, nays 13 .....	841
Signed by President .....	1008
65 By Mills. To include chaplains in fixing of compensation of officers and employees of the general assembly.	
Received, passed on file .....	417
Referred .....	450
Recommended for passage .....	511
Recommended for calendar .....	761
Passed; ayes 40, nays none .....	786
Signed by President .....	822

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67 By Sloane and McFarlane. Relating to exemption from taxation of property of persons in military service.	
Received, referred .....	190
69 By Special Committee on Legislation. Relating to rights of aliens in real property.	
Received, referred .....	125
Recommended for passage .....	233
Passed; ayes 43, nays none .....	327
Signed by the President .....	373
76 By Special Committee on Legislation. To provide for records of corporations not for pecuniary profit.	
Received, referred .....	765
Recommended for calendar .....	811
Passed; ayes 45, nays none .....	958
Signed by the President .....	1079
79 By Special Committee on Legislation. All relating to a state census.	
Received, referred .....	125
Recommended for passage .....	246
Passed; ayes 45, nays none .....	350
Signed by President .....	411
80 By Special Committee on Legislation. Relative to time within which damage suits may be brought against cities governed by commission.	
Received, referred .....	126
Returned without recommendation .....	411
81 By Special Committee on Legislation. To secure home- stead tax credit benefits for recipients of old age assist- ance.	
Received, referred .....	154
Recommended for passage .....	465
Recommended for calendar .....	623
Passed; ayes 45, nays none .....	636
Signed by President .....	678
82 By Special Committee on Legislation. Relating to angling laws with reference to "walleyed" pike.	
Received, referred .....	155
Recommended for passage .....	332
Passed; ayes 36, nays none .....	420
Signed by President .....	442
83 By Special Committee on Legislation. To correct con- flict in the law relating to daily catch and possession limits on fish.	
Received, referred .....	155
Recommended for passage .....	332
Passed; ayes 37, nays none .....	420
Signed by President .....	442
84 By Nelson. Relating to no- tice and hearing on clean-out of an outlet drainage district ditch; assessment therefor.	
Received, referred .....	765

H. F.	Page
87 By Cooper, Wichman, Wil- son of Calhoun and Colburn. To recognize the Iowa state sheep association; promote welfare of sheep industry.	
Received, passed on file .....	297
Substituted for S. F. 12 .....	322
Passed; ayes 48, nays none .....	322
Signed by President .....	373
88 By Cooper and Good. Re- lating to delegates to state fair board convention.	
Received, passed on file .....	434
Referred .....	450
Recommended for passage .....	580
Recommended for calendar .....	664
Passed; ayes 40, nays none .....	732
Signed by President .....	792
95 By Special Committee on Legislation. To provide that law requiring publication of legalizing acts shall not ap- ply to expenditures for war emergencies.	
Received, referred .....	126
Recommended for passage .....	412
Recommended for calendar .....	761
Passed; ayes 40, nays none .....	787
Signed by President .....	822
100 By Judd, Butterfield, Mc- Farlane, Nelson, Nielsen, Ore- baugh, Sloane, Steinberg, Walter of Marshall and Long. Relating to territorial jurisdiction of municipal courts.	
Received, referred .....	355, 356
103 By Greene, Hall, Scott of Sac and Yager. Relating to catfish season and size of bass and walleyed pike.	
Received, referred .....	190
Recommended for passage .....	247
Passed; ayes 47, nays none .....	351
Signed by President .....	411
104 By Judd, Butterfield, Mc- Farlane, Nelson, Orebaugh, Sloane, Steinberg, Walter of Marshall and Long. Relating to jurisdiction in civil mat- ters in municipal courts.	
Received, passed on file .....	232
Referred .....	233
105 By Judd, Butterfield, Mc- Farlane, Nelson, Nielsen, Ore- baugh, Sloane, Steinberg, Walter of Marshall and Long. Relating to salaries of court reporters of municipal courts.	
Received, referred .....	1107
106 By Committee on Appropri- ations. To appropriate emer- gency funds for the division of vital statistics.	
Received, referred .....	166
Recommended for passage .....	245
Passed; ayes 46, nays none .....	351
Signed by President .....	411
107 By Greene. Relating to boarding of prisoners by county sheriffs.	
Received, passed on file .....	453
Referred .....	463
Returned without recommenda- tion .....	501

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Passed; ayes 46, nays none.....	1015
Signed by President.....	1097
Recommended for calendar.....	974
108 By Scott of Fayette, Carlson, Burk, Pritchard, Cowan, Jensen and Yager. Relating to registration plates on automobiles used by dealers.	
Received, referred.....	211, 212
Recommended for amendment and passage.....	464
113 By Knudson. To empower trustees of public libraries with respect to gifts and donations.	
Received, passed on file.....	297
Referred.....	312
Recommended for calendar.....	645
Amendment adopted.....	676
Passed; ayes 43, nays none.....	676
Signed by President.....	775
114 By Farmer. Relating to notice of appointment of executors and administrators.	
Received, passed on file.....	304
Referred.....	331
Recommended for passage.....	430
Recommended for calendar.....	623
Passed; ayes 41, nays none.....	633
Signed by President.....	678
116 By Latchaw. Relating to the towing or four wheeled trailers behind trucks or farm tractors.	
Received, referred.....	652
Recommended for calendar.....	974
Passed; ayes 44, nays none.....	1027
Signed by President.....	1097
123 By McFarlane and Butterfield. To provide for pension and retirement system for employees of municipally owned water works.	
Received, referred.....	895
Amendments filed.....	948, 1047
131 By Lage and Hedin. To appropriate fund for payment of sewer in street adjoining state owned property in Davenport, Iowa.	
Received, referred.....	704
Recommended for calendar.....	728
Referred.....	758
Recommended for passage.....	777
Passed; ayes 39, nays 1.....	913
Signed by President.....	1008
134 By Johnson of Monona. Legalizing proceedings of supervisors of Monona county, Iowa, with respect to Haltz drainage district.	
Received, passed on file.....	270
Substituted for S. F. 71.....	344
Passed; ayes 45, nays none.....	345
Signed by President.....	411
135 By Johnson of Monona. Legalizing proceedings of supervisors of Monona county, Iowa, with respect to Farmers and Garretson drainage district.	
Received, passed on file.....	270
Substituted for S. F. 72.....	345
Passed; ayes 47, nays none.....	346
Signed by President.....	411

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136 By Dodds and Avery. Relating to federal acquisitions of real estate in the state and jurisdiction thereover.	
Received, passed on file.....	298
Referred.....	312
Recommended for passage.....	451
Substituted for S. F. 173.....	453
Passed; ayes 43, nays none.....	454
Signed by President.....	579
138 By Shimanek and Wellington. Relating to salaries of employees at the state penitentiary and men's reformatory.	
Received, referred.....	933
Recommended for passage.....	975
Amendment adopted.....	1030
Passed; ayes 41, nays none.....	1031
Signed by President.....	1150
142 By Gardner of Linn. To make an appropriation to defray expenses of inaugural ceremonies.	
Received, passed on file.....	271
Substituted for S. F. 73.....	278
Passed; ayes 42, nays none.....	279
Signed by President.....	311
144 By Kuester. Relating to provisions for publication of proceedings, expenditures of school districts.	
Received.....	257
Referred.....	258
Recommended for passage.....	293
Passed; ayes 36, nays 3.....	369
Signed by President.....	429
148 By Wamstad. To provide for education in the public schools on harmful effect of alcohol and narcotics.	
Received, referred.....	697
Amendments filed.....	992, 1065
151 By McFarlane, Sloane and Butterfield. To protect seniority rights of policemen and firemen entering the armed forces.	
Amendment filed.....	645
Received, referred.....	652
Recommended for calendar.....	761
Amendment adopted.....	786
Passed; ayes 41, nays none.....	787
Signed by President.....	928
153 By Kuester, Heffner, Tyrrell, Bockwoldt, Knudson and Bryson. Relating to audits of cities and school districts; providing for filing of reports.	
Received, referred.....	933
Recommended for calendar.....	974
Passed; ayes 43, nays none.....	1028
Signed by President.....	1097
160 By Fimmen, Dvorak, Long and Hutchison. Relating to compensation of shorthand reports of the district court.	
Received, referred.....	872
Recommended for calendar.....	916
Passed; ayes 40, nays 3.....	1003
Signed by President.....	1027

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161 By Weichman. Relating to expense allowed court reporter when required to leave city of his residence.	
Received, referred .....	1023
162 By Committee on Appropriations. To provide emergency appropriation for maintenance of institutions under board of control.	
Received, referred .....	211, 212
Recommended for passage .....	234
Passed; ayes 45, nays none.....	328
Signed by President.....	373
165 By Fishbaugh. Legalizing titles affecting real property.	
Received, referred .....	718
167 By Martin, Dodds, Fimmen, Doud, Siefkas and Poston. To change the open season on quail and the time for shooting quail.	
Received, referred .....	652
Recommended for calendar .....	777
Passed; ayes 38, nays none.....	911
Signed by President.....	1018
168 By Steinberg. Authorizing the recording of certified petitions in bankruptcy; to provide for the indexing thereof.	
Received, referred .....	652
Recommended for calendar .....	1064, 1130
Passed; ayes 31, nays none.....	1155
Signed by President.....	1170
183 By Yager. Relating to open season on fur-bearing animals.	
Received, referred .....	799
Recommended for calendar.....	846
Passed; ayes 41, nays 1.....	987
Signed by President.....	1079
186 By Committee on County and Township Organization. Relating to transfer of municipal emergency fund and the vote necessary therefor.	
Received, passed on file.....	270
Referred .....	281
Recommended for passage .....	333
Passed; ayes 40, nays none.....	423
Signed by President.....	442
188 By Walter of Marshall, Scott of Sac, Gardner of Linn and Farmer. Relating to dairy herds and milk.	
Received, referred .....	952
189 By Yager and Wormley. Relating to distribution of profits of the state liquor commission.	
Received, referred .....	1107
205 By Yager. Relating to boats licensed for hire and the use of the state pier at West Okoboji.	
Received, referred .....	799
Recommended for calendar.....	846
Passed; ayes 45, nays none.....	969
Signed by President.....	1079

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210 By Walter of Pottawattamie, Less, Donohue, Noble, Tatum, Long and Nelson. Relating to affidavits of adverse possession under tax deed.	
Received, referred .....	933
Recommended for calendar.....	1020
Passed; ayes 43, nays none.....	1060
Signed by President.....	1150
212 By Dvorak. Relating to description of tracts.	
Received, referred .....	800
Recommended for calendar.....	916
Passed; ayes 40, nays none.....	1007
Signed by President.....	1097
214 By Committee on Banks and Banking. Relating to payment of expenses of the state department of banking.	
Received, passed on file.....	298
Referred .....	312
Recommended for passage.....	377
Deferred .....	507
Passed; ayes 40, nays 2.....	591
Signed by President.....	678
215 By Committee on Banks and Banking. To place savings banks and trust companies on a parity with state, national banks with respect to deposits.	
Received, passed on file .....	298
Referred .....	312
Recommended for passage.....	377
Passed; ayes 46, nays 1.....	507
Signed by President.....	579
216 By Committee on Dairy and Food. Relating to the standard by weight of milk fat in ice cream.	
Received, passed on file.....	304
Referred .....	331
Substituted for S. F. 175.....	365
Passed; ayes 44, nays none.....	365
Signed by President.....	429
217 By Committee on Dairy and Food. Relating to inspection fees for scales for weighing.	
Received, passed on file.....	305
Referred .....	331
Recommended for passage.....	499
Recommended for calendar.....	623
Amendment adopted .....	660
Passed; ayes 43, nays none.....	661
Signed by President.....	757
218 By Lage and Hedin. Relating to seining for fish in the Mississippi river.	
Received, referred .....	800
Recommended for calendar .....	874
Amendment filed .....	877
Amendment adopted .....	1014
Passed; ayes 39, nays none.....	1015
Signed by President.....	1150
222 By Prentiss. To make permanent certain temporary transfers of funds of Ringgold county.	
Received, referred .....	719
Recommended for calendar.....	728
Passed; ayes 48, nays none.....	944
Signed by President.....	1008

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223 By Committee on Social Security. To preserve benefit rights under unemployment compensation of an individual entering the armed service.		243 By Shlmanek. To exempt curbliners from motor vehicle registration law; to require certain equipment for trucks carrying inflammables.	
Received, passed on file.....	305	Received, referred .....	920
Referred .....	331	Recommended for calendar .....	1064, 1164
Recommended for amendment and passage .....	466	Amendments filed .....	1080, 1130
Recommended for calendar.....	664	Amendments adopted .....	1165
Amendment adopted .....	734	Passed; ayes 40, nays none.....	1166
Passed; ayes 44, nays none.....	734	Signed by President.....	1170
Signed by President.....	822		
225 By Committee on Judiciary No. 1. To provide for publication of the title of district court cases and all related matters; compensation therefor.		244 By Wichman. To exempt seasonal employees commuting from another state from motor vehicle registration; to make other changes in motor vehicle law.	
Received, passed on file.....	305	Received, referred .....	953
Substituted for S. F. 95.....	325	Recommended for calendar.....	1020
Deferred .....	325	Passed; ayes 43, nays none.....	1062
Amendment adopted .....	364	Signed by President.....	1150
Passed; ayes 42, nays none.....	364		
Signed by President.....	442	247 By Nelson. Relating to the registration of trade marks, labels and advertisements.	
232 By Nelson and Carlson. To provide for appointment of a parole agent in certain counties.		Received, referred .....	800
Received, referred .....	766	Recommended for calendar.....	916
		Passed; ayes 46, nays none.....	1006
235 By Committee on Dairy and Food. Relating to cold storage locker plants.		Signed by President.....	1097
Received, passed on file.....	424		
Referred .....	450	254 By Ritchie. To empower cities and towns to levy tax for city hall maintenance.	
Recommended for passage.....	608	Received, referred .....	934
Recommended for calendar.....	761	Recommended for calendar.....	991
Passed; ayes 38, nays none.....	788	Passed; ayes 40, nays none.....	1039
Signed by President.....	822	Signed by President.....	1097
236 By Dvorak. Relating to depositions in a workmen's compensation case.			
Received, referred .....	1057	260 By Committee on Public Health. Relating to use of drinking cups in food establishments; providing for sterilization of utensils used for dispensing cold beverages.	
237 By Committee on Dairy and Food. Relating to milk and cream regulations.		Received, referred .....	934
Received, passed on file.....	434	Substituted for S. F. 301.....	965
Referred .....	463	Amendments adopted .....	965
		Passed; ayes 45, nays none.....	966
238 By Committee on Banks and Banking. Authorizing certain banks to make installment loans.		Signed by President.....	1079
Received, referred .....	526, 552		
241 By Jessen and Wichman. Providing for adjustment of truck loads.		261 By Committee on Elections. Relating to signatures to nomination papers.	
Received, referred .....	1090	Received, referred .....	653
		Recommended for calendar.....	728
242 By Nelson, Carlson, McFarlane, Butterfield, Sloane, Long, Judd, Hedin and Latchaw. To provide for continuation of benefits for members of policemen's and firemen's retirement system who are in armed forces.		Passed; ayes 46, nays none.....	751
Received, referred .....	800	Signed by President.....	822
Recommended for calendar.....	811		
Passed; ayes 47, nays none.....	965	263 By Good, Kuester, Miller, Ritchie, Heffner, and Bockwoldt. To withhold registration of any motor vehicle until delinquent personal taxes of owner have been paid.	
Signed by President.....	1079	Received, referred .....	782
		268 By Nielsen. Limiting lien against real or personal property by judgments obtained prior to 1930.	
		Received, referred .....	719
		Recommended for calendar.....	846
		Passed; ayes 43, nays none.....	1000
		Signed by President.....	1097

H. F.	Page
275 By Johnson of Marion. To provide for disposition of property in cases of apparently simultaneous death.	
Received, referred	996
Recommended for calendar	1020
Passed; ayes 45, nays none	1059
Signed by President	1150
280 By Fishbaugh. To provide for the protection of employment status of persons in military or naval service.	
Received, referred	872
282 By Farmer. Relating to annual tax levy for parks and cemeteries.	
Received, referred	1024
Recommended for calendar	1064
Passed; ayes 44, nays none	1079
Signed by President	1150
283 By Latchaw, Doud, Avery, Hutchison and Dvorak. To permit improvement of certain streams by conservation commission.	
Received, referred	800
Recommended for calendar	846
Amendment filed	977
Amendment adopted	987
Passed; ayes 43, nays none	988
Signed by President	1079
284 By Doud, Walter of Pottawattamie, Poston, Dvorak, Nielsen and Tatum. Relative to entry of title change of real property in estates probated.	
Received, referred	800
285 By Doud, Walter of Pottawattamie, Poston, Dvorak, Nielsen and Tatum. Relating to release of mortgages and conditional sales contracts.	
Received, referred	921
Recommended for calendar	991
Passed; ayes 41, nays none	1041
Signed by President	1097
294 By Burma. To make permanent a certain temporary transfer of funds of Butler county, Iowa.	
Received, referred	653
Recommended for calendar	664
Passed; ayes 37, nays none	941
Signed by President	1008
295 By Burma. To make permanent a certain temporary transfer of funds of the independent school district of Allison, Iowa.	
Received, referred	653
Recommended for calendar	664
Passed; ayes 40, nays none	941
Signed by President	1008
296 By Committee on Departmental Affairs. Relating to the duties of the car dispatcher; to purchase of motor vehicles.	
Received, referred	563
Recommended for calendar	664
Passed; ayes 40, nays 1	732
Signed by President	792

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299 By Dvorak, Poston and Wichman. All relating to application for and issuance of operator's and chauffeur's licenses.	
Received, referred	934
Recommended for calendar	1064, 1164
Passed; ayes 39, nays none	1168
Signed by President	1170
300 By Knowlton, Troeger, Klemesrud, Norland, Robb, Noble, Newsome, Huston, Knudson, Moyle, Te Paske, Fimmen, Latchaw, Nelson, Long, Greene, Baldwin, Yager, Shimanek and Kuester. All relating to the Iowa school code.	
Received, referred	1090
303 By Sloane and Orebaugh. Relating to pension funds and assessments therefor; to provide that same shall be applicable to certain municipal court deputy bailiffs.	
Received, referred	895
317 By Donohue. To permit boards of supervisors to lease rock crushing equipment.	
Received, referred	954
Recommended for calendar	991
Passed; ayes 38, nays none	1038
Signed by President	1097
318 By Committee on Military Affairs. Relating to tax levy for relief of indigent soldiers, sailors, marines and nurses and their dependents.	
Received, referred	934
Recommended for calendar	846
Passed; ayes 47, nays none	1001
Signed by President	1097
319 By Graft. Requiring railroads to furnish statements of wage deductions to employees.	
Received, referred	984
320 By Johannes. Relating to open season on pheasants.	
Received, referred	954
Recommended for calendar	974
Passed; ayes 44, nays 1	1010
Signed by President	1097
322 By Committee on Judiciary No. 2. Relating to evidence, the taking of depositions and the examination of witnesses.	
Received, referred	1024
325 By Special Committee on Compensation of Public Officers. Relating to increase in compensation of certain county officials.	
Received, referred	627
Amendments filed	664, 698, 846, 849, 891
Recommended for calendar	811
Made special order	854
Amendments adopted	896, 897, 898, 899

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Passed; ayes 50, nays none....	899	354 By Committee on Old Age Assistance. All relating to old age assistance.	
Title amended .....	899	Received, referred .....	695
Amendment withdrawn .....	899		
Insists .....	937		
Conference committee appointed .....	937, 951		
Conference Committee report.....	1018	356 By Knudson. To restrict sale of beer to business districts.	
Conference report, amendments adopted .....	1032	Received, referred .....	1095
Passed; ayes 39, nays 3.....	1032		
Title corrected .....	1032		
Signed by President.....	1097		
		359 By Prentiss, Noble, Kuester, Colburn, Brindle, Te Paske, Ritchie, Latchaw, Good, Hall, Whitehead, Gardner of Bremer, Avery, Heffner, Anderson, Mills, Siefkas, Miller, Wilson of Calhoun, Reed, Robb, Steinberg, Blatti, Welchman, Doud, Felton, Dattaman, Klemesrud, Cooper, Kruse, Donohue, Dodds, Peterson, Moyle, Fritchard, Gardner of Linn, Baldwin, Martin, Jessen, Burk, Swaner, Huston, Scott of Fayette, Johnson of Monona and Edwards. To establish standard time in the state of Iowa.	
326 By Jessen and Martin. Relating to the cancellation of certificates of purchase.		Received, referred .....	895
Received, referred .....	766		
Recommended for calendar.....	777	361 By Committee on Appropriations. To appropriate funds to board of control for support of institutions thereunder.	
Passed; ayes 39, nays none.....	791	Received, referred .....	563
Signed by President.....	822	Recommended for passage.....	624
		Passed; ayes 40, nays none.....	632
327 By Pieper. Relating to the management of municipal hospitals.		Signed by President.....	678
Received, referred .....	801		
Recommended for calendar.....	974	362 By Orebaugh and Sloane. Relating to compensation of county, municipal and school examiners and their assistants.	
Passed; ayes 45, nays none.....	1014	Received, referred .....	1057
Signed by President.....	1097	Recommended for calendar.....	1064
		Recommended for special calendar .....	1115
340 By Committee on Banks and Banking. Relating to suspension of limitations on loans for the production and marketing of agricultural commodities.		Passed; ayes 39, nays 2.....	1139
Received, referred .....	766	Signed by President.....	1170
Recommended for calendar.....	777		
Passed; ayes 44, nays none.....	842	367 By Steinberg. Relating to method of paying special assessments for improvements of highways adjacent to state-owned land.	
Signed by President.....	928	Received, referred .....	1057
		Recommended for calendar .....	1064, 1130
343 By Committee on State Educational Institutions. Relating to compensation of University hospital ambulance escorts.		Passed; ayes 32, nays none.....	1155
Received, referred .....	934	Signed by President.....	1170
Recommended for calendar .....	974		
Passed; ayes 43, nays 2.....	1012	369 By Fishbaugh. To make permanent a temporary transfer of funds of Coin, Iowa.	
Signed by President.....	1097	Received, referred .....	719
		Recommended for calendar.....	728
344 By Farmer, Wellington, Avery, Hall, McFarlane, Tatum, Gardner of Linn, Knudson, Scott of Fayette and Scott of Sac. Relating to corporations not for pecuniary profit.		Passed; ayes 44, nays none.....	944
Received, referred .....	782	Signed by President.....	1008
Amendments filed .....	948, 1020		
Recommended for calendar.....	991	371 By Sloane and Poston. Relating to assignments of wages.	
Amendments adopted .....	1058	Received, referred .....	1024
Passed; ayes 44, nays none.....	1059		
Signed by President.....	1150		
346 By Committee on Dairy and Food. Relating to licenses for food establishments.			
Received, referred .....	954		
348 By Walter of Pottawattamie. To legalize the expenditure of certain funds by Pottawattamie county.			
Received, referred .....	719		
Recommended for calendar.....	1020		
Passed; ayes 40, nays none.....	1062		
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379 By Burma. To legalize corporate acts and proceedings of the Waverly Gravel and Tile Company.	
Received, referred .....	720
Recommended for calendar....	728
Passed; ayes 42, nays none.....	943
Signed by President.....	1008
381 By Johannes. To legalize and validate expenditures by the board of supervisors of Osceola county.	
Received, referred .....	720
Recommended for calendar....	991
Passed; ayes 39, nays none.....	1039
Signed by President.....	1097
382 By Pieper. To legalize actions of city council of Lansing, Iowa.	
Received, referred .....	720
Recommended for calendar....	728
Passed; ayes 42, nays none.....	943
Signed by President.....	1008
383 By Committee on Appropriations. Relating to the office of chief clerk of the House.	
Received, referred .....	742
Amendment filed .....	1083
386 By Committee on Board of Control. Relating to property of deceased inmates of state institutions under supervision of board of control.	
Received, referred .....	996
387 By Committee on Board of Control. Relating to the adjudication of an alleged feeble-minded person.	
Received, referred .....	996
Recommended for calendar....	1020
Passed; ayes 38, nays none.....	1042
Signed by President.....	1097
388 By Hutchison. To legalize and validate proceedings of board of supervisors of Kosuth county in conveyance of real estate.	
Received, referred .....	720
Recommended for calendar....	728
Passed; ayes 44, nays none.....	877
Signed by President.....	928
392 By Committee on Drainage. Providing for making repairs and improvements in levee and drainage districts without, in certain instances, giving notice of assessments.	
Amendment filed .....	978
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393 By Morrissey. To make fence agreements by adjoining land owners binding.	
Received, referred .....	801
Recommended for calendar....	811
Amendment filed .....	391
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398 By Walter of Marshall. To legalize corporate acts and renewal of charter by the H. A. Petersen Company.	
Received, referred .....	720
Recommended for calendar....	728
Passed; ayes 41, nays none.....	942
Signed by President.....	1008
401 By Wormley. Relating to penalty on delinquent taxes of members of armed forces.	
Received, referred .....	742
Recommended for calendar....	916
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Passed; ayes 45, nays none.....	1004
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403 By Whitehead and Klemesrud. To protect seniority rights of official newspapers when publisher is in armed service.	
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Recommended for calendar....	777
Amendments filed .....	793, 891
Amendments adopted .....	912
Passed; ayes 42, nays none.....	912
Signed by President.....	1008
404 By Committee on Aeronautics. Relating to aerial transportation; providing for creation of aviation fund.	
Received, referred .....	1099
Recommended for calendar....	1130
Failed; ayes 24, nays 20.....	1157
406 By Committee on Agriculture No. 2. Relating to bonded warehouses for agricultural products.	
Received, referred .....	782
Recommended for calendar....	811
Passed; ayes 45, nays none.....	958
Signed by President.....	1079
408 By Hedin, Lage, Shimanek and Sloane. Relative to the transfer of shares of stock in corporations.	
Received, referred .....	1024
411 By Nielsen. To provide state aid for fairs and short courses in counties having two farm aid associations.	
Received, referred .....	954
Recommended for calendar....	974
Passed; ayes 46, nays none.....	1016
Signed by President.....	1097
427 By Moyle and Kuester. Relating to issuance of secondary road construction fund certificates by counties.	
Received, referred .....	1095
Recommended for calendar....	1097
429 By Committee on Cities and Towns. To provide for a commission for the purpose of recodifying the laws of Iowa pertaining to cities and towns.	
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437 By Nelson and Johnson of Monona. To establish the boundary line between Iowa and Nebraska by agreement.	

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Recommended for calendar .....1097, 1130	466 By Committee on Appropriations. To appropriate funds for the Iowa cooperative commission and the council of state governments.	
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444 By Lane. To legalize proceedings of the board of supervisors of Carroll county, Iowa.	468 By Committee on Judiciary No. 1. To legalize action of the board of supervisors of Clinton county, Iowa.	
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447 By Dodds, Doud, Huston, Wellington, Ritchie, Johnson of Monona, Carlson, Fishbaugh, McFarlane, Reed, Anderson, Scott of Sac, Long, Colburn, Cooper, Shimanek, Wilson of Calhoun, Sloane, Lage, Greene, Less, Judd, Lane, Gardner of Bremer, Pieper, Hall and Kuhn. To extend open season on catfish.	Recommended for calendar.... 846	
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449 By Dvorak. Relating to unemployment compensation; to re-enact House File 21.	476 By Committee on Motor Vehicles and Transportation. To provide for the offense of careless driving and a penalty therefor.	
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456 By Committee on Judiciary No. 1. To legalize proceedings of the city of Burlington, Iowa, with respect to the acquisition of a municipal water works plant.	Recommended for calendar.... 974	
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463 By Committee on Motor Vehicles and Transportation. Relating to penalty for operating a motor vehicle while intoxicated or under the influence of narcotic drugs.	Received, referred .....1107	
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Passed; ayes 37, nays 1.....1168	Signed by President.....1170	
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465 By Committee on Appropriations. To provide an emergency appropriation to cover remaining expenses of the advisory committee on court procedure.	484 By Committee on Appropriations. To appropriate funds to the state comptroller from the motor vehicle fuel tax fund.	
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	Received, referred .....1057	
	Recommended for calendar....1064	
	Passed; ayes 38, nays none.....1104	
	Signed by President.....1170	

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488 By Committee on Judiciary No. 2. To legalize proceed- ings of joint drainage district No. 3 (Dickinson and Osce- ola counties).	
Received, referred .....	1057
Recommended for calendar.....	1064
Passed; ayes 37, nays none.....	1104
Signed by President.....	1170
490 By Committee on Ways and Means. Relating to tax- ation of federal property in Iowa.	
Received, referred .....	1108
Recommended for calendar.....	1158
Passed; ayes 35, nays none.....	1167
Signed by President.....	1170
492 By Committee on Appro- priations. Making an appro- priation for defraying ex- penses of official occasions.	
Received, referred .....	1096
Recommended for passage.....	1105
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Signed by President.....	1170

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494 By Committee on Appro- priations. Making an appro- priation for payment of mis- cellaneous expenses of the Fiftieth General Assembly.	
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Recommended for amendment and passage.....	1111
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Signed by President.....	1170
496 By Committee on Judiciary No. 2. To authorize state comptroller to transfer funds from the use tax fund to the state general fund.	
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Failed; ayes 17, nays 22.....	1162
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Signed by President pro tempore	462
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3 By Committee on Appro- priations No. 1. To provide for an investigation of the problem of maintenance, op- eration of the Iowa Great Lakes Sewage Disposal Sys- tem.	
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Passed; ayes 44, nays none.....	963
Reported enrolled .....	1008
Signed by President.....	1008
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Signed by Governor.....	1056
4 By Whitehill. Providing for the re-presentation of the silver service of the old battleship Iowa to the new Iowa.	

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5 By Stewart, Berg, White- hill and Leo. Providing for committee for observance of the Centennial of Iowa state- hood; providing for an ap- propriation therefor.	
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Signed by Governor.....	1056
6 By Committee on Post- war Planning. To provide for the appointment by the governor of a post-war re- habilitation committee.	
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Recommended for calendar .....	991
Amendment filed .....	1068
Amendment adopted .....	1077
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Messaged to House.....	1078
Returned to Senate.....	1125
Reported enrolled .....	1170
Signed by President.....	1170
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8 By Committee on Agriculture No. 1. To provide for appointment of state manpower and agricultural commission.	
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9 By Committee on Accounting. Relating to use of balance of fund appropriated for revising state accounting system.	
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**SHAW, ALBERT J.—Senator Fiftieth District.**

Bills introduced by—Nos. 51, 61, 62, 76, 82, 86, 117, 140, 155, 172, 192, 200, 204, 211, 227 231, 238, 246, 260, 271, 274.	
Committee assignments....7, 23, 72, 73, 74, 79, 244, 299, 759	
Petitions presented.....57, 181, 194, 215, 285, 316, 416, 432, 701, 795 1106	
Amendments offered.....235, 282, 300, 301, 415, 460, 516, 581, 684, 725, 891, 977, 992, 1011, 1042, 1108	
Resolutions offered.....10, 86, 291, 737, 853	
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**SJULIN, CARL O.—Senator Seventh District.**

Bills introduced by—Nos. 8, 21, 52, 55, 61, 62, 81, 101, 163, 230, 259, 273.

Committee assignments.....	7, 72, 73, 75, 79, 244
Petitions presented.....	58, 468, 522, 795
Amendments offered.....	694, 898, 992, 1047, 1054, 1083
Motions made.....	694, 943, 1054, 1102
Asked unanimous consent.....	401, 694, 1034
Explanation of vote.....	1113
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Bills introduced by—Nos. 292, 338, 379.

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**STEWART, PAUL P.—Senator Fortieth District.**

Bills introduced by—Nos. J. R. 5; 12, 270, 289.

Committee assignments.....	1, 72, 78, 74, 79, 244, 969
Petitions presented.....	159, 215
Amendments offered.....	467, 591, 813, 913, 992
Resolutions offered.....	10, 737
Motions made.....	1, 251, 585, 591, 592, 681, 913, 914, 942, 1013, 1014, 1062, 1079
Asked unanimous consent.....	494, 564, 565, 1062
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**TURNER, OLIVER—Senator Sixth District.**

Bills introduced by—Nos. 12, 61, 62, 230, 273.

Committee assignments.....	72, 73, 74, 75, 79, 928, 1173
Petitions presented.....	114, 265, 295, 780, 815
Amendments offered.....	898, 992
Resolutions offered.....	737
Motions made.....	6, 187, 367, 368, 898
Asked unanimous consent.....	187
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**VITTETOE, LUKE—Senator Twelfth District.**

Committee assignments.....	72, 74, 75, 79
Petitions presented.....	40, 930
Amendments offered.....	992, 1047
Resolutions offered.....	292, 737
Leave of absence granted.....	610

**VRBA, ED—Senator Forty-second District.**

Bills introduced by—Nos. 15, 16, 76, 134, 138, 197, 198, 205, 206.	
Committee assignments.....	9, 72, 73, 74, 75, 80, 921
Petitions presented.....	159, 181, 215, 359, 522, 679, 794, 851, 930
Amendments offered.....	133, 430, 891
Resolutions offered.....	737, 845
Motions made.....	9, 133, 143, 169, 175, 921
Asked unanimous consent.....	143, 169, 989
Leave of absence granted.....	646

**WATSON, DE VERE—Senator Nineteenth District.**

Bills introduced by—Nos. 17, 54, 63, 93, 115, 139, 149, 163, 182, 230, 239, 279.	
Committee assignments.....	47, 72, 73, 74, 75, 80, 244, 578, 645, 698
Petitions presented.....	57, 181, 316, 359, 380, 716
Amendments offered.....	283, 287, 358, 371, 516, 684, 747, 846, 891, 968, 1003, 1047, 1066, 1077
Resolutions offered.....	737
Motions made.....	47, 143, 144, 287, 371, 455, 456, 474, 475, 507, 529, 530, 537, 538, 698, 712, 742, 747, 877, 878, 939, 968, 1000, 1003, 1016, 1059, 1060, 1062, 1077, 1109, 1110, 1157
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**WHITEHILL, B. C.—Senator Twenty-eighth District.**

Bills introduced by—Nos. J. R. 4, 5; 26, 60, 61, 62, 81, 147, 156, 213.	
Committee assignments.....	5, 38, 72, 73, 74, 75, 80, 805
Petitions presented.....	58, 285, 359, 416, 468, 561, 701, 815, 981
Amendments offered.....	120, 948, 1058
Resolutions offered.....	737
Motions made.....	94, 95, 120, 121, 123, 190, 191, 228, 229, 594, 595, 631, 632, 668, 799, 805, 910, 941, 942, 947, 948, 992, 1000, 1001, 1058
Asked unanimous consent.....	190, 229, 596, 668, 669, 799, 839
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**ZASTROW, RALPH W.—Senator Forty-fourth District.**

Bills introduced by—Nos. 36, 52, 61, 62, 90, 101, 135, 199, 239, 254, 271.	
Committee assignments.....	47, 72, 73, 74, 75, 80, 915, 1018
Petitions presented.....	159, 285, 380, 395, 851

Amendments offered.....	343, 483, 515, 516, 684, 967, 992, 1047
Resolutions offered .....	737
Motions made.....	343, 758, 833, 967, 1002, 1003
Leave of absence granted.....	114
Presided at sessions of the Senate.....	1027

**ZEIGLER, SANFORD, JR.—Senator Second District.**

Bills introduced by—Nos. 52, 105, 118, 150, 151, 152, 289.	
Committee assignments.....	1, 10, 38, 72, 73, 74, 75, 80
Petitions presented .....	40, 295, 432, 815, 1159
Amendments offered .....	153, 665, 674, 992
Resolutions offered .....	10, 737
Motions made.....	8, 151, 321, 534, 535, 674, 956, 960, 961
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